

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING**

December 1, 2004

The City Council of the City of Grand Junction convened into regular session on the 1st day of December 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Jim Spehar and Council President Pro Tem Gregg Palmer. Absent were Council President Bruce Hill and Councilmember Harry Butler. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Gregg Palmer called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Scott Hogue, First Baptist Church.

PRESENTATIONS

UPDATE AND PRESENTATION ON THE COMPLETION OF THE CSEP PROJECT BY MARK RELPH, PUBLIC WORKS AND UTILITIES DIRECTOR

Public Works & Utilities Director Mark Relph reviewed the two year project, pointing out the enormity of the project and many of the challenges. He recognized all the contractors and the City Staff involved. The City Council applauded the completion of the project.

CERTIFICATE OF APPOINTMENT

TO THE PLANNING COMMISSION AND BOARD OF APPEALS

Patrick Carlow was present and received his certificate.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

Councilmember Spehar asked that item #11 regarding the VCB Special Event Funding recommendations be moved to individual consideration.

It was moved by Councilmember Spehar, seconded by Councilmember Kirtland and carried by roll call vote to approve Consent Calendar Items #1 through #10 and #12.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the November 15, 2004 Workshop and the Minutes of the November 17, 2004 Regular Meeting

2. **Setting a Hearing on the 2005 Budget Appropriation Ordinance**

The total appropriation for all thirty-seven accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) is \$149,814,880. Although not a planned expenditure, an additional \$3,500,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

Proposed Ordinance the Annual Appropriation Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Ridges Metropolitan District, and the Grand Junction West Water and Sanitation District, for the Year Beginning January 1, 2005, and Ending December 31, 2005

Action: Introduction of Proposed Ordinance and Set a Hearing for December 15, 2004

3. **Setting a Hearing on Zoning the Arbors Annexation Located at 2910 Orchard Avenue** [File #ANX-2004-217]

The 22.84-acre Arbors Annexation area consists of one parcel of land and right-of-way along 29 and Orchard Avenue. There is a single-family residence on a large vacant lot with access to Orchard Avenue. The applicants are in the Preliminary Plan review process.

Proposed Ordinance Zoning the Arbors Annexation to Residential Multi-Family, Not to Exceed 8 Dwelling Units per Acre (RMF-8) Located at 2910 Orchard Avenue

Action: Introduction of Proposed Ordinance and Set a Hearing for December 15, 2004

4. **Setting a Hearing for the Griffith Annexation Located at 2969 B ½ Road**
[File #ANX-2004-254]

Resolution referring a petition for annexation and introduction of proposed ordinance. The 4.141 acre Griffith Annexation consists of one parcel and a section of B ½ Road Right-of-Way. This is in conjunction with a proposed preliminary plan for Chipeta Glenn Phase #2 Subdivision.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 121-04 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Griffith Annexation Located at 2969 B ½ Road and Including a Portion of B ½ Road Right-of-Way

Action: Adopt Resolution No. 121-04

b. **Setting a Hearing on Proposed Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Griffith Annexation, Approximately 4.141 Acres, Located at 2969 B ½ Road and Including a Portion of B ½ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for January 5, 2005

5. **Setting a Hearing for the Summit View Meadows Filing #2 Annexation Located at 3140 D ½ Road** [File #ANX-2004-256]

Resolution referring a petition for annexation and introduction of proposed ordinance. The 4.9409 acre Summit View Meadows Filing #2 Annexation consists of one parcel of land. It is in conjunction with a proposed preliminary plan for Summit View Meadows Filing #2 Subdivision.

a. **Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction**

Resolution No. 122-04 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Summit View Meadows Filing #2 Annexation Located at 3140 D ½ Road

Action: *Adopt Resolution No. 122-04*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit View Meadows Filing #2 Annexation, Approximately 4.9409 Acres, Located at 3140 D ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for January 5, 2005*

6. **Setting a Hearing for the Summit Annexation Located at 280 29 Road** [File #ANX-2004-242]

Resolution referring a petition for annexation and introduction of proposed ordinance. The 29.435 acre Summit Annexation consists of two parcels of land and portions of the B ½ Road and 29 Road Rights-of-Way.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 123-04 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Summit Annexation Located at 280 29 Road and including 29 Road and B ½ Road Rights-of-Way

Action: *Adopt Resolution No. 123-04*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit Annexation No. 1, Approximately .9357 Acres, Located within the 29 and B ½ Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit Annexation No. 2, Approximately 28.50 Acres, Located at 280 29 Road and Including Portions of the 29 & B ½ Roads Rights-of-Way

Action: *Introduction of Proposed Ordinances and Set a Hearing for January 5, 2005*

7. **Setting a Hearing on Zoning the Reece/Ice Skating Inc. Annexation Located along the Colorado River, 2499 River Road** [File #ANX-2004-240]

Introduction of a proposed zoning ordinance to zone the Reece/Ice Skating Inc. Annexation, CSR, Community Services & Recreation, located at 2499 River Road. The Annexation consists of 75.3 acres and consists of three (3) parcels of unplatted land located along the Colorado River.

Proposed Ordinance Zoning the Reece/Ice Skating Inc. Annexation to Community Services & Recreation (CSR) Located at 2499 River Road

Action: Introduction of Proposed Ordinance and Set a Hearing for December 15, 2004

8. **Extension of the Applicability of the Prior Zoning and Development Code for Redlands Mesa** [File #MSC-2004-261]

This is a request to extend the applicability of the pre-2000 Zoning and Development Code ("prior Code") until December 31, 2012 for the remaining filings of Redlands Mesa.

Action: Approval of the Requested Extension

9. **Use of Parking Garage by the Public Attending the Parade of Lights on Saturday, December 4, 2004**

Council will consider a request by the Downtown Association for the use of the City/County Parking Garage by the public attending the Parade of Lights on Saturday, December 4, 2004 from 4:30 p.m. to 10:00 p.m.

Action: Approve Request for Public Use of City/County Garage

10. **School Land Dedication Fee Extension Letter**

At the November 15, 2004 workshop, the City Council and School District No. 51 Board discussed the School Land Dedication Fee that was adopted by Resolution No. 119-00. The date established by the resolution for the Fee expiration is January 1, 2005 unless the fee is extended, amended, or under review. The letter from the Mayor Pro Tem to the School Board acknowledges that the Fee is under review and that it will be extended until June, 1, 2005 unless it is modified before that date.

Action: Authorize Mayor Pro Tem Palmer to Sign the Letter and Send it to Ron Rowley, School Board President

11. **Special Event Funding Recommendations from VCB**

City Council moved this to individual consideration.

12. **Annual Renewal of VCB Advertising Services Contract**

This is the final year of a 5-year annually renewable contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$375,000.00 for the Period January 1 – December 31, 2005

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Construction Contract for Concrete Walkways at Westlake, Darla Jean and Paradise Hills Parks

Preparing and placement of approximately 9,900 square feet of new concrete walkways at Westlake, 200 square feet at Darla Jean and 11,064 square feet, (includes a shelter foundation), at Paradise Hills Parks.

Joe Stevens, Parks and Recreation Director, reviewed this item noting that the City received six competitive bids.

Councilmember Kirtland agreed with Mr. Stevens assessment that the bids received were good.

Councilmember Kirtland moved to authorize the City Manager to execute a contract with Reyes Construction Inc. for the preparing and placement of concrete at Westlake, Darla Jean and Paradise Hills Parks for a total price of \$69,954.28. Councilmember Enos-Martinez seconded the motion. Motion carried.

Watershed MOU between City of Grand Junction and Mesa County

Adoption by resolution of a Memorandum of Understanding (MOU) between the City of Grand Junction and Mesa County Colorado relative to County land use decisions within the City watershed areas.

City Manager Kelly Arnold reviewed this item. The City has been working with three entities to develop Memorandums of Understanding, the Forest Service, the BLM and Mesa County. The one being considered at this time is with Mesa County. The MOU creates a partnership relationship with these entities. The County Commissioners considered the agreement on November 22, 2004 and approved it.

Councilmember Spehar complimented the effort to develop the agreement and is pleased that two of the agreements have been finalized.

Councilmember Kirtland agreed and was supportive of the annual meetings set forth in the agreements, allowing for a regular review.

Council President Pro Tem Palmer concurred and noted that he is pleased that the City decided to use MOU, instead of adopting the watershed ordinance proposed initially.

City Manager Arnold asked the City Council if there was an opportunity for the public to speak on the MOU since a number of folks were notified.

Council Pro Tem Palmer opened up the public comment opportunity. There were no public comments.

Resolution No. 124-04 – A Resolution of the City of Grand Junction Concerning Adoption of a Memorandum of Understanding between the City of Grand Junction and Mesa County (Watershed MOU)

Councilmember Kirtland moved to adopt Resolution No. 124-04. Councilmember Spehar seconded the motion. Motion Carried by roll call vote.

Public Hearing - Regulating Newsboxes in the Downtown Shopping Park

The number of newsboxes that have been placed downtown has proliferated in recent months. The newsboxes have been augmented by commercial advertising pieces resulting in as many as 15 boxes in several locations. This ordinance has been developed to address the issue in a manner common to other communities in Colorado by developing a bank of racks that will be made available for lease to newspapers. The goal is to clean up the visual pollution resulting from this rapid spread of boxes and tidying up the appearance of downtown.

Proposed Ordinance Amending Part of Chapter 32 of the City of Grand Junction Code of Ordinances Relating to Commercial Activities in the Downtown and Authorizing Publication in Pamphlet Form

Councilmember Enos-Martinez moved to continue the Public Hearing until December 15, 2004. Councilmember McCurry seconded to motion. Motion carried.

Special Event Funding Recommendations from VCB

Fourteen applications for Special Event funding were received by the November 2 deadline; funding requests totaled \$66,600. The Board recommends awarding a total of \$15,000 for out of town advertising to the following six events:

\$2,000	Grand Junction Air Show
\$3,000	Grand Valley Bicycle Classic (must provide documentation of matching funds from other sources by 2/1/05)
\$2,000	Wells Fargo Art & Jazz Festival
\$2,000	Fruita Fat Tire Festival (contingent on receiving matching funds from City of Fruita)
\$3,000	Fuoco Downtown Car Show
<u>\$3,000</u>	Colorado Mountain Winefest (for marketing in Colorado Springs)
\$15,000	Total Funding Recommendation

Debbie Kovalik, Executive Director of the Visitor and Convention Bureau, reviewed this item. She advised that the Air Show will be in August, 2005 after three years of it not being in Grand Junction. The Bicycle Classic has not happened in five years and was formerly called the Colorado Classic. Also, other events being funded are the Arts & Jazz Festival, the Fruita Fat Tire Festival, the Downtown Car Show, and the Winefest.

It was moved by Councilmember Spehar, seconded by Councilmember Enos-Martinez to authorize the funding awards as recommended. Motion carried.

Tax-Exempt Private Activity Bonds for Action Bindery

A Resolution setting forth the intention of the City of Grand Junction to issue an adjustable rate revenue bonds to finance a manufacturing facility as well as the acquisition of additional equipment for the benefit of Action Campus, LLC & Action Publishing, Inc. in the amount of \$1.75 million.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. He explained that this resolution is in anticipation of issuing bonds next year. It will be similar to what the Council did in a two year period for Pyramid Printing. The bonds, if issued, do not bind the City nor do they affect the City's future bonding ability. Grady Bussey, owner of Action Bindery, was present.

Councilmember Spehar noted that these bonds can be used for other purposes. Mr. Lappi, Administrative Services and Finance Director, said yes they can be used for affordable housing or the allocation can be allocated to CHFA to be used for first time home buyers to buy down their mortgages.

Council President Pro Tem Palmer asked where the money comes from. Mr. Lappi said it is the availability of bonds which are purchased by a financial institution, such as Wells Fargo, giving them a tax exempt rate.

Grady Bussey, owner of Action Bindery, explained that he wants to build a 15,000 square foot facility on property that was donated to the City by the Prinsters for the purpose of economic development. The savings on interest is huge to the company.

Resolution No. 125-04 – A Resolution Setting Forth the Intention of the City of Grand Junction, Colorado, to Issue Adjustable Rate Revenue Bonds to Finance a Manufacturing Facility for the Benefit of Action Campus, LLC, or it's Successors or Assigns

Councilmember Enos-Martinez moved to adopt Resolution No. 125-04. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Acceptance of Firefighters Grant by FEMA

On April 7, 2004, the City Council granted approval for the Fire Department to apply for \$108,395 assistance for the Firefighters Grant to purchase five (5) 12-lead cardiac monitor/defibrillators. On November 18, 2004, the Department received official notification from FEMA of a \$75,877 assistance to Firefighters Grant award (70% of the amount requested).

John Howard of the Fire Department reviewed this item. He advised that Council approved the application for this grant back in April and the Fire Department has been awarded the grant. The grant will allow the Fire Department to purchase twelve cardiac lead monitors all at once to replace the outdated monitors currently being used. The required match was in the budget to replace 2.5 monitors so with the grant all twelve can be replaced at once.

Councilmember Kirtland moved for the approval of the Fire Department to accept the Assistance to Firefighters Grant Award of \$75,877. Councilmember McCurry seconded the motion. Motion Carried.

Public Hearing – Creation of Alley Improvement District 2005

Successful petitions have been submitted requesting an Alley Improvement District be created to reconstruct the following seven alleys:

- East/West Alley from 1st to 2nd, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 9th to 10th, between Rood Avenue and White Avenue
- East/West Alley from 9th to 10th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 11th to 12th, between Teller Avenue and Belford Avenue
- North/South Alley from 18th to 19th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 18th to 19th, between Chipeta Avenue and Gunnison Avenue
- North/South Alley from 23rd to 24th, between Ouray Avenue and Gunnison Avenue

The public hearing was opened at 8:15 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He noted this is the second step to create the Alley Improvement District. These improvement districts are still very popular. There is a two to three year waiting list. There will be a Phase B in 2005 if Council is so inclined.

The property owners abutting the alley pay \$8.00 per abutting foot, a portion of the entire cost. The next step is to design the project.

Council President Pro Tem Palmer asked about the criteria to create these districts. Mr. Relph said a majority petition is required.

Councilmember Kirtland asked if the utilities in these alleys are upgraded at the same time. Mr. Relph replied affirmatively, the City works closely with the utility companies to coordinate those upgrades.

There were no public comments.

The public hearing was closed at 8:20 p.m.

Resolution No. 126-04– A Resolution Creating and Establishing Alley Improvement District No. St-05 Within the Corporate Limits of the City of Grand Junction, Colorado,

Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

Councilmember Enos-Martinez moved to adopt Resolution No. 126-04. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Utility Rate Changes Effective January 1, 2005

Resolution to amend utility rates for Water, Wastewater and Solid Waste Services effective January 1, 2005.

Mark Relph, Public Works and Utilities Director, reviewed this item. He summarized the proposed rate changes and outlined the need for the increases.

Council President Pro Tem Palmer inquired what the average household uses. Mr. Relph estimated about 10,000 gallons per month. The increases will not affect the base rate and the low use users. Through the water conservation program, the City is working with larger users to help them use less water.

Resolution No. 127-04 – A Resolution to Amend Utility Rates for Water, Wastewater and Solid Waste Services Effective January 1, 2005

Councilmember Kirtland moved to adopt Resolution No. 127-04. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – St. Mary's Hospital Rezone Located at 515 Patterson Road [File #RZ-2004-117]

Request to rezone 1.9 acres located at 515 Patterson Road, consisting of one parcel, from the B-1 (Neighborhood Business) zone district to PD (Planned Development) zone district. Planning Commission recommended approval at its November 9, 2004 meeting.

The public hearing was opened at 8:30 p.m.

Ronnie Edwards, Associate Planner, reviewed this item. The request is part of St. Mary's Master Plan. The purpose is to create a single entrance into the parking lot. The parcel was previously occupied by the Mesa County Health Department. That building has been demolished.

Council President Pro Tem Palmer asked if the residents on Mira Vista were contacted. Ms. Edwards answered affirmatively.

Rob Jenkins, an architect representing St. Mary's, 1009 N. 9th Street, said all of St. Mary's on all three campuses are zoned Planned Development with the exception of this property. This property was not originally included in the Master Plan as it was unsure when the Health Department would be relocating. St. Mary's actually repurchased the property from Mesa County. The intent of the rezone is so that all of their contiguous property is zoned the same. The submittal to the City was in three parts, the final plan was approved by the Planning Commission for the parking lot. Mira Vista residents were involved in the discussions. In the Master Plan 2000, a single entrance was proposed to St. Mary's and Mira Vista. It was approved to close access points off of Patterson. The location, no matter where it was located, would be in violation of the TEDS standards, too close to the other entrance. This proposed entrance is 400 feet west of Mira Vista and the number of curb cuts has been reduced from four to two and now to one.

The right turn lane off of Patterson Road is planned for 2005, and being funded partially by a grant from CDOT. There will be utility lines placed underground. St. Mary's will be participating in that project. Also, a realignment of Patterson at 7th Street will occur with the rededication of right-of-way by St. Mary's.

There were no public comments.

The public hearing was closed at 8:38 p.m.

Councilmember Kirtland applauded the cooperation amongst all the parties. Councilmember Spehar agreed, pointing out the improvements to 7th Street and traffic flow improvements.

Ordinance No. 3693 – An Ordinance Rezoning a Parcel of Land from B-1 (Neighborhood Business) Zone District to PD (Planned Development) Zone District Located at 515 Patterson Road (St. Mary's Hospital)

Councilmember Spehar moved to adopt Ordinance No. 3693. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Public Hearing - Zoning the Meyers/Steele Annexation Located at 3020 E ½ Road
[File #ANX-2004-206]

Hold a public hearing and consider final passage of the zoning ordinance to zone the Meyers/Steele Annexation RSF-4 (Residential Single Family 4 du/ac) located at 3020 E ½ Road. The 2.7559 acre annexation consists of one parcel of land and includes E ½ & 30 Road rights-of-way.

The public hearing was opened at 8:44 p.m.

Faye Hall, Planning Technician, reviewed this item. She described the site, the surrounding land use designations, and the surrounding zoning. The petitioner was not present.

There were no public comments.

The public hearing was closed at 8:45 p.m.

Ordinance No. 3694 – An Ordinance Zoning the Meyers/Steele Annexation to RSF-4 (Residential Single Family 4 du/ac) Located at 3020 E ½ Road

Councilmember Kirtland moved to adopt Ordinance No. 3694. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

Public Hearing - Vacation of an East/West Alley Right-of-Way Located between 9th and 10th Streets and D Road and Third Avenue [File #VR-2004-183]

Petitioner is requesting to vacate the 20' east/west alley right-of-way located between 9th and 10th Streets, D Road and Third Avenue. There is an existing sanitary sewer line in the alley right-of-way, which will be dedicated as a 20' multi-purpose easement. A Simple Subdivision Plat will also be filed that will combine six (6) lots into one (1) in anticipation of an expansion to the existing commercial laundry facility. The Planning Commission recommended approval for the vacation of right-of-way at its November 9th, 2004 meeting.

The public hearing was opened at 8:45 p.m.

Faye Hall, Planning Technician, reviewed this item. She described the surrounding uses and the future land use designations of the site and the surrounding properties. She advised the reason for the request and that Planning Commission recommended approval. An easement will be retained for utilities.

Councilmember Kirtland asked what use can occur on top of the easement. Ms. Hall said the purpose is to expand the parking lot, so they will be able to pave over the easement.

Rob Rolland, Design Specialists, representing the applicant, stated the applicant wishes to expand in order to improve their operations. This project will generate new landscaping, 250 shrubs and 10 new trees. A portion of the alley was vacated previously.

Ben Hill, 943 D Road, supported the request saying it will be a big plus to the area.

There were no other public comments.

The public hearing was closed at 8:50 p.m.

Ordinance No. 3695 – An Ordinance Vacating Right-of-Way Located within Block 13 of the Milldale Subdivision

Councilmember Enos-Martinez moved to adopt Ordinance No. 3695. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Public Hearing – Manor Annexation Growth Plan Amendment Located at the NE Corner of 26 ½ Road and I Road [File #GPA-2004-205]

Request approval of a Growth Plan Amendment to change the Future Land use designation from Rural (5 acres per unit) to Residential Medium Low (2-4 units per acre) on 11 acres, located at the NE Corner of 26 ½ Road and I Road

The public hearing was opened at 8:50 p.m.

Due to technical difficulties, the Council called a recess at 8:51 p.m.

The meeting reconvened at 8:55 p.m. The public hearing was open.

Kathy Portner, Planning Manager, reviewed this item. She described the surrounding zoning and uses. A portion of the property is in the Airport Critical Zone. Under the City's Code, development will need to be clustered outside of the Airport Critical Zone. There shall be no development in that area. The Airport noise contours of 60 to 65 decibels are not regulated by the Zoning and Development code, only noise levels above that. It has been recommended that upgrades be done to the construction of the homes for sound protection. The 1996 Growth Plan had the property in the Urban Growth Boundary but not in the Persigo 201 boundary. It was then removed as the two boundaries became one in the same. This past August the owners requested they be included in the Persigo 201 boundary and that was granted by the City and the County. Notices were sent to all property owners within 500 feet. The site was recently annexed and is not yet zoned. It was previously zoned RSF-R.

Ms. Portner reviewed the Growth Plan Amendment criteria. The recent inclusion will allow for development. Public facilities are adequate and available. Property to the north is located in the Airport Critical Zone and would be subject to restrictions on development.

The Planning Commission recommended approval. There were two residents in opposition at the Planning Commission meeting.

Bill Ballast, the petitioner's representative, addressed the City Council and noted that the petitioner Ben Hill is also present. He concurred with Ms. Portner's presentation. At both the Planning Commission meeting and in the neighborhood meetings some good comments were received and will be incorporated into the plan. The seepage problem from the canal will be addressed. They will continue to work with residents as the plan develops.

John Trotter, a resident in the area, is not really in opposition to the subdivision but wants to point out some conditions that went on in the approval process. By including the property into the 201 sewer boundary, it allowed the property to be developed at 2 to 4 units per acre. He felt the process should be looked at as not everyone is aware that this inclusion then paves the way for development. The noise corridor problem is that the planes do not stay in the glide path. Most of the noise is during take off and most planes turn as soon as they leave the ground and go right over Grand Vista Subdivision. The decibel level is much higher than 60 – 65 decibels. These 22 – 44 houses proposed are going to complain once built so perhaps the Council could require the planes stay in the glide path. Lastly, he addressed the road condition. The City did do some repair this last summer but it stops at H $\frac{3}{4}$ Road. That road is owned by the County and is getting in pretty bad shape, yet they aren't taking responsibility for it.

Council President Pro Tem Palmer asked Mr. Trotter if he received the notification about the 201 inclusion. He said he didn't know because he would not have made the connection that it would ultimately mean a zone change.

Council President Pro Tem Palmer advised, Mr. Trotter that he serves on the Airport Authority Board and he will carry Mr. Trotter's comments to them.

There were no other comments.

The public hearing was closed at 9:16 p.m.

Councilmember Kirtland acknowledged Mr. Trotter's comments and noted that Council should perhaps discuss with the Commissioners the ramifications of boundary amendments and the process. Regarding the Airport noise, he is all for trying to make those requirements of the pilots. Councilmember Kirtland asked when sewer was extended to that vicinity. Ms. Portner said within the last couple of years in conjunction with the Grand Vista Subdivision development.

Council President Pro Tem Palmer noted that the Airport has discussed the eventual extension of the runways which will impact the Airport Critical Zone.

Councilmember Spehar said no development will be allowed in the critical zone, something else will have to be in that area besides dwellings. The homes in that noisy area is a “buyer beware” situation. They will let the County know about the road conditions. He agreed they should find a way to make it clear to the public how boundary changes will affect properties. He feels it makes sense to make this Growth Plan Amendment.

Council President Pro Tem Palmer agreed that the notice on the 201 boundary changes should be made clearer.

Resolution No. 128-04 – A Resolution Amending the Growth Plan of the City of Grand Junction Manor Annexation, NE Corner of 26 ½ Road and I Road

Councilmember Enos-Martinez moved to adopt Resolution No. 128-04. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – 2nd Supplemental Appropriation Ordinance for 2004

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

The public hearing was opened at 9:25 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. This is the second supplemental appropriation ordinance of the year. The first was in the spring.

Council President Pro Tem Palmer asked about the funds for the expansion of the farming operations at Matchett. Mr. Lappi said the management of the property goes through the operations expansion fund of the Parks and Recreation Department.

There were no public comments.

The public hearing was closed at 9:27 p.m.

Ordinance No. 3696 – An Ordinance Making Supplemental Appropriations to the 2004 Budget of the City of Grand Junction

Councilmember Spehar moved to adopt Ordinance No. 3696. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Levying Property Taxes for the Year 2004 for Collection in the Year 2005

The resolutions set the mill levies of the City of Grand Junction (City), Ridges Metropolitan District #1, Grand Junction West Water and Sanitation District (GJWWSD), and the Downtown Development Authority (DDA). The City and the DDA mill levies are for operations; the others are for debt service only. The City is also establishing a temporary credit mill levy for the General Fund for the purpose of refunding revenue collected in 2003 in excess of the limitations set forth in the Tabor Amendment, Article X, Section 20 of the Colorado Constitution. The temporary credit is pursuant to CRS- 39-5-121-(SB-93-255).

Ron Lappi, Administrative Services and Finance Director, reviewed this item. The resolutions and certifications are required to be certified by December 15 of each year. The final numbers were provided to the Council. The mill levies are both being reduced for the debt service for Ridges Metropolitan, Grand Junction Westwater and Sanitation Districts.

Councilmember Kirtland asked how long the mill levy has been at 8 mills. Mr. Lappi said since 1992 when the TABOR limitation went into effect. Prior to that the mill levy floated up and down to provide the same amount of revenue each year.

- a. Resolution No. 129-04 – A Resolution Levying Taxes for the Year 2004 in the City of Grand Junction, Colorado
- b. Resolution No. 130-04 – A Resolution Levying Temporary Credit Taxes for the Year 2004 in the City of Grand Junction, Colorado
- c. Resolution No. 131- 04 – A Resolution Levying Taxes for the Year 2004 in the City of Grand Junction, Colorado, Downtown Development Authority
- d. Resolution No. 132-04 – A Resolution Levying Taxes for the Year 2004 in the Ridges Metropolitan District #1, a Part of the City of Grand Junction, Colorado
- e. Resolution No. 133-04 – A Resolution Levying Taxes for the Year 2004 the Grand Junction West Water and Sanitation District, a Part of the City of Grand Junction, Colorado

Councilmember Kirtland moved to adopt Resolutions No. 129-04, 130-04, 131-04, 132-04, 133-04. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

City Clerk Stephanie Tuin advised that the City's database indicates that the mill levy was 8 mills as far back as 1979.

Council President Pro Tem Palmer announced that the City and the County will be opening up their joint employee parking garage for public parking during the Parade of Lights on Saturday.

ADJOURNMENT

The meeting adjourned at 9:36 p.m.

Stephanie Tuin, MMC
City Clerk