

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

May 4, 2005

The City Council of the City of Grand Junction convened into regular session on the 4th day of May 2005, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. 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 Coons led in the pledge of allegiance. The audience remained standing for the invocation by David Eisner, Congregation Ohr Shalom.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING MAY 14, 2005 AS "GRAND JUNCTION LETTER CARRIERS STAMP OUT HUNGER DAY"

PROCLAIMING MAY 14, 2005 AS "KIDS DAY AMERICA/INTERNATIONAL"

PROCLAIMING MAY AS "ASTHMA AWARENESS MONTH IN MESA COUNTY"

PROCLAIMING MAY 15TH AS "PEACE OFFICERS MEMORIAL DAY" AND MAY 15TH – MAY 21ST AS "POLICE WEEK"

PROCLAIMING MAY 9TH THROUGH JUNE 5TH AS "BUCKLE UP AMERICA MONTH"

APPOINTMENTS

ELECTION OF MAYOR AND MAYOR PRO TEM/ADMINISTER OATHS OF OFFICE

Councilmember Bruce Hill was elected as President of the Council/Ex Officio Mayor. Councilmember Gregg Palmer was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem.

Stephanie Tuin, City Clerk, administered the Oath of Office to Council President Hill and Council President Pro Tem Palmer.

Council President Hill continued presiding over the remainder of the meeting.

COUNCIL ASSIGNMENTS FOR 2005-2006

Resolution No. 73-05 – A Resolution Appointing and Assigning the City Councilmembers to Represent the City on Various Boards and Organizations

Councilmember Palmer moved to adopt Resolution No. 73-05. Councilmember Coons seconded the motion. Motion carried.

CONSENT CALENDAR

It was moved by Councilmember Spehar, seconded by Councilmember Beckstein and carried by roll call vote to approve Consent Items #1 through #11.

1. Minutes of Previous Meetings

Action: Approve the Summary of the April 18, 2005 Additional Workshop and the Summary of the April 18, 2005 Workshop

2. Vacation of Easement Located at 597 ½ Grand Cascade Way [File #VE-2005-025]

The applicant proposes to vacate the south 41.00 ft. of a 55.00 ft. easement located in the Falls Subdivision adjacent to 597 ½ Grand Cascade Way and Patterson Road. The Planning Commission recommended approval of this easement vacation request on April 26, 2005, making the Findings of Fact/Conclusion identified in the staff report.

Resolution No. 74-05 - A Resolution Vacating the South 41.00 Ft. of a 55.00 Ft. Utility, Fence, and Sign Easement Located at 597 ½ Grand Cascade Way

Action: Adopt Resolution No. 74-05

3. Vacation of Easement Located in Independence Ranch Filings #12 & #13 [File #FPP-2004-243]

The applicant proposes to vacate a temporary turn-around easement and a 44 ft. utility easement created in Filings #7 and #8 of Independence Ranch Subdivision. The Planning Commission recommended approval on April 26, 2005.

Resolution No. 75-05 - A Resolution Vacating a Temporary Turnaround Easement and a 44 Ft. Utility Easement Located in Independence Ranch Filings #7 and #8

Action: Adopt Resolution No. 75-05

4. **Setting a Hearing on Zoning the Anson Annexation, Located at 2729 B ¼ Road** [File #ANX-2005-036]

Introduction of a proposed zoning ordinance to zone the Anson Annexation RSF-4, located at 2729 B ¼ Road.

Proposed Ordinance Zoning the Anson Annexation to RSF-4, Located at 2729 B ¼ Road

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

5. **Setting a Hearing on Zoning the Burkey Park Annexation, Located at 2980 F Road** [File #GPA-2005-060]

Introduction of a proposed zoning ordinance to zone the Burkey Park Annexation CSR, located at 2980 F Road.

Proposed Ordinance Zoning the Burkey Park Annexation to CSR, Located at 2980 F Road

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

6. **Setting a Hearing for the Chatfield III Annexation, Located at 3156 and 3164 D ½ Road** [File #ANX-2005-057]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 24.781 acre Chatfield III Annexation consists of 2 parcels.

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

Resolution No. 76-05 – 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, Chatfield III Annexation, Located at 3156 and 3164 D ½ Road Including a Portion of the D ½ Road Right-of-Way

Action: Adopt Resolution No. 76-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Chatfield III Annexation, Approximately 24.781 Acres, Located at 3156 and 3164 D ½ Road Including a Portion of the D ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005

7. **Setting a Hearing for the Reynolds Annexation, Located at 3077 D ½ Road**
[File #ANX-2005-058]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 6.55 acre Reynolds Annexation consists of 1 parcel and is a 2 part Serial Annexation

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

Resolution No. 77-05 – 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, Reynolds Annexations #1 and #2, Located at 3077 D ½ Road

Action: Adopt Resolution No. 77-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #1, Approximately 1.48 Acres, Located at 3077 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #2, Approximately 5.07 Acres, Located at 3077 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005

8. **Setting a Hearing for the Swan Lane Annexation, Located at the South End of Swan Lane** [File #ANX-2004-249]

Resolution referring petition for annexation and introduction of a proposed ordinance. The 4.47 acre Swan Lane Annexation consists of 6 parcels and a portion of the Broadway and Swan Lane Rights-of-Way.

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

Resolution No. 78-05 – 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, Swan Lane Annexation, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way

Action: Adopt Resolution No. 78-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Swan Lane Annexation, Approximately 4.47 Acres, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005

9. Amendment to Resolution No. 56-05 for the Vacation of a Temporary Turnaround Easement in the North Crest Industrial Subdivision [File #PFP-2005-280]

The City Council approved a vacation of a temporary turnaround easement at the April 6, 2005 meeting. In reviewing the final resolution, it was noticed that there was an error in the legal description, and a condition of approval by the Planning Commission has erroneously be left off of the resolution. The petitioners are aware of the oversight and have indicated that they do not object to the inclusion of the condition in the revised resolution.

Resolution No. 79-05 – A Resolution Amending Resolution No. 56-05 to Vacate a Temporary Turnaround Easement, Utility Easement, and Ingress/Egress Access Easement in the North Crest Industrial Park

Action: Adopt Resolution No. 79-05

10. Setting a Hearing to Correct Scrivener's Error in Parking Code

On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped. Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the

privileges for handicapped parking. This amendment is designed to correct the scrivener's error.

Proposed Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances relating to Handicapped Parking Privilege

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

11. **Purchase of High Cube Van Mounted with Sewage TV Inspection System**

This is for the purchase of a 2005 GMC Truck with an Aires mounted sewage TV inspection system body. This unit inspects and records the condition of sewer and drainage lines for the City of Grand Junction as well as other customers in the valley. The existing unit is currently scheduled for replacement in 2005, as identified by the annual review of the fleet replacement committee.

Action: Authorize the City Purchasing Manager to Purchase a 2005 GMC Truck with Aires Mounted Sewage TV Inspection System Body Unit from Williams Equipment, Henderson, CO in the Amount of \$142,220.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Sidewalk Dining Applications

A number of downtown restaurants are seeking the opportunity to serve alcohol outdoors along Main Street. Rendezvous of Grand Junction (317 Main St.), Dolce Vita II (336 Main St.), and Crystal Café (314 Main St.), have submitted applications for a revocable permit for use of the public right-of-way in front of their business. These businesses have the required permits from the DDA for use of the sidewalk, but are required to have a revocable license from the City of Grand Junction to expand their licensed premise, permitting alcohol sales. The current ordinance requires outdoor facilities to end service at 10 pm. Several of the applicants have requested that this be extended to 12 midnight, still well in advance of their licensed closing time.

Harold Stalf, Executive Director DDA, reviewed this item. He reviewed the applications and ordinances that allowed the process to take place. He said three restaurants are applying this year are Crystal Café and Bake Shop, Rendezvous of Grand Junction and Dolce Vita II.

Council President Pro Tem Palmer expressed his concern about enforcement as he has received a number of complaints. He said the main concern is how the sidewalks are maintained and there are many times other chairs, bicycles and dress racks are also out on the sidewalk that impede the walkway. Councilmember Spehar agreed.

Mr. Stalf said he has spoken with the establishments about such concerns as well as storage of their chairs and tables. He has not been overly aggressive in enforcing the dress racks being on the sidewalks. He agreed with being more aggressive and firm on maintaining the walkway.

Councilmember Spehar particularly pointed out the problem with the dress racks.

Councilmember Coons said this is a good opportunity to stress the Council's concern. Mr. Stalf appreciated the new direction; he now knows that Council supports more enforcement and stricter maintenance of the venues on the sidewalks.

Councilmember Thomason inquired if those asking for later hours are planning to keep food service open late. Mr. Stalf said Dolce Vita II currently serves alcohol and food on their current patio past ten o'clock. City Attorney Shaver said there is food service required under the Liquor Code.

Resolution No. 83-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Rendezvous of Grand Junction, Ltd.

Resolution No. 84-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to the Crystal Café and Bake Shop

Resolution No. 85-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Dolce Vita II

Council President Pro Tem Palmer moved to adopt Resolution Nos. 83-05, 84-05, and 85-05 and extend the hours until midnight. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

ISO Certification Funding Request

The Business Incubator Center, Chamber of Commerce, and Grand Junction Economic Partnership have been working to develop resources for local manufacturing firms to obtain ISO certification and will be requesting financial assistance in the amount of \$25,000 from the City of Grand Junction.

Thea Chase, Business Incubator Center, reviewed this item. She introduced Monty Rutherford with Mid America Manufacturing Technology Center. She also introduced a number of folks in the audience as supporters of this request. She explained the certification program with the assistance of a PowerPoint presentation.

Mr. Rutherford explained the history of the term ISO, which is the Greek word for equal. It is a standard for manufacturing. The certification will level the playing field. Ms.

Chase then related the importance of using the Hamilton Sundstrand plant as an example. She said with the plant closing, a number of functions will be relocated to Singapore and a number of the functions will be outsourced. She said with the ISO certification, some of those outsourcing jobs can be outsourced to those here in Grand Junction that are being laid off.

Mr. Rutherford said there are a number of opportunities besides the aerospace products that could potentially employ those being laid off.

Ms. Chase explained what the requirements will be for financial assistance being provided for certification. The request is time sensitive. She said the State of Colorado has pledged \$25,000 and they are asking for a local match of \$50,000, \$25,000 from the City and \$25,000 from the County.

Councilmember Doody is ISO certified as a machinist and is familiar with the ISO certification process. He shared with Council some of the benefits of the certification and said that almost every company requires an ISO certification. He supports the request.

Council President Pro Tem Palmer asked why this is not already the cost of doing business and pursued by these companies. Ms. Chase explained that the cost of \$50,000 is a risk because it is for a potential, rather than guaranteed.

Councilmember Coons asked how many companies have inquired and would take advantage of this program. Also, she asked if businesses outside the City limits can apply. Third, she inquired if Mesa County is being asked to participate in the funding.

Ms. Chase responded that approximately 11 companies have applied for the assistance and the Business Incubator Center is asking Mesa County for matching funds.

Mr. Rutherford said if these 11 companies go through the process, Grand Junction will have the largest number of certified companies in a concentrated area.

Councilmember Spehar thought the City should go forward and react in an appropriate way to the Sundstrand situation. He asked if the monies would have to be repaid if the companies do not maintain the certification and fulfill the other requirements. Ms. Chase said they would.

Council President Pro Tem Palmer asked how many companies the \$75,000 will help. Ms. Chase said it is their estimation that ten companies will take advantage of the funding and the companies will all be within Mesa County. Councilmember Doody asked if any of the companies are from the Incubator. Ms. Chase said yes but prior to her tenure.

Council President Hill asked if the companies will be signing a contract and be obligated to repay. Chamber Executive Director Diane Schwenke assured Council they will. She noted that several of the companies existing are highly skilled.

Councilmember Beckstein asked how long it will take to get the certification. Mr. Rutherford said there are three companies in the process and are looking to get a sizeable portion of the Sundstrand work immediately. He said several of the other companies are looking at expanding and will probably hire some of the former employees. Mr. Rutherford said the smaller companies can get certified in four months and the larger companies take five months for the certification.

Councilmember Spehar moved to authorize financial assistance from the City economic development fund in the amount of \$25,000 for this ISO Certification process. Councilmember Palmer seconded the motion. Motion carried.

Council President Hill recognized Troop 358 in the audience.

He also recognized County Commissioners Meis and Bishop who were present.

Public Hearing – Vacating Right-of-Way, Located at 774 Old Orchard Road [File #VR-2004-201]

The petitioner is requesting City Council approval to vacate a portion of the road right-of-way for Clarkdell Court, comprising of approximately 0.87 of an acre. There are no public improvements within the right-of-way. The Planning Commission reviewed the vacation request on March 22, 2005, and recommends that the City Council approve the vacation request.

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

Pat Cecil, Development Services Supervisor, reviewed this item. He identified the location of the request and the surrounding zoning and future land use designation. The vacation is within the Old Orchard Estates subdivision. He said there is no road built and there are in fact two structures located in the right-of-way. No other properties access off of the right-of-way. Mr. Cecil said the Planning Commission recommended approval conditioned upon the recordation of the final plat and the retention of the needed utility easements.

Tom Dixon, Rolland Engineering, was present representing the applicant. Mr. Dixon said he was not aware of the retention of the utility easement condition. He said there is no need to retain that easement for utilities as there will be other utility easements in conjunction with the plat of the subdivision.

There were no public comments.

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

Councilmember Spehar asked Mr. Cecil to address the utility easement requirement. Mr. Cecil said the development review stated there is an electrical line in that area and the grant of the vacation was conditioned on the retention of the easement.

Councilmember Coons suggested the easement be retained until this can be verified.

Ordinance No. 3758 - An Ordinance Vacating a Portion of the Right-of-Way Known as Clarkdell Court, 774 Old Orchard Road

Council President Pro Tem Palmer moved to adopt Ordinance No. 3758 on second reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Council President Hill called a recess at 8:45 p.m.

The meeting reconvened at 9:00 p.m.

Public Hearing – Vacate Portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and Various Alleys Internal to the Mesa State College Campus [File #VR-2004-292]

Hold a public hearing and consider final passage of an ordinance vacating portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

The public hearing was opened at 9:00 p.m.

Kathy Portner, Planning Manager, reviewed this item. She presented the request from Mesa State College and will have Public Works Manager Tim Moore address the traffic issues. Ms. Portner described the locations of the request and the surrounding land use and future land use designations. She then identified the surrounding zoning and recommended that the newly vacated areas, if approved, be zoned CSR. She then deferred to Mr. Moore.

Public Works Manager Tim Moore then discussed peak hours for activity that were measured. He then identified and described what changes will happen if the vacations occur. He described a Level of Service Chart (LOS) and what that means. Next, he addressed traffic volumes over a 24 hour period in comparison to years past. He noted

that Elm Avenue is a designated bike route, so if it is vacated, it is recommended that the bike route be retained. Mr. Moore said any bus stops that are in those corridors will need to be relocated to North Avenue. Also, right-of-way will need to be retained at the northeast corner of North Avenue and College Place for a future right-turn lane.

Councilmember Spehar asked if there was any consideration given to just closing College Place access from North Avenue. Mr. Moore said it is his assumption that will happen at some point.

Council President Hill noted that the turning movement model was based just on closing Elm. Mr. Moore spoke of some predictions for redistribution of traffic that were done in the modeling.

Councilmember Coons asked about buses stopping on North Avenue. Mr. Moore said it does happen but the City does try to work with the adjacent property owners to have a pull off, but that does not always happen. City Manager Kelly Arnold said the policy is not to add additional stops on those roads, such as North Avenue, in addition to the ones initially located there. Mr. Moore said the current stop near the College pulls onto College Place and then goes back onto North Avenue.

Councilmember Spehar asked if the turn lane construction will be required. Mr. Moore said it is not part of the conditions at this time. City Attorney John Shaver said that can legally be made a condition of approval.

Council President Hill said the modeling shows a reduction of vehicle numbers.

Councilmember Beckstein asked when closing Mesa Avenue, Elm Avenue, and College Place, how will the people exit. Mr. Moore said Houston Avenue will be the route out and only a portion of Elm is requested for vacation.

Council President Pro Tem Palmer asked if bus benches are removed, then is the City liable for lost revenue. City Attorney John Shaver stated that if the owner of the bench is forced to remove a bench due to no fault of his own, they can assert a claim. Mr. Shaver said that could also be made a condition of the vacation for Mesa State to be responsible for any such claims.

Planning Manager Portner said another consideration is that one property is owned by the Bishop of Pueblo and so the vacation cannot occur until Mesa State owns the property. She said another parcel not owned by the college is north of Texas and it will also require retention of an access easement to the alley. Ms. Portner said there is another access easement that will also be required for access along Elm Avenue east of College Place.

The Fire Department has stated that response time to the surrounding neighborhood will not be compromised by these vacations but they will need to maintain access through the campus to the buildings for fire protection. There is a concern that the closures will push the free parking out into the surrounding neighborhoods. All the vacation areas have utilities, so the City is recommending that all roads be retained as utility easements that will not allow any building to be constructed on the right-of-way, only asphalt and sod be allowed. Any other treatments must be pre-approved by the City and any construction would require Mesa State to relocate the utilities. Staff recommends approval with the following conditions:

1. The right-of-way vacation is not effective until a plat is recorded combining lots and dedicating necessary easements.
2. The plat cannot be recorded until Mesa State College owns the property currently owned by the Bishop of Pueblo (parcel number 2945-114-23-981).
3. The vacated rights-of-way in their entirety must be maintained as utility easements and so noted on the plat.
4. The plat shall indicate that within the utility easements only sod or asphalt surface treatment will be allowed. Other surface treatment shall be subject to review and approval by the City.
5. The vacated College Place, between Elm Avenue and the east-west alley north of Texas Avenue, and the vacated Elm Avenue, west of College Place, must be retained as an access easement for traffic circulation and so noted on the plat.
6. The vacated Elm Avenue, east of College Place, must be retained as an access easement for non-motorized use.
7. Right-of-way shall be dedicated on the plat for a future right-turn lane at the northeast corner of North Avenue and College Place.

Council President Pro Tem Palmer asked if College Place is vacated, can the College close it at any time. Ms. Portner said that once it is vacated, it is their property and there is no agreement that they must come back to the City for additional approval.

Councilmember Spehar asked if the State facilities are not required to go through a local review processes and not required to get approval. City Attorney Shaver said that could be made a condition of approval.

Councilmember Doody asked for clarification of where there would be vehicular access points. Ms. Portner said, once vacated, there would be no obligation for the College to maintain vehicular access.

Tom Dixon, Rolland Engineering, representing the petitioner, referred to the request with a PowerPoint presentation. He explained the reasons for the request coming forward

now. He reviewed the number of new buildings, the growth of enrollment and the future plans. Mr. Dixon then listed the reasons the request meets the criteria for vacation requests. He said the right-of-way for the right turn lane into College Place is something the College would rather not provide. He said Mesa State has future plans that might be impacted by that and also, due to the number of crossing of students, it would make it more hazardous. He said College Place will have to be widened to allow for angled parking on both sides.

Mr. Moore said the area near College Place at Texas Avenue cannot be vacated as the College does not own the property on the corner and the physical configuration will not change. He said on Elm Avenue looking east from College Place, is more of a local street, all of the traffic must stop at the crosswalk for the pedestrian traffic. He felt in order to address it more safely, with the anticipated growth, would be to vacate that length. Some type of traffic diversion will need to be constructed at Elm Avenue and College Place. He said possibly a roundabout or some other design supported by the Fire Department. Mr. Moore said the Mesa Avenue vacation will allow an expansion of Bergman Field. He said a turnaround will be constructed and a one block section of Bunting Avenue is proposed for vacation. He said a walkway could be expanded into this section along with some landscape treatments. Mr. Moore said the alleyways are proposed for vacation and landscaping amenities will be added to those areas as well. He said, in conclusion, the streets subject to vacation are predominately being used for college-related purposes. All of the streets except for Elm Avenue will remain open short-term. He said the College expansion has been planned since 1976 and the vacations are necessary and essential for that continued growth plan.

Lena Elliot, Chairman of the College Board of Trustees, reviewed the past partnerships with the City and how the City has provided \$250,000 per year to purchase properties to the west. She said the City has purchased that property and now Mesa State needs the vacations to continue their plans.

Tim Foster, President of Mesa State College, reviewed how Mesa State has evaluated whether they should stay in their current location. He said ten years ago the decision was finalized that Mesa State would stay and start building to the west. He reiterated that the turn lane onto College Place would not be in their best interest. He said no college has solved their parking problems and that people will walk to park for free. Mr. Foster said that the plan is to create areas where parking will turn over, which will be of benefit to the number of non-traditional students.

Councilmember Coons asked if there is free parking at Saunders Field House. Mr. Foster said it is closer to park at Lincoln Park for free. He said Mesa State will be utilizing a consultant on how to tier their fees. Councilmember Coons asked if there is any consideration to having a free or low cost parking structure. Mr. Foster stated not unless they could figure out a way for it to pay for itself.

Council President Pro Tem Palmer asked if the current free parking on College Place will change to a \$1.00 per hour fee. Mr. Foster said they are looking at that to keep them turning over.

Councilmember Spehar expressed concern that charging on College Place will push the students to park out into the neighborhood. Mr. Foster said 80% of the students have paid for a parking permit but they would rather park there, which is somewhat closer than their paid parking.

Councilmember Doody asked what about building a structure at \$1.00 per hour fee. Mr. Foster said that Mesa State will continue to look at that but that fee will not cover even the operating cost, much less the construction.

Council President Pro Tem Palmer asked if there was a system to monitor the parking enforcement. Mr. Foster said they are very aggressive with parking enforcement. Council President Pro Tem Palmer said that the fire department wants guaranteed access on College Place and asked will that be guaranteed. Mr. Foster said that is why they are proposing widening the pavement.

Councilmember Coons stated that many other campuses have done this and provided shuttle buses onto the campus. Mr. Foster said that they haven't come up with a location for such a site. There is a possible site for an underground structure at 12th and Orchard.

Council President Pro Tem Palmer questioned the safety premise with closing Elm Avenue, when there has been very few accidents. He thought perhaps the premise was more based on expansion. Mr. Foster said it is a combination and also continuity of the campus and the aesthetic aspect.

Terry Farina, 2673 Homestead Road, said 10 years ago he was the chairman of the foundation board, when the request was made for the annual \$250,000. He said the previous Council decided wisely and the funds were matched by the community and the County. He said Mesa State is one of the few growing colleges and that higher education has lost a lot of funding. He said that everyone in the community has a vested interest in the success of Mesa State College.

Knute Knudson, 876 Covey Road, said the parking has always been a problem. He said the College has done a remarkable job in getting where they are. Ten years ago this was started and this is the next part of the progression. He said land is precious and asked that the City not ask for the turn lane right-of-way.

Diane Schwenke, 528 Greenbelt Court, Chamber representative, supports the request and looks at it for economic development.

Jim White, 1016 Elm Avenue, said he will be directly impacted. He said that he is a big supporter of Mesa State College, but living on Elm he has never been able to park in front of his house. He said the closing of Mesa Avenue will do away with 40 spaces.

Karen Peterson, 890 Kennedy Avenue, agreed with Mr. White and said a lot of the people in that neighborhood are senior citizens and are having a hard time backing out of their driveways. She said five times a week the driveway is blocked and she is worried about the impact on the other streets around the area.

Eric Groves, legislative affairs director at Mesa State, 3rd generation Mesa State College student, representing the student body and authorized by the Student Senate, said this issue has been discussed by students regarding safety concerns and drivers on Elm Avenue. He said administration has been working on getting parking and respecting the needs of the surrounding residents. He commended the administration and he said the expansion is exciting to potential students. He felt it will bring in top students and benefit students that are in that area. He said they support this proposal.

Michael Burke, 2190 Canyon View Drive, 3rd generation student, President of the Alumni Association, said their board of directors is in unanimous support of the proposal and encourages Council to approve.

Jerry Mutchler, 3411 Northridge Drive, member of Alumni Association, said he attended Mesa State when it was a junior college. He thought this would be a great asset and feels that Mesa State is a great college.

Tillman Bishop, 2255 Piazza Way, reviewed some of the history and some of the changes that have occurred. He said Mesa State is a very compact campus and the growth has precipitated more parking problems. He feels that Mesa State, the City, and the County need to work together to resolve the parking problem and meet with neighbors to establish mutual respect. He supports the proposal of closing off the streets.

Sally Schaefer, 3845 Horizon Glen Court, said the City needs to think long term and that parking will always be a problem as the College grows. She asked that Council support the request.

Marcia Neal, 1155 Lakeside Drive #501, member of the Board of Education, feels the City should think about the future and the education to provide for the kids. She said Mesa State is no longer a default selection and in the future even more kids will be coming to Mesa State for their education. She supports the project.

Joann Little, 896 Overview Road, a realtor, said the College is driving the real estate prices up around the College. She said there is a huge amount of energy and

revitalization in the community for these plans and feels this is the best thing she has seen out of the College in several years.

Dr. Lynn James, retired, 308 Mayfair Drive, stated that he went to Mesa State at age 85 and has been a resident since 1953. He said that he has a son and granddaughter who attended Mesa State and went on to Cornell and is now teaching. He said he has a lot of vested interest and faith in Mesa State College. He supports the proposal.

Gerry Wright, current student body president, reiterated what Eric Groves expressed, that the parking is of interest to all students and feels that parking won't ever be solved but feels this plan will be a major benefit.

Norm Franke, 2324 Falcon Point Court, stated he is a new trustee on the board and is in support of the street vacation. He feels Mesa State will continue to grow and hopes the City will plan for it. He said the vacation will improve student safety, welfare, and traffic calming.

Craig E. Wortmann, (Duke), 678 Poplar Court, commended the City Council for their non-partisanship and asked that Council support the request.

Linda Romer Todd, 685 Crestridge Drive, said that she owns property on Elm Street and hopes that Council will take into consideration the surrounding property owners' situation regarding blocked driveways. She feels even if Mesa State expands for paid parking, it will still make the students want to park more in residential areas.

Janet Munster, 2087 Wrangler Court, and 1010 Texas Avenue, her mother's property, is the director of the Newman Center in the Bishop of Pueblo's property. She is in support of the expansion and supports the request, but stated that Council needs to consider when and how to proceed. She has concerns for her mom's safety and her property value. She feels that they will be impacted tremendously and feels there should be more planning. She said they have also had their driveways blocked and feels there needs to be more clarification.

Dan Prinster, 2664 Sperber Lane, said his spouse is a non-traditional student and frequently has to fight for parking. He feels this is the first step to a long term plan. He asked Council to support and move forward on the plan.

Jamie Hamilton, 363 High Desert Drive, agreed with Mr. Prinster and feels this is the right thing to do.

College President Tim Foster understands there will be parking issues and stated that every campus charges for parking. He said they have been working aggressively with staff and will continue to do so.

Councilmember Beckstein asked for clarification on the access for the Fire Department. Fire Chief Rick Beaty said there are already areas where it is tight, he feels as long as Mesa State works with the Fire Department by widening College Place and providing turnarounds, it will probably improve the situation. He also said that it won't impact response time.

Council President Pro Tem Palmer stated that there are multiple parts to the request and asked if it can be broken out. City Attorney Shaver stated that Council has absolute discretion in that regard.

Councilmember Spehar expressed concern with no written assurances that Mesa State would adhere to the City Code in any redevelopment.

Mr. Foster stated that the College has a long history with the City and they have and will continue to work with the City. He said this Master Plan is very preliminary and they will be moving forward on student housing very quickly. He said that in 10 to 15 years, College Place will close.

Councilmember Spehar stated that is what he wanted to hear.

Mr. Foster said that the architect suggested retail on the bottom floor of the new dorms; if it doesn't work with parking, etc. that will be eliminated from the plans.

Councilmember Spehar stated that the City might need right-of-way for Riverside Parkway on its 29 and D Road property in exchange.

Mr. Foster stated that they have discussed it with the City's right-of-way personnel and when that is worked out the City can expect cooperation from the College. However, it is separate from this issue.

Council President Pro Tem Palmer asked with the vacation of College Place and it's possible closure, will it require a bus pull off. Staff indicated that to be their preference.

The public hearing was closed at 11:35 p.m.

Councilmember Spehar said when College Place becomes non-existent, Mesa State should preserve a portion of that for a bus lane. He said that another condition could be that the College will assume liability of the bus bench revenue for those that are removed.

Councilmember Coons stated that she has been associated with a number of campuses; she said the trend is to close them and make them walkable. She said the College is critical to the quality of life in Grand Junction and is important to economic viability. She supports the closure but is leery to break it up into pieces for this final consideration.

Council President Pro Tem Palmer said that everyone in the community wants to see the College do well and grow, it isn't about parking, it's more than that. He supports the closure, but has a problem with closing Elm Avenue. He said maybe in the future he can support the rest of it.

Councilmember Doody agrees with Council President Pro Tem Palmer regarding Elm Avenue. He said the distance from 12th and North and 12th and Orchard over to Cannell is not much different and maybe someday Elm will have to close but that may be 20 years out. He said that he could support the other closings.

Councilmember Thomason said the closure of all the streets is imperative to the Master Plan.

Councilmember Beckstein said it is difficult to drive through on Elm and likes the idea of College Place going one way. She would like to see the staff lean towards the additional right-of-way off of North Avenue. She said growth is not always comfortable, but supports the request.

Councilmember Spehar, also from a three-generation of students family, said the City has played an important role and urged expansion in this direction. He said the Planning Commission's conditions are appropriate and feels that the College should assume liability for the advertising piece. He said the turn lane is essential for safety purposes, in deference to Council President Pro Tem Palmer, he felt that there should be a vote on whether to split up the issues.

Council President Hill said the expansion to the west is the most expensive but would be the best for the community. He said the higher education facility would be a great benefit to the community. He said the results from the last ten years of funding the partnership, residents are not against the expansion, but the College needs to work with those residents and may in fact provide benefits for them. He said that he has a problem with a right-turn lane; he feels that the plan is reducing the traffic there even for a short period of time, and then housing will consume that. He would like to provide the College the flexibility to work things out and is glad to see the student senate is supportive of this and is part of it. He said the College will do a right hand turn lane if needed but, it will decrease the safety by adding a turn lane. He said that he supports the proposal minus the right hand turn lane. Council President Hill asked if Council wanted to make a motion to split it out or keep it whole.

Councilmember Coons moved to keep the consideration of the street closures, the requests for vacations from Mesa State College whole. Councilmember Thomason seconded.

Council President Pro Tem Palmer stated that there are so many issues in the request that to lump them together will convolute the process.

A roll call vote was requested. Motion carried with Councilmembers Beckstein, Doody and Palmer voting NO.

Ordinance No. 3759 - An Ordinance Vacating College Place, a Portion of Mesa Avenue, Bunting Avenue, and Elm Avenue and Various Alleys Near the Mesa State College Campus

Councilmember Coons moved to adopt Ordinance No. 3759, an Ordinance Vacating Portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and Various Alleys near to the Mesa State College campus. Councilmember Thomason seconded.

The motion is to adopt the ordinance as written and will include the seven conditions in the staff report as written.

Councilmember Spehar moved to amend the motion to change condition #7 of the Staff conditions as follows: Right-of-way shall be dedicated and a right turn lane constructed by Mesa State College at the northeast corner of North Avenue and College Place with the understanding that any right-of-way not needed for City purposes will revert to Mesa State College if and when that access to College Place from North Avenue is no longer needed. Council President Pro Tem Palmer seconded.

Councilmember Spehar noted that the traffic count numbers are not the whole story; he said Council President Hill was right that the traffic count numbers did indicate a decrease but what they are showing as a decrease in the traffic flow is actually a decrease because traffic is impeded by the increase in traffic. Therefore it is a safety issue and the amendment is needed.

City Attorney Shaver inquired if there is any temporal component to Councilmember Spehar's motion. Councilmember Spehar responded there was not.

Council President Hill called the question. Motion carried by roll call vote with Councilmember Beckstein and Council President Hill voting NO.

Councilmember Spehar moved to amend the motion to include a condition #8 which would state that Mesa State College assume any liability for buying out the value of the bus bench advertising that could stem from elimination of the benches along the vacated streets. Council President Pro Tem Palmer seconded. The intent is to include shelters.

Councilmember Beckstein asked how many bus shelters are being considered. City Attorney Shaver said two at \$8,000 a piece.

Council President Hill called for the roll. Motion carried by roll call vote with Council President Hill voting NO.

Council President Hill then called the question on adoption of Ordinance 3759, with the conditions #1 through 8, with #7 as amended to require the College to construct the right turn lane. Motion carried with Councilmember Doody and Council President Pro Tem Palmer voting NO.

Council President Hill called a recess at 12:06 a.m.

The meeting was reconvened at 12:15 a.m.

Council reviewed the items that were time sensitive and decided to hear the purchase of property at 426 Noland Avenue for the Riverside Parkway Project and postpone the rest of the items until the next Council meeting. Council decided to start the next Council meeting at 7:00 p.m. and schedule the larger items on a stand alone night on the 2nd Wednesday of the month in the future. Council decided to discuss that more at their retreat.

Purchase of Property at 426 Noland Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 426 Noland Avenue from Helen Malagon for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the location and the current use. He said two appraisals were completed and the owner is to get \$101,000. He said there is also a tenant on the property so the comparable rent and housing is also to be considered. Council President Pro Tem Palmer stated that the comparable place for rent is three times the size of the existing housing.

Mr. Relph said the policy talks about the number of occupants will dictate how to find a dwelling that is decent, safe, and sanitary. He said if a large family is crammed into a small dwelling, the policy requires they look at age and sex of the children.

Councilmember Beckstein asked how the proposed tenants will be able to afford that after the subsidy runs out. Mr. Relph said the tenants can take the money and use it for a down payment on a purchase. He advised the City will have some even more challenging than this in the future.

Councilmember Doody asked if the policy could be changed.

City Attorney Shaver said at what point do you change it. He said you can adjust it legally but it makes it difficult for staff and then difficult politically.

Council President Hill explained how the policy was developed and wanted to make sure the City was being fair.

Councilmember Spehar agreed with Council President Hill.

Council President Hill said the policy has helped the negotiations go very well.

Resolution No. 80-05 – A Resolution Authorizing the Purchase of Real Property at 426 Noland Avenue from Helen Malagon

Council President Pro Tem Palmer moved to adopt Resolution No. 80-05.
Councilmember Spehar seconded the motion. Motion carried by roll call vote.

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Intergovernmental Agreement with CDOT for Interchange Study at 29 Road and I-70B Interchange

The proposed Intergovernmental Agreement with Colorado Department of Transportation (CDOT) will reimburse CDOT for anticipated expenses associated with the 1601 Interchange Study for 29 Rd and I-70B.

Resolution No. 81-05 – A Resolution Authorizing an Intergovernmental Agreement between the City of Grand Junction and the Colorado Department of Transportation (CDOT) Regarding 29 Road and I-70B Interchange Approval Process

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Conveyance of a Nonexclusive Easement Across City Property Along 25 Road for the Riverside Parkway Project

Public Service Company is requesting an easement across City right-of-way along 25 Road to accommodate new facilities being installed in conjunction with the relocations of their 230 kV power line in preparation of the Riverside Parkway.

Resolution No. 82-05 – A Resolution Concerning the Granting of a Non-Exclusive Electric Utility Easement to the Public Service Company of Colorado

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – First Supplemental Appropriation Ordinance for 2005

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

Ordinance No. 3756 - An Ordinance Making Supplemental Appropriations to the 2005 Budget of the City of Grand Junction

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Amendment to Chapter 4, Code of Ordinances Regarding Special Events

Amendments to Chapter 4 of the Code of Ordinances are proposed to codify the City’s current practice of not issuing Special Events permits for the consumption of spirituous liquors in public places.

Ordinance No. 3757 - An Ordinance Amending Part of Chapter 4 of the City of Grand Junction Code of Ordinances Relating to Alcoholic Beverage Licensing

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway [File # ANX-2005-028] (CONTINUED FROM APRIL 20, 2005)

Consider the annexation and zoning for the Iris Court Enclave Annexation. The Iris Court Enclave Annexation is located at 2250 South Broadway and consists of 1 parcel on 0.35 acres. The zoning being requested is RSF-2 (Residential Single Family 2 du/ac).

a. Annexation Ordinance

Ordinance No. 3760 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Iris Court Enclave Annexation, Located at 2250 South Broadway Consisting of Approximately 0.35 Acres

b. Zoning Ordinance

Ordinance No. 3761 – An Ordinance Zoning the Iris Court Enclave Annexation to RSF-2, Located at 2250 South Broadway

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – PS Substation Enclave Annexation and Zoning, Located on 29 Road Just South of F Road [File # ANX-2005-027] (CONTINUED FROM APRIL 20, 2005)

Consider the annexation and zoning for the PS Substation Enclave Annexation. The PS Substation Enclave Annexation is located on 29 Road just south of F Road and consists of 1 parcel on 0.06 acres. The zoning being requested is RMF-5 (Residential Multi-Family 5 du/ac).

a. Annexation Ordinance

Ordinance No. 3762 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, PS Substation Enclave Annexation, Located on 29 Road Just South of F Road and Including a Portion of the 29 Road Right-of-Way, Consisting of Approximately 0.06 Acres

b. Zoning Ordinance

Ordinance No. 3763 – An Ordinance Zoning the PS Substation Enclave Annexation to RMF-5, Located on 29 Road Just South of F Road

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Webb Crane Enclave Annexation and Zoning, Located at 728, 738, 745 and 747 23 ½ Road [File # ANX-2005-029] (CONTINUED FROM APRIL 20, 2005)

Consider the annexation and zoning for the Webb Crane Enclave Annexation. The Webb Crane Enclave Annexation is Located at 728, 738, 745 and 747 23 ½ Road and consists of 4 parcels on 16.89 Acres. The zoning being requested is M-U (Mixed Use) and I-1 (Light Industrial).

a. Annexation Ordinance

Ordinance No. 3764 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Webb Crane Enclave Annexation, Located at 728, 738, 745 and 747 23 ½ Road and Including a Portion of the 23 ½ Road and Interstate Avenue Rights-of-Way, Consisting of Approximately 16.89 Acres

b. Zoning Ordinance

Ordinance No. 3765 – An Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1, Located at 728, 738, 745, and 747 23 ½ Road

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 12:40 a.m.

Stephanie Tuin, MMC
City Clerk