

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

May 18, 2005

The City Council of the City of Grand Junction convened into regular session on the 18th day of May 2005, at 7:09 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. Council President Pro Tem Palmer led in the pledge of allegiance. The audience remained standing for the invocation by Rob Storey, River of Life Alliance Church.

PRESENTATIONS

AWARD FROM THE HISTORIC PRESERVATION BOARD TO PJ MCGOVERN/P&L PROPERTIES LLC FOR THE BUILDING AT 101 SOUTH THIRD

PRESENTATION OF THE DISTINGUISHED BUDGET AWARD FOR NATIONAL RECOGNITION ON THE BIENNIAL BUDGET BOOK FOR 2004 AND 2005 FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION OF THE UNITED STATES AND CANADA AND THE GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN REPORT FOR THE FISCAL YEAR 2003

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING THE WEEK OF MAY 15 THROUGH MAY 21, 2005 AS "EMERGENCY MEDICAL SERVICES WEEK"

PROCLAIMING MAY 19, 2005 AS "ENTREPRENEURSHIP DAY"

Mayor Hill recognized a number of participants of GJ 101 in attendance.

CITIZEN COMMENTS

Jerry Moorman, Professor of Management and Marketing at Mesa State College, was present to address City Council. He talked about a college textbook he wrote about entrepreneurs entitled "Successful Business Planning for Entrepreneurs", in which Council President Hill was featured on page 94. He presented a framed recognition to Council President Bruce Hill of the book cover and the feature article.

CONSENT CALENDAR

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

1. Minutes of Previous Meetings

Action: Approve the Summary of the May 2, 2005 Workshop and the Minutes of the April 20, 2005 and May 4, 2005 Regular Meetings

2. Setting a Hearing for Zoning the Irwin/Riverfront Annexation, Located at 586 Rio Verde Lane & 616 22 ¾ Road [File #ANX-2004-305]

Introduction of a proposed zoning ordinance to zone the Irwin/Riverfront Annexation, RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation, located at 586 Rio Verde Lane & 616 22 ¾ Road. The annexation consists of 19.69 acres and two (2) parcels of land located adjacent to the Colorado River. One of the applicant's intent is to annex their property (Irwin) and subdivide their parcel into two single-family residential lots. The other parcel proposed for annexation is owned by the State of Colorado, Parks & Outdoor Recreation, who is requesting annexation due to the fact that a portion of their property is already in the City limits.

Proposed Ordinance Zoning the Irwin/Riverfront Annexation to Residential Single Family – 4 Unit/Acres (RSF-4) & Community Services & Recreation (CSR) Located at 586 Rio Verde Lane & 616 22 ¾ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 1, 2005

3. Setting a Hearing for the Theobold Annexation No. 1 and 2, Located at 3060 D Road [File #ANX-2005-073]

The applicants for the Theobold Annexation, located at 3060 D Road, have presented a petition for annexation as part of a preliminary plan. The applicants request approval of the Resolution referring the annexation petition, consider reading of the Annexation Ordinance, and requesting Land Use Jurisdiction immediately. The annexation area consists of 4.41 acres of land and 0.78 acres of canal easement. This is a serial annexation.

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

Resolution No. 81-05 – 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, Theobold Annexation No. 1 and 2, Located at 3060 D Road

Action: *Adopt Resolution No. 81-05*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 1, Approximately 4.41 Acres, Located at 3060 D Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 2, Approximately 0.78 Acres, Located at 3060 D Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for July 6, 2005*

4. **Setting a Hearing for the Beagley II Annexation, Located at 2932 and 2938 D ½ Road** [File #ANX-2005-099]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 12.43 acre Beagley II Annexation consists of 2 parcels and contains a portion of the D ½ Road right-of-way.

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

Resolution No. 86-05 – 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, Beagley II Annexation, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way

Action: *Adopt Resolution No. 86-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley II Annexation, Approximately 12.43 Acres, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for July 6, 2005

5. **Setting a Hearing for the Beanery Annexation, Located at 556 29 Road** [File #ANX-2005-078]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 1.65 acre Beanery Annexation consists of 1 parcel.

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

Resolution No. 87-05 – 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, Beanery Annexation, Located at 556 29 Road and Including a Portion of the 29 Road Right-of-Way

Action: Adopt Resolution No. 87-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beanery Annexation, Approximately 1.65 Acres, Located at 556 29 Road and Including a Portion of the 29 Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for July 6, 2005

6. **Setting a Hearing for the Bookcliff Middle School Annexations, Located at 2935 Orchard Avenue** [File #ANX-2005-101]

Resolution referring a petition for annexation and introduction of proposed ordinances. The 20.6 acre Bookcliff Middle School Annexations consist of 1 parcel, includes a portion of the Orchard Avenue right-of-way, and is a 3 part serial annexation.

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

Resolution No. 88-05 – 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, Bookcliff Middle

School Annexations, No. 1, 2, and 3, Located at 2935 Orchard Avenue and Including a Portion of the Orchard Avenue Right-of-Way

Action: *Adopt Resolution No.88-05*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 1, Approximately 0.04 Acres of Orchard Avenue Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 2, Approximately .67 Acres of Orchard Avenue Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 3, Approximately 19.89 Acres, Located at 2935 Orchard Avenue

Action: *Introduction of Proposed Ordinances and Set a Hearing for July 6, 2005*

7. **Setting a Hearing Zoning the Hutto Annexation, Located at 676 Peony Drive**
[File #ANX-2005-054]

Introduction of a proposed zoning ordinance to zone the Hutto Annexation RSF-2 located at 676 Peony Drive.

Proposed Ordinance Zoning the Hutto Annexation to RSF-2, Located at 676 Peony Drive

Action: *Introduction of a Proposed Ordinance and Set a Hearing for June 1, 2005*

8. **Setting a Hearing for the Shadow Run at the Ridges Planned Development**
[File #PP-2005-014]

The applicants propose to develop a multi-family community on a lot already approved for a maximum density of 7.5 dwelling units per acre. The plan consists of three, four-plex buildings and eleven duplex buildings, for a total of 34 dwelling units on 4.99 acres, resulting in a density of 6.8 units per acre. The request is also for approval of private streets within the subdivision, which requires City Council approval and will be considered at second reading.

Proposed Ordinance Zoning Lot 1, Block 18, The Ridges Subdivision, Filing Number 3

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 1, 2005

9. **Sole Source Purchase of Flo Dar Meters**

This is for the sole source purchase of portable flow meter monitors to be used in sewage conduit flowing to the Persigo Waste Water Treatment Plant. The purchase is currently scheduled for replacement in 2005.

Action: Authorize the City Purchasing Manager to Purchase Eight (8) Flo-Dar Monitors from Water Technology Group in the Amount of \$71,359

10. **Multifunction Biphasic Monitor Defibrillators and Accessories**

Approval to purchase five new Monitor Defibrillators and various accessories from the Zoll Medical Corporation for the Fire Department EMS Division.

Action: Authorize the Purchasing Department to Procure Five Monitor Defibrillators and Accessories in the Amount of \$107,857

11. **Contract with Mesa County for Building Inspection Services**

The City's contract with Mesa County for building inspection services is up for renewal. Since 1988, the City has contracted with Mesa County under the present arrangement in which the County's Building Official performs all building inspection functions within the City. The contract term is two years, and either party may terminate the contract upon 90 days' notice.

Action: Authorize the City Manager to Execute the Contract with Mesa County for Building Inspection Services

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Construction and Design Contracts****a. Construction Contract for 5th Street Concrete Repair and Overlay**

The 5th Street Concrete Repair and Overlay project generally consists of full width milling and 2" overlay of 5th Street from Grand Avenue, north to North Avenue.

Mark Relph, Public Works and Utilities Director, reviewed this item. He advised that this project will even out and improve the pavement condition of 5th Street which had some lane adjustments. Some curb extension will also be constructed at Gunnison Avenue.

b. Construction Contract for 2005 Waterline Replacements, Phase I

The 2005 Waterline Replacements, Phase 1 project consists of the replacement of approximately 1¼ miles of water lines in the following locations:

- Along the north side of Hwy. 6 Bypass (North Ave.) from Motor St. to 1st St.
- Along the east side of First Street from North Avenue to Orchard Avenue.
- Along the south side of Orchard Avenue from 5th Street to 7th Street.

Mark Relph, Public Works and Utilities Director, reviewed this item. He noted that this is an annual program where water lines are replaced throughout town based on break history. The funding will come from the water fund.

Councilmember Doody inquired if the contractors are required to perform compaction tests in places where the pavement is replaced. Mr. Relph said absolutely, all contractors that perform work for the City are well-advised of the City's standards.

c. Undergrounding Overhead Lines for Riverside Parkway

The construction of the Riverside Parkway will require the relocation of many overhead power lines. This contract will underground approximately 1.1 miles of power line from approximately 25 Road to Broadway. The letter from Xcel Energy is an "invoice" stating that the undergrounding cost is estimated at \$272,110.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained that \$2 million was estimated for undergrounding for the Riverside Parkway. So far they are well within budget.

Council President Pro Tem Palmer asked if all utilities along the Parkway route will be placed underground. Mr. Relph said not everywhere. Where the lines are in the appropriate place, they will not be underground. The City may underground those at a later time. The undergrounding being done will result in dramatic visual appearance improvement.

Council President Pro Tem Palmer moved to authorize the City Manager to sign a construction contract for the 5th Street concrete repair and overlay to United Companies of Mesa County in the amount of \$225,522; authorize the City Manager to sign a construction contract for the 2005 waterline replacements, Phase 1 to M.A. Concrete Construction, Inc., in the amount of \$447,357; authorize the City Manager to sign a purchase order with Xcel Energy to relocate the existing overhead power lines underground on River Road from 25 Road to Broadway. Councilmember Spehar seconded the motion. Motion carried.

City Code Publishing Contract

A contract to review, analyze, reformat, and reprint the City's reference manuals ("Revised Municipal Code"), having the Codes posted to a web site, with full search capabilities, a web-accessible subscription service and continuously maintain and update the various codes.

City Manager Kelly Arnold introduced this item. He gave the Council some background on the purpose of the project. The current system allows the different departments to be responsible for recodifying and updating the various codes. The result is there are multiple books, and multiple people responsible. Over time the updating has not been done as frequently. It was being done about once a year and then the list would be very long. Now issues will come forth in a timely matter and immediately codified. The updated code will be available shortly after approval of the ordinances. The City Clerk will be responsible for maintaining the record of Code amendments and then the company hired will manage the updating. He explained the process and advised the recommendation is to work with Code Publishing. The project was not anticipated and not in the budget so it is being asked that the project be funded from general fund contingency. John Shaver, City Attorney, advised that the current Code allows for Administrative Regulations which can be adopted to clarify the law. Those should be used sparingly and by bringing amendments to Council in a timelier manner, they can be used less frequently.

Council President Pro Tem Palmer moved to authorize the City Clerk and City Attorney to negotiate a contract, authorize the City Manager to sign such contract for the review, republishing, reprinting and continuous update of the "Revised Municipal Code" with Code Publishing, Inc. in an amount not to exceed \$100,000 to include review, formatting,

republishing, internet hosting with search capabilities, subscription service, hot links, printing, and frequent updating. Councilmember Coons seconded the motion.

It was mentioned that the motion should include the authority to transfer monies from contingency.

Council President Pro Tem Palmer amended his motion to include “and authorize the transfer of funds from general fund contingency.” Councilmember Coons seconded the amendment. The motion to amend carried.

The question was called on the first motion. Motion carried.

Purchase of Real Property at 836 Struthers Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 836 Struthers Avenue from Gilbert A. Lopez, Joseph A. Lopez, Priscilla M. Lopez, and the Estate of Maria A. Lopez, a.k.a. Mary Ann Lopez. 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 displayed a photograph of the structure and property. He noted that the City has found suitable replacement property that is comparable and the cost is \$129,000. The appraisal of the existing property is \$60,000 and the replacement housing payment will be \$69,000. The title does include the name of Maria Lopez who passed away without a will so the family will have to execute a note and a deed of trust to receive the money until such time as the estate of Maria Lopez is resolved, at which time the deed of trust can be released.

Council President Pro Tem Palmer asked if the budget shown on the report is the remaining funds for right-of-way for Riverside Parkway. Mr. Relph said the figure is the remainder of right-of-way acquisition funds budgeted for this year, 2005.

Resolution No. 93-05 - A Resolution Authorizing the Purchase of Real Property at 836 Struthers Avenue from Gilbert A. Lopez, Joseph A. Lopez, Priscilla M. Lopez, and the Estate of Maria A. Lopez, A.K.A. Mary Ann Lopez

Councilmember Thomason moved to adopt Resolution No. 93-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Purchase of Real Property Located at 2927 and 2927 ½ D ½ Road (Pear Park Area)

The City has entered into a contract to purchase the property at 2927 and 2927½ D½ Road. The City's obligation to purchase the property is contingent upon Council's ratification of the contract.

City Manager Kelly Arnold introduced this item and explained the process for selecting this site. The Pear Park area is quickly being developed and parcels of this size are being purchased rapidly by developers. The appraisal for the property came out to \$890,000. The School District will purchase part of the property for an elementary school. The balance of the property will be a five acre park to be developed in the future.

Council President Pro Tem Palmer asked if the only access to the park will be through the school property. City Manager Arnold identified roads planned for the future including a new D ¼ Road that will run to the south of the property. There is also a subdivision planned to the south which will have a road into the park area. Three lots will be platted; one for the school, one for the park, and one will be a remnant and could be reserved for future public use. The City will have the option to repurchase that piece in the future.

Council President Pro Tem Palmer inquired if the property is in city limits. City Manager Arnold said it is not but as soon as the City closes on the property, he will sign, on behalf of the City, a petition for annexation.

Council President Pro Tem Palmer asked what the County role was in the acquisition. City Manager Arnold said the former County Administrator was at the table potentially to provide incentives for annexation. A letter has been sent to the County to inquire if the County would like to participate further.

Councilmember Spehar lauded the efforts of all the participants.

Council President Hill agreed and cited the many examples where the City has participated with the School District and the County to make improvements throughout the City, such as the Pomona School parking lot and adjacent roadway improvements.

Council President Pro Tem Palmer agreed and encouraged such partnerships to continue.

Resolution No. 89-05 – A Resolution Authorizing the Purchase of Real Property Located at 2927 D ½ Road and 2927 ½ D ½ Road

Councilmember Coons moved to adopt Resolution No. 89-05. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Intergovernmental Agreement with CDOT for Interchange Study at 29 Road and I-70B Interchange (CONTINUED FROM THE MAY 4, 2005 MEETING)

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. He noted the size of the 29 Road project which includes the bridge, the overpass over the railroad, and the interchange into I-70 Business Loop. He noted that this 1601 process will be performed under an amended process. The IGA includes only the initial environment and design requirements. A final IGA will follow later. The IGA includes the City reimbursing CDOT \$20,000 for administrative costs.

Councilmember Doody inquired about the cost of a railroad underpass rather than an overpass. Mr. Relph advised that alternative was reviewed and excluded due to the cost. The railroad stores a number of cars in that area and in fact has plans to increase that number. That would make the length of the underpass much longer and the cost more prohibitive.

Resolution No. 90-05 – 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

Council President Pro Tem Palmer moved to adopt Resolution No. 90-05. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – 2005 CDBG Program Year Funding for the 2005 Action Plan, a Part of the 2001 Five-Year Consolidated Plan

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2005 Program Year.

The public hearing was opened at 8:21 p.m.

David Thornton, Principal Planner, reviewed this item. He noted this is year five of the five-year plan so the Council will see a new five-year plan next year. The City's entitlement annually funds the City with CDBG funds. This year the City anticipates

receiving \$387,644. The final adoption of the funding recommendations will be at a public hearing on June 15, 2005.

Mr. Thornton explained the process for receiving applications, the deadline for which was April 15. The City received twenty applications. The City Council is recommending funding six of the projects from their workshop discussion. He reviewed the fourteen that were not proposed to receive funding. The first five received funding in 2004. A number of the remaining fourteen projects were City projects totaling \$478,000.

Mr. Thornton then described the six which are being recommended for funding: Salvation Army Adult Rehabilitation is asking for some expansion funds to provide more beds, Mesa County Partners is asking for \$15,000 for a 12-passenger van to transport youth in the program, funding for the City's new neighborhood program of \$120,000 is being requested, \$30,000 for a wheelchair lift for the Homeless Veteran Transitional Housing complex, and lastly funding for the construction of storm sewers in the El Poso neighborhood in the amount of \$172,644.

Council President Pro Tem Palmer asked if the presentation could make it more clear to folks what the qualifications are since there were eight applications that were disqualified as ineligible. Mr. Thornton agreed noting they will use this year as an example when making next year's presentation.

Councilmember Spehar advised this funding is a declining funding source yet there were requests for three times the amount of the entitlement. He noted the City has sent representatives to Washington to support the continuation of the program. In the past Staff has not dedicated any funds for administration of the program and should be commended.

Milton "Tony" Long, 302 Pitkin Avenue, a resident for over nine years and one of the homeless, said he hopes the community can work together to solve some problems. He felt that fewer regulations will mean the homeless will need less money.

Alfred Parker, Major with the Salvation Army, thanked City Council for consideration of their request, expressing that the CDBG program should be a free-standing program.

Joe Higgins, 140 W. Kennedy, Partners Director, stated his organization has a very strong work relationship with the City and federal dollars for those programs are disappearing. Partners like to have the youth work in the community where they get paid for the work they do. The program has been using unsafe vehicles to transport clients so this request will help alleviate that. He thought staff did a good job clarifying the requirements at the presentation this year and were helpful.

Dan Whalen, Director of Housing Resources, 336 Iron Horse Court and Teresa Black, 384 Skyler Street, Director of Homeward Bound of the Grand Valley, advised that the Veteran Transitional Housing is the only such facility between Salt Lake City and Denver and if the funding is granted it will help make it happen.

Council President Hill inquired why the request is to only make one unit accessible. Mr. Whalen said they hope to be able to make all four accessible, they are working on that.

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

Council President Hill said he was pleased to be at the ribbon cutting of the Veteran facility. The dollars from CDBG help leverage other dollars. The funds the City has received through the entitlement program have leveraged \$21 million. The federal government may ask if the City can survive without these funds and the answer is yes they can but they take very good care of these funds which are used for very worthwhile purposes.

Councilmember Coons thanked the applicants and commended them for their efforts.

Councilmember Doody, knowing how non-profits must leverage money, said he appreciated their importance.

Councilmember Spehar moved to approve the CDBG City Council Subcommittee recommendation for funding six projects for the City's 2005 CDBG Program Year Action Plan and set a hearing for final adoption of the CDBG 2005 Action Plan for June 15, 2005. Council President Pro Tem Palmer seconded the motion. Motion carried.

The Council President called a recess at 8:43 p.m.

The meeting reconvened at 8:55 p.m.

Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway [File # ANX-2005-028] (CONTINUED FROM MAY 4, 2005 MEETING)

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).

The public hearing was opened at 8:55 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location of the property and the existing use. She identified the Future Land Use Designation of the property and the proposed zoning.

Council President Pro Tem Palmer asked why the proposed zoning was different than the existing County Zoning. Ms. Costello said the RSF-2 is more compatible with the surrounding zoning and is at low end of the land use designation.

The applicant was not present and there were no public comments.

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

Council President Hill asked about the schedule of annexing enclaves. City Attorney Shaver said State Law allows annexation of enclaves after three years. The Persigo agreement has extended that period of time to five years. This enclave is a bit overdue.

a. Annexation Ordinance

Ordinance No. 3756 – 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. 3757 – An Ordinance Zoning the Iris Court Enclave Annexation to RSF-2, Located at 2250 South Broadway

Council President Pro Tem Palmer moved to adopt Ordinance Nos. 3756 and 3757 on second reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – PS Substation Enclave Annexation and Zoning, Located on 29 Road Just South of F Road [File # ANX-2005-027] (CONTINUED FROM MAY 4, 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).

The public hearing was opened at 9:02 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and size of the parcel. She noted the current use and advised it has been an enclave for eleven years. The use does require a Conditional Use Permit and a portion of the property is in the public right-of-way. City Attorney Shaver advised this use is “grandfathered” and may soon change with the Parkway construction. The applicant was not present but has been advised that any expansion of the existing use would require a Conditional Use Permit.

The public hearing was closed at 9:05 p.m.

a. Annexation Ordinance

Ordinance No. 3760 – 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. 3761 – An Ordinance Zoning the PS Substation Enclave Annexation to RMF-5, Located on 29 Road Just South of F Road

Councilmember Spehar moved to adopt Ordinance Nos. 3760 and 3761 on second reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Webb Crane Enclave Annexation and Zoning, Located at 728, 738, 745 and 747 23 ½ Road [File # ANX-2005-029] (CONTINUED FROM MAY 4, 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).

The public hearing was opened at 9:06 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location of the property and stated there are four parcels and portions of the adjacent rights-of-way. The uses are single-family, agricultural, and industrial. The Future Land Use Plan designates the property as mixed use and commercial/industrial. They are recommending a zoning of Mixed Use and Light Industrial. These properties were

enclaved in 2000. The property owners had not indicated any objections and were not present.

City Manager Kelly Arnold talked about enclaves as a policy issue. He noted this is a perfect example of how enclaves should be handled. He proposed an agenda item on the Annual Persigo Meeting to discuss how these are handled so that the citizens' expectations are met. It is hoped that when enclaves are formed, an outreach effort can be made in partnership with the County so the citizens understand what it means to be annexed in the City. There are some enclaves of significant size that will be coming before the Council in the future.

Council President Pro Tem Palmer stated he thought the process was fairly clear and there is a letter that goes out which explains it to those affected. However, the lack of compatible infrastructure between the County and City might be one issue. City Manager Arnold agreed that is one issue, and also whether the citizens expect the infrastructure to be brought up to City standards or have other expectations.

The public hearing was closed at 9:12 p.m.

a. Annexation Ordinance

Ordinance No. 3762 – 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. 3763 – An Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1, Located at 728, 738, 745, and 747 23 ½ Road

Councilmember Coons moved to adopt Ordinance Nos. 3762 and 3763 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Anson Annexations No. 1, 2, 3 & 4 and Zoning Located at 2729 B ¼ Road [File # ANX-2005-036]

Acceptance of a petition to annex and consider the annexations and zoning for the Anson Annexations. The Anson Annexations are located at 2729 B ¼ Road, includes a portion of the B ¼ Road right-of-way, consists of 1 parcel on 3.53 acres, and is a four part serial annexation. The zoning being requested is RSF-4.

The public hearing was opened at 9:14 p.m.

Council President Pro Tem Palmer stated one of his employees is the daughter of the applicants, but he has no financial ties with the matter. Council was comfortable with him participating.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the existing uses. The Future Land Use designation is residential medium low. The applicant is requesting an RSF-4 zone designation which Staff supports. The size of the parcel is 3.53 acres.

Ted Ciavonne, representing the applicants, said the applicants are present but do not wish to speak as the report by Ms. Costello was thorough.

There were no public comments.

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

a. Accepting Petition

Resolution No. 91-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Anson Annexations No. 1, 2, 3, and 4, Located at 2729 B ¼ Road and a Portion of the B ¼ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3764 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 1, Approximately 0.006 Acres of B ¼ Road Right-of-Way

Ordinance No. 3765 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 2, Approximately 0.02 Acres of B ¼ Road Right-of-Way

Ordinance No. 3766 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 3, Approximately 0.05 Acres of B ¼ Road Right-of-Way

Ordinance No. 3767 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 4, Approximately 3.53 Acres Located at 2729 B ¼ Road, Including a Portion of B ¼ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3768 – An Ordinance Zoning the Anson Annexation to RSF-4, Located at 2729 B ¼ Road

Councilmember Spehar moved to adopt Resolution No. 91-05 and Ordinance Nos. 3764, 3765, 3766, 3767, and 3768 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Burkey Park Annexation and Zoning Located at 2980 F Road [File # GPA-2005-060]

Acceptance of a petition to annex and consider the annexation and zoning for the Burkey Park Annexation. The Burkey Park Annexation is located at 2980 F Road and consists of 2 parcels on 19.19 acres. The zoning being requested is CSR.

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

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the size being just less than 20 acres. The parcel is currently vacant although there use to be a house on the lower west end which is no longer there. The Future Land Use designation was recently changed to include the entire parcel as CSR. The petitioner is the City.

There were no public comments.

The public hearing was closed at 9:20 p.m.

a. Accepting Petition

Resolution No. 92-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Burkey Park Annexation at 2980 F Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3769 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park Annexation, Approximately 19.19 Acres, Located at 2980 F Road

c. Zoning Ordinance

Ordinance No. 3770 – An Ordinance Zoning the Burkey Park Annexation to CSR, Located at 2980 F Road

Council President Pro Tem Palmer moved to adopt Resolution No. 92-05 and Ordinance Nos. 3769 and 3770 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Council President Pro Tem Palmer noted the long history with this piece and that he and the Burkey family are pleased that the property will now be in the City.

Public Hearing – First Supplemental Appropriation Ordinance for 2005
(CONTINUED FROM MAY 4, 2005 MEETING)

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 9:22 p.m.

Ron Lappi, Administrative Services and Finance Director, reviewed this item. He explained the City usually does two supplemental appropriations per year, one at this time and one in the fall. \$10.8 million of the supplemental appropriation is major capital, making the total major capital budget for 2005 almost \$70 million, much of which was budgeted for Riverside Parkway. Much of the funding for Riverside Parkway will be carried forward to next year. He explained a few new items including additional funding for the environmental assessment for 29 Road. Also \$90,000 was added for the Lincoln Park Splash Pool.

Council President Pro Tem Palmer asked about the facility software system for Two Rivers. Administrative Services Director Lappi said it was budgeted last year and is being carried forward. It has not been bid out yet.

Council President Pro Tem Palmer pointed out the cost for reorganization of Information Service to incorporate the GIS division. Mr. Lappi explained the amount is a transfer from other locations in the general fund to the Information Services budget; it is a reallocation, not additional cost.

There were no public comments.

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

Ordinance No. 3771 – An Ordinance Making Supplemental Appropriations to the 2005 Budget of the City of Grand Junction

Councilmember Thomason moved to adopt Ordinance No. 3771 on second reading and ordered it published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Amendment to Chapter 4, Code of Ordinances Regarding Special Events (CONTINUED FROM MAY 4, 2005 MEETING)

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.

The public hearing was opened at 9:29 p.m.

John Shaver, City Attorney, reviewed this item. The amendment is important because it codifies the practice not to allow Special Events to serve spirituous liquors in public places. It does not preclude spirituous liquors at private Special Events.

Councilmember Doody inquired about the definition of spirituous liquors. City Attorney Shaver replied that there they are distilled beverages.

Milton Long, 302 Pitkin Avenue, said alcohol abuse causes a whole lot of misery.

There were no other public comments.

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

Ordinance No. 3772 – An Ordinance Amending Part of Chapter 4 of the City of Grand Junction Code of Ordinances Relating to Alcoholic Beverage Licensing

Councilmember Beckstein moved to adopt Ordinance No. 3772 on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing - 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.

The public hearing was opened at 9:34 p.m.

John Shaver, City Attorney, reviewed this item. He advised that this ordinance is to fix an error. It specifies exceptions for purposes of parking privileges.

There were no public comments.
The public hearing was closed at 9:35 p.m.

Ordinance No. 3773 – An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances relating to Handicapped Parking Privilege

Councilmember Doody moved to adopt Ordinance No. 3773 on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

Milton Long, 302 Pitkin Avenue, believes that Police Chief Greg Morrison is trying to do a good job, he encourage the Council to support and pray for him.

Andrea Metz, Citizens Academy (GJ 101), 2430 Santa Rosa Lane, thanked Council for letting her observe the meeting.

Council President Pro Tem Palmer thanked her for her interest.

OTHER BUSINESS

Council President Hill said over 400 letters went out to property owners within one of the recent enclaves that had his signature and one citizen, as a result, came to one of the coffees with the Mayor with questions on being annexed. Council President Hill appreciates City Manager Arnold's suggestion that the Council discuss their policy and view of enclaves. He agreed with having a conversation with the County on it.

ADJOURNMENT

The meeting adjourned at 9:40 p.m.

Stephanie Tuin, MMC
City Clerk