

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

April 6, 2005

The City Council of the City of Grand Junction convened into regular session on the 6th day of April 2005, at 7:31 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Councilmember Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Butler led in the pledge of allegiance. The audience remained standing for the invocation by Retired Pastor Eldon Coffey.

Council President Hill called the audiences' attention to the front page of Nation Weekly headlines regarding CDBG funds being used for neighborhood programs. He recognized Assistant City Manager David Varley for putting the presentation together and all his work on the program.

PRESENTATIONS

JOHN HEIDEMAN, TAMARISK COALITION, WILL PRESENT GRANT MONIES FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION "PULLING TOGETHER INITIATIVE" GRANT TO THE CITY COUNCIL

John Heideman was present and presented two checks for grant monies for the National Fish and Wildlife Foundation "Pulling Together Initiative" to the City Council. He explained the two grants and the program which puts at-risk kids to work, giving them work experience and paying them too. He advised that the Executive Director of the Coalition, Tim Carlson, has been lobbying two bills, SB-177 and HB-489, at the federal level. He distributed information describing the tamarisk problem along with an application for membership. The checks were given to Administrative Services Director Ron Lappi.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING MACKENZIE MATAROZZO AS "WESTERN COLORADO MDA 2005 AMBASSADOR"

PROCLAIMING APRIL, 2005 AS "CHILD ABUSE PREVENTION MONTH"

PROCLAIMING APRIL, 2005 AS "MONTH OF THE YOUNG CHILD"

PROCLAIMING APRIL 14, 2005 AS "ARBOR DAY"

PROCLAIMING APRIL 6 THROUGH APRIL 13, 2005 AS "NATIONAL WORK ZONE AWARENESS WEEK"

APPOINTMENT

TO THE HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

Councilmember Kirtland moved to appoint Eileen Blanchard to the Horizon Drive Business Improvement District for an unexpired 4 year term expiring April 2006. Councilmember Spehar seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CANVASS RESULTS OF ELECTION

City Clerk Stephanie Tuin requested that Councilmembers Butler and McCurry step down and be replaced by Deputy City Clerk Juanita Peterson and Notary Public Melissa A. Krogman on the canvassing board in compliance with the City Charter.

City Clerk Tuin then presented the Certificate of Election so that the Council could review and canvass the election returns. She advised that 8,417 ballots were cast, for a 33% turnout. The percentage turnout was lower than two years ago but the actual number was slightly higher. She also noted the ballot question on the cable television franchise passed by 58%.

After review of the election returns, the canvassing board executed the Certificates of Election (Attached).

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Council President Pro Tem Palmer and carried by roll call vote to approve Consent Items #1 through #12.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the March 16, 2005 Regular Meeting

2. **North Crest Industrial Park Subdivision Easement Vacation** [File # PFP-2005-280]

The petitioner is requesting approval of a vacation of a temporary turnaround easement that was established with the recording of the plat for the North Crest Industrial Park, Filing One. The temporary turnaround will no longer be needed with the recording of Filing Two of the project. The easement vacation is conditioned upon recording the easement vacation resolution concurrently with the Final Plat for the North Crest Industrial Park, Filing Two.

Resolution No. 56-05 – A Resolution Vacating a Temporary Turnaround Easement in the North Crest Industrial Park Subdivision, Filing Two

Action: Adopt Resolution No. 56-05

3. **Setting a Hearing for the Burkey Park Annexation Located at 2980 F Road** [File # ANX-2005-060]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 19.19 acre Burkey Park Annexation consists of 2 parcels.

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

Resolution No. 57-05 – 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, Burkey Park Annexation, Located at 2980 F Road

Action: Adopt Resolution No. 57-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park Annexation, Approximately 19.19 Acres, Located at 2980 F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 18, 2005

4. **Setting a Hearing for the Anson Annexations No. 1, 2, 3 & 4 Located at 2729 B ¼ Road** [File # ANX-2005-036]

Resolution referring a petition for annexation and introduction of proposed ordinances. The 3.606 acre Anson Annexation consists of 1 parcel and is a 4 part serial annexation.

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

Resolution No. 58-05 – 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, Anson Annexations #1, #2, #3, and #4, Located at 2729 B ¼ Road and a Portion of the B ¼ Road Right-of-Way

Action: Adopt Resolution No. 58-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #1, Approximately 0.006 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #2, Approximately 0.02 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #3, Approximately 0.05 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #4, Approximately 3.53 Acres Located at 2729 B ¼ Road Including a Portion of B ¼ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for May 18, 2005

5. **Setting a Hearing on Zoning the Iris Court Enclave Annexation, Located at 2250 S. Broadway** [File # ANX-2005-028]

Introduction of a proposed zoning ordinance to zone the Iris Court Enclave Annexation RSF-2 (Residential Single Family 2 du/ac), located at 2250 S. Broadway.

Proposed Ordinance Zoning the Iris Court Enclave Annexation to RSF-2 Located at 2250 S. Broadway

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

6. **Setting a Hearing on Zoning the PS Substation Enclave Annexation, Located on 29 Road Just South of F Road** [File # ANX-2005-027]

Introduction of a proposed zoning ordinance to zone the PS Substation Enclave Annexation RMF-5 (Residential Multi-Family 5 du/ac), located on 29 Road just south of F Road.

Proposed Ordinance Zoning the PS Substation Enclave Annexation to RMF-5 Located on 29 Road Just South of F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

7. **Setting a Hearing on Zoning the Webb Crane Enclave Annexation, Located at 728, 738, 745, and 747 23 ½ Road** [File # ANX-2005-029]

Introduction of a proposed zoning ordinance to zone the Webb Crane Enclave Annexation M-U (Mixed Use) and I-1 (Light Industrial), located at 728, 738, 745, and 747 23 ½ Road.

Proposed Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1 Located at 728, 738, 745, and 747 23 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

8. **Setting a Hearing on Rezoning Jacobson Property Located at 738 26 Road from RSF-2 to RMF-5** [File # RZ-2004-304]

A request for approval to rezone 37.95 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RMF-5 (Residential multi-family, not to exceed 5 dwelling units per acre). The request precedes an application for a major subdivision. To be in compliance with the Growth Plan, a rezone must be granted. The Growth Plan requires a minimum density of 4 units per acre or a maximum of 8 units per acre. RMF-5 is in the mid range. However, the Planning Commission has recommended the zoning designation of RSF-4.

Proposed Ordinance Zoning 37 Acres of Land Located at 738 26 Road to RMF-5

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

9. **Brookwillow Village Planned Development Amendment** [File # PP-2004-130]

Introduction of a proposed ordinance to amend the existing PD Ordinance No. 3088 for Brookwillow Village Planned Development located at 650 24 ½ Road, and set a date to hold a public hearing and consider approval of the proposed private streets within the subdivision.

Proposed Ordinance Amending Ordinance No. 3088 Zoning a Parcel of Land at 625 24 ½ Road (Amending the Planned Development for Brookwillow Village)

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

10. **Five-Year Lease of the City's Hallenbeck Ranch Property to Clint Miller**

This is a proposed five-year ranching & grazing lease of the 300-acre Hallenbeck Ranch to Clint Miller.

Resolution No. 59-05 – A Resolution Authorizing a Five-Year Lease of the City's Hallenbeck Ranch Property to Clint Miller

Action: Adopt Resolution No. 59-05

11. **2005 Spring Clean Up Equipment and Services**

Additional rental equipment for the 2005 Spring Clean Up to be held May 2nd to May 14th. Rental equipment needed includes dump trucks, skid steers, roll off's (large dumpsters) and waste tire processing and removal.

Action: Authorize the City Purchasing Manager to Contract for Dump Truck Rental, Roll Off Rental, Skid Steer Rental, and Waste Tire Processing and Removal. The Estimated Annual Expenditure is \$151,900.72.

12. **Approval of Letter for Tamarisk Study**

Under Section 206, the Army Corps of Engineers Aquatic Ecosystem Restoration program, the City can request up to \$10,000 for a federally funded Preliminary Restoration Plan (PRP). Staff is requesting approval of the letter to the USACE with the intent of studying the feasibility of tamarisk removal and reestablishment of the native plant communities.

Action: Authorize the Mayor to Sign the Letter Requesting Funding for a Preliminary Restoration Plan

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Construction and Design Contracts

a. **Amendment #3 for Engineering Services with Carter and Burgess for Riverside Parkway**

This amendment is the third of four planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of final design of the Riverside Parkway.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the purpose of the change order and with this change order the amount of the contract with Carter & Burgess is \$8,479,390. The timeline is for Carter & Burgess to begin the final design work as soon as possible. The intent is to be ready for bid packages by winter of next year and the completion of the entire project by 2009. Mr. Relph advised that the current design is at 70% of the final, and they are confident that they can move right into final design.

Councilmember Kirtland noted that was detailed at the Monday night workshop, with the expertise of Carter & Burgess and the other information has been learned from going through the design-build bid process. He felt that the City would lose time by not using Carter & Burgess for the rest of the design.

Public Works Director Mark Relph advised there will be one more change order to cover construction management. He said there is a budgeted amount of funds of over a million dollars and the plan is to have City Staff and an outside contractor, like Carter & Burgess, handle that piece.

Council President Hill said he has been pleased with the work Carter & Burgess has done so far.

b. **Mesa Grande Sayre Drive Sewer I.D.**

Award of a Construction Contract for Mesa Grande, Sayre Drive, and Bluebell Lane Sewer Improvement District to MA Concrete Construction, Inc. in the amount of \$472,919.77. Since this district is in the unincorporated area, this award is contingent upon the County Commissioners forming the sewer improvement district on April 11, 2005.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the bid award is contingent on the County Commissioners forming the sewer improvement district. He said four bids were received on this project and the work is planned to begin the end of April and will be completed in August.

Council President Pro Tem Palmer inquired about the wide spread of the bids and the high engineer's estimate. Mr. Relph listed some of the factors that affect the bids and explained how the engineers estimate the cost of such projects. He also stated that many of the City's projects are unique.

Councilmember Butler noted his experience with M.A. Concrete is that they do good work. Mr. Relph agreed but added that any one of the bidders would do a good job.

c. 2005 Concrete Repair for Street Overlays

Award of a Construction Contract to BPS Concrete, Inc. in the amount of \$339,327.25 for the 2005 Concrete Repairs for Street Overlays.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained this program is the work that is done prior to any paving such as the repair of curbs, gutter, drainage pans, etc. As well as installing handicap ramps at the intersections that is required by ADA. The City has found that with the material used previously with detectable warning devices, the curb ramp openings are not holding up and they are planning to use a different product that is more expensive but performs better.

d. 2005 Alley Improvement District

Award of a construction contract for the 2005 Alley Improvement District to Reyes Construction, Inc. in the amount of \$571,019.55. A resolution creating and establishing Alley Improvement District No. ST-05 was approved at the December 1, 2004 City Council Meeting. ST-05, Phase B was approved on December 15, 2004. This contract is for both Phases.

Mark Relph, Public Works and Utilities Director, reviewed this item. He advised the alley improvement project is still popular and has a waiting list. This district was formed in December, 2004. New sewer installation occurs in conjunction with this project to ensure that it is in good repair prior to laying the concrete. These bids are somewhat higher but, that is due to the fact of having concrete contractors replace sewer in a space that is confined in an alleyway, which is difficult to do. Also, there is a lot of patching where the alley meets the existing

roadway and Xcel will also be replacing their gas lines. Mr. Relph advised that all of the bidders are pre-qualified for work under \$500,000 and all the bids are over, so Council needs to know that before awarding the bid. Mr. Relph was confident that low bidder is qualified to perform the work.

Discussion ensued on how the timing, communication with the contractors, and other matters that can be considered to ensure that the City gets the best possible bids.

Councilmember Kirtland asked how the increased price affects the property owner's assessment. Mr. Relph advised that the property owners are charged a flat fee so the increase is paid for by the City, not the property owners.

City Manager Kelly Arnold advised that the engineer's estimate is used for budgeting and that helps determine whether the City goes forward on the bid.

Councilmember Spehar moved to authorize the City Manager to amend the existing contract with Carter & Burgess for a total fee of \$8,479,390; authorize the City Manager to execute a construction contract for the Mesa Grande, Sayre Drive, and Bluebell Lane Sewer Improvement District with MA Concrete Construction in the amount of \$472,919.77, contingent on formation of the district by the Mesa County Board of County Commissioners; authorize the City Manager to sign a construction contract for concrete repair for street overlays to BPS Concrete, Inc. in the amount of \$339,327.25; authorize the City Manager to sign a construction contract for the 2005 Alley Improvement District with Reyes Construction, Inc. in the amount of \$571,019.55. Councilmember McCurry seconded the motion. Motion carried.

Old Scoreboard Donation from Suplizio Field

The scoreboard at Suplizio Field has been replaced. Nick Adams, Director of Athletics at Mesa State College, has requested that the old scoreboard be donated to Mesa State College. A resolution to accomplish such donation is proposed.

Joe Stevens, Director of Parks & Recreation, reviewed this item. He advised the resolution will transfer ownership from Suplizio Field and the City to Mesa State College. The Athletic Director of Mesa State became aware that the City was replacing the scoreboard and asked for the old one. The College will make repairs and utilize the scoreboard at Mesa State.

Resolution No. 55-05 – A Resolution for the Donation of Scoreboard at Suplizio Field to Mesa State College

Council President Pro Tem Palmer moved to adopt Resolution No. 55-05 to donate the old scoreboard, as is, no returns, to Mesa State College. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

DOLA Grant for Business Incubator Center

The Business Incubator Center is requesting that the City Council authorize the application of a grant for \$200,000 from the DOLA Energy and Mineral Impact Assistance Grant for the replacement and repair of the building facilities at the DOE complex.

Thea Chase, Business Incubator Center Executive Director, reviewed this item. She stated this grant will be for Phase II of the improvement plan for the former DOE property to which they moved to in 1999. They have a leaky roof among other needed repairs. The property was allowed to deteriorate prior to the Incubator taking over. They also want to paint and move two guard buildings.

Council President Hill said he felt the grant was appropriate for an energy impact grant to the former Department of Energy facility.

Council President Pro Tem Palmer inquired how the Incubator intended to proceed if they do not receive additional funds. Ms. Chase said they would pare down the project as needed.

Council President Pro Tem Palmer moved to authorize the Mayor to sign the application for an Energy and Mineral Impact Assistance Grant for \$200,000 from the Department of Local Affairs. Councilmember McCurry seconded the motion. Motion carried.

Fire Act Grant to Purchase Firefighter Emergency Locator System

The Fire Department requests City Councils approval to submit a federal Fire Act grant application for a firefighter emergency locator system. This system would increase firefighter safety by providing technology to quickly locate firefighters that may become disoriented or trapped at emergency incidents. The locator system is a new technology for the Department. Long term impact for operational costs is limited to replacement of AAA batteries. Based on input from vendors, the life expectancy of the devices is 10-12 years. Vendors have not experienced damage to devices with normal use.

Rick Beaty, Fire Chief, reviewed this item. He explained the grant is to purchase locators for fire fighters, whereby a firefighter that is in a burning building could be located. The grant will allow the purchase of 30 such locators. The grant is due Friday and the City would hear back mid to late this year as to whether they are awarded the grant.

Council President Pro Tem Palmer moved to authorize the Fire Chief to submit a Fire Act Grant application for a Firefighter Emergency Locator System, noting the City's Share would be \$4,800. Councilmember Kirtland seconded the motion. Motion carried.

RFP for Ambulance Service Provider

On January 17, 2005 City Council directed staff to select a consultant for the development of an RFP to be used in the selection of an ambulance service provider within the Grand Junction Ambulance Service Area (ASA). Based on knowledge of the Mesa County EMS System and national trends in emergency medical services, staff recommends that ESCi be used in the development of the RFP.

Rick Beaty, Fire Chief, reviewed this item. He advised the purpose of this resolution is to develop a selection process to help determine the ambulance service provided for the Grand Junction area that would be allowed under a resolution that was adopted by the Mesa County Commission in December 2004. The recommendation is to hire ESCi to develop the RFP.

Council President Pro Tem Palmer asked if the reason the RFP is not being developed in-house is because the Grand Junction Fire Department may be one of the bidders. Chief Beaty confirmed that to be the case.

Council President Hill inquired about the difference between the contract amount and the not to exceed \$20,000. City Manager Arnold said the maximum is for Mr. Arnold to negotiate the travel expenses. City Attorney Shaver added that the contract also allows some reimbursable expenses such as copying and postage.

Councilmember Spehar moved to authorize the City Manager to sign a Professional Services Contract for development of an RFP with ESCi in the amount \$17,500 plus reasonable travel related expenses, not to exceed \$20,000 total. Council President Pro Tem Palmer seconded the motion. Motion carried.

Council President Hill called a recess at 9:05 p.m.

The meeting was reconvened at 9:17 p.m.

Public Hearing – Vacation of Dedicated Right-of-Way of Winters Avenue, West of South 7th Street [File # VR-2002-200] (CONTINUED FROM MARCH 16, 2005)

Consider final passage of an ordinance to vacate excess dedicated but not yet constructed Winters Avenue right-of-way, west of South 7th Street and hold a public hearing.

The public hearing was opened at 9:18 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She noted the application has been in the system since 2002. When the application first came to the City, the design of the Riverside Parkway was in process so the applicant was asked to put their application on hold. The request is to vacate the right-of-way that was dedicated and never constructed. She described the surrounding Future Land Use designation and the surrounding zoning. Ms. Bowers said the City is retaining a fourteen foot multi-purpose easement.

Councilmember Spehar asked if the right-of-way should be retained for future possible widening of 7th Street. Ms. Bowers advised that Public Works has determined that the existing right-of-way is adequate for the future without this property.

City Manager Arnold asked if a value for this right-of-way has been determined. Ms. Bowers stated no since the application was prior to that policy.

The applicant was not present.

There were no public comments

The public hearing was closed at 9:23 p.m.

Ordinance No. 3731 – An Ordinance Vacating a Portion of Undeveloped Right-of-Way, of Winters Avenue, West of South 7th Street

Council President Pro Tem Palmer moved to adopt Ordinance No. 3731 on second reading and ordered it published. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Public Hearing – UnawEEP Heights No. 4 Annexation and Zoning Located at 2861 B ³/₄ Road and Victoria Drive [File # ANX-2005-003]

UnawEEP Heights Annexation No. 4 is located at 2861 B ³/₄ Road and Victoria Drive. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre). The annexation area consists of two parcels of land totaling 9.84 acres.

The public hearing was opened at 9:23 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the property, the Growth Plan designation of the property and the requested zone which is consistent

with the surrounding zoning. The Planning Commission recommended approval for the zone of RSF-4, finding it to be consistent with the Growth Plan and the Zoning and Development Code.

The applicant was not present.

There were no public comments.

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

a. Accepting Petition

Resolution No. 60-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the UnawEEP Heights Annexation No. 4, Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3744 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, UnawEEP Heights Annexation No. 4, Approximately 9.84 Acres, Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive

c. Zoning Ordinance

Ordinance No. 3745 – An Ordinance Zoning the UnawEEP Heights Annexation No. 4 to Residential Single-Family, not to Exceed 4 Units per Acre (RSF-4) Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive

Councilmember Spehar moved to adopt Resolution No. 60-05 and Ordinance Nos. 3744 and 3745 on second reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Barker No. 3 Annexation and Zoning, Located at 2939 Jon Hall Drive [File # ANX-2005-022]

Barker Annexation No. 3 is located at 2939 Jon Hall Drive. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre).

The public hearing was opened at 9:26 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the property, which is a small annexation. It will be the Orchard Estates Subdivision and this parcel is needed for a road connection. The requested zone is RSF-4 which is consistent with the Future Land Use Map and with the existing County zoning. The Planning Commission recommended approval.

Council President Hill asked if the rest of the proposed subdivision has already been annexed. Ms. Bowers responded affirmatively.

The applicant was present but did not wish to address Council.

There were no public comments.

The public hearing was closed at 9:28 p.m.

a. Accepting Petition

Resolution No. 61-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Barker No. 3 Annexation Located at 2939 Jon Hall Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3746 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker No. 3 Annexation, Approximately 0.298 Acres, Located at 2939 Jon Hall Drive

c. Zoning Ordinance

Ordinance No. 3747 – An Ordinance Zoning the Barker Annexation No. 3 to Residential Single-Family, Not to Exceed Four Units Per Acre (RSF-4) Located at 2939 Jon Hall Drive

Councilmember Kirtland moved to adopt Resolution No. 61-05 and Ordinance Nos. 3746 and 3747 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Whaley Annexation and Zoning, Located at 2941 & 2949 B ½ Road
[File # ANX-2005-010]

The Whaley Annexation is a 9.967 acre parcel located at 2941 & 2949 B ½ Road and consists of 2 parcels. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre).

The public hearing was opened at 9:30 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the site location which is two parcels of land off of B ½ Road. She described the area's Future Land Use Designation and the requested zone of RSF-4 which is consistent with the existing County zoning. The Planning Commission recommends approval.

A representative for the applicant was present and did not wish to speak.

There were no public comments.

The public hearing was closed at 9:32 p.m.

a. Accepting Petition

Resolution No. 62-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Whaley Annexation Located at 2941 & 2949 B ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3748 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Whaley Annexation #1, Approximately 4.988 Acres, Located at 2941 B ½ Road

Ordinance No. 3749 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Whaley Annexation #2, Approximately 4.979 Acres, Located at 2949 B ½ Road

c. Zoning Ordinance

Ordinance No. 3750 – An Ordinance Zoning the Whaley Annexation to Residential Single-Family, not to exceed 4 units per acre (RSF-4) Located at 2941 and 2949 B ½ Road

Council President Pro Tem Palmer moved to adopt Resolution No. 62-05 and Ordinance Nos. 3748, 3749, and 3750 on second reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Sycamore Creek #1 & #2 Annexation and Zoning Located at 2370 Broadway [File # ANX-2005-005]

Acceptance of a petition to annex and consider the annexation and zoning for the Sycamore Creek Annexation. The Sycamore Creek Annexation is located at 2370 Broadway and consists of one parcel of land and portions of the Broadway, Sayre Drive, and Pleasant Ridge Drive rights-of-way containing approximately 17 acres. The zoning being requested is RSF-2 (Residential Single-Family 2 du/ac).

The public hearing was opened at 9:33 p.m.

Faye Hall, Planning Technician, reviewed this item. She described the location, the surrounding uses, the Future Land Use Designation, the surrounding and existing zoning and the requested zone being RSF-2. The request is consistent with the Growth Plan and the Zoning and Development Code.

Council President Pro Tem Palmer asked why the zoning being requested different from the existing County zoning. Ms. Hall explained that the Growth Plan designation is lower and the applicant requested the RSF-2 zoning.

The applicant was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 9:36 p.m.

a. Accepting Petition

Resolution No. 63-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sycamore Creek Annexation #1 & #2, Located at 2370 Broadway and Portions of the Sayre Drive, Pleasant Ridge Drive, and Broadway Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3751 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sycamore Creek Annexation #1, Approximately .6975 Acres, Located within the Sayre Drive, Pleasant Ridge Drive, and Broadway Rights-of-Way

Ordinance No. 3752 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sycamore Creek Annexation #2, Approximately 16.40 Acres, Located at 2370 Broadway

c. Zoning Ordinance

Ordinance No. 3753 – An Ordinance Zoning the Sycamore Creek Annexation to RSF-2 (Residential Single-Family 2 du/ac), Located at 2370 Broadway

Councilmember Spehar moved to adopt Resolution No. 63-05 and Ordinance Nos. 3751, 3752, and 3753 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There were none.

ADJOURNMENT

The meeting adjourned at 9:38 p.m.

Stephanie Tuin, MMC
City Clerk

CITY OF GRAND JUNCTION, COLORADO**CERTIFICATE OF ELECTION****APRIL 5, 2005**

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 5, 2005, were as follows:

Total Ballots Cast in District A	1580
Total Ballots Cast in District B	2564
Total Ballots Cast in District C	1113
Total Ballots Cast in District D	2291
Total Ballots Cast in District E	869
TOTAL BALLOTS CAST	8417

FOR COUNCILPERSON - DISTRICT "A" - FOUR-YEAR TERM

Candidate	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Jim Doody	1206	1972	886	1754	637	6455

FOR COUNCILPERSON - DISTRICT "D" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Bonnie J Beckstein	758	1256	494	1140	383	4031
William E. (Bill) McCurry	625	1039	543	991	371	3569

FOR COUNCILPERSON - DISTRICT "E" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Harry R. Butler	546	1029	542	963	371	3451
Teresa Coons	953	1431	537	1206	465	4592

FOR COUNCILPERSON – “CITY AT LARGE” - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Kevin Kerr	269	459	224	321	163	1436
Christopher J. Thomas	371	591	246	586	189	1983
D.T. Doug Thomason	606	980	398	930	280	3194
James W. Winterswolf	159	241	158	231	134	923

REGARDING REFERRED MEASURE A

Shall the City of Grand Junction grant a franchise to Bresnan Communications, LLC by People’s Ordinance No. 36, the title to which shall read:

An ordinance granting a franchise by the City of Grand Junction to Bresnan Communications Limited Liability Company, its successors and assigns, for the right to furnish, sell and distribute cable television services to the citizens residing within the city of Grand Junction and to all persons, businesses and industry within the city and the right to acquire, construct, install, locate, maintain, operate and extend into, within and through said city all facilities reasonably necessary to furnish cable television services and the right to make reasonable use of all streets and other public places and easements as may be necessary; and fixing the terms and conditions thereof.

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the Ordinance	939	1510	606	1364	436	4855
Against the Ordinance	563	918	463	812	391	3147

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 5, 2005, and do hereby conclude that Referred Measure A PASSED by the greater number of votes; and further

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 5, 2005, and do hereby conclude:

That Jim Doody has been duly elected as Councilperson for District "A" by the greater number of votes.

That Bonnie J Beckstein has been duly elected as Councilperson for District "D" by the greater number of votes.

That Teresa Coons has been duly elected as Councilperson for District "E" by the greater number of votes.

That D.T. Doug Thomason has been duly elected as Councilperson for "City at Large" by the greater number of votes.

Certified this 6th day of April, 2005.

/s/: Stephanie Tuin
Stephanie Tuin, MMC
City Clerk

Dated this 6th day of April, 2005.

N/A
Cindy Enos-Martinez
Councilmember, District A

/s/: Juanita Peterson
Juanita Peterson
Notary Public

/s/: Melissa Krogman
Melissa A. Krogman
Notary Public

/s/: Jim Spehar
Jim Spehar
Councilmember, District B

/s/: Gregg Palmer
Gregg Palmer
Councilmember, District C

/s/: Dennis Kirtland
Dennis Kirtland
Councilmember, At-Large

/s/: Bruce Hill
Bruce Hill
Councilmember, At-Large