

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

JUNE 15, 2005

The City Council of the City of Grand Junction convened into regular session on the 15th day of June 2005, at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, 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 Pro Tem Gregg Palmer was absent.

Council President Hill called the meeting to order. Councilmember Thomason led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Steve Johnson, Living Hope Church.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING JUNE 17 THROUGH JUNE 18, 2005 AS "GRAND JUNCTION RELAY FOR LIFE DAYS"

PROCLAIMING JUNE 12 THROUGH JUNE 18, 2005 AS "KIWANIS WEEK" AND RENAME MAIN STREET AS "KIWANIS PANCAKE AVENUE" FOR JUNE 17, 2005

RECOGNITION OF NEIGHBORHOOD ORGANIZATIONS – EL POSO, NIAGARA VILLAGE, THE FALLS, CANYON VISTA, SKYLER SUBDIVISION, AND TRAILS WEST VILLAGE

APPOINTMENTS

TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Spehar moved to re-appoint Scott Howard and appoint Peggy Page to the DDA both for 4 year terms expiring June 2009 and amend the terms for Harry Griff and Bill Wagner to expire June 2008. Councilmember Coons seconded the motion. Motion carried.

TO THE PARKS AND RECREATION ADVISORY BOARD

Councilmember Thomason moved to re-appoint Jack Neckels and appoint Dennis Teeters to the Parks and Recreation Advisory Board both for 3 year terms expiring June 2008. Councilmember Doody seconded the motion. Motion carried.

CITIZEN COMMENTS

The Weed Wrangler with the City's Code Enforcement Division introduced himself and told the Council how he will be rounding up weeds.

CONSENT CALENDAR

Councilmember Spehar requested that Item #13 be moved to Individual Consideration.

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

1. Minutes of Previous Meetings

Action: Approve the Minutes of the Special Sessions May 18, 2005 and June 1, 2005 and the June 1, 2005 Regular Meeting

2. Amending the City Council Meeting Schedule

The City's Code of Ordinances, Sec. 2-26, requires a meeting schedule and provides a procedure for calling special meetings. The meeting schedule is to be determined by resolution. Typically the scheduled is set annually. Because resolutions are statements of the policy of the Council, a resolution may be amended by another, subsequent resolution.

Resolution No. 97-05 – A Resolution of the City of Grand Junction Amending Resolution No. 01-05 Changing the Start Time for City Council Meetings

Action: Adopt Resolution No. 97-05

3. Setting a Hearing for the Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road [File #ANX-2005-125]

Resolution referring a petition for annexation and introduction of proposed ordinances. The 20.42 acre Pear Park School Annexation consists of 2 parcels, a portion of the D ½ Road right-of-way, and is a 2 part serial annexation.

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

Resolution No. 105-05 – 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, Pear Park School Annexations #1 & #2, Located at 2927 and 2927 ½ D ½ Road

Action: Adopt Resolution No. 105-05

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #1, Approximately 0.11 Acres, Located at 2927 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #2, Approximately 20.31 Acres, Located at 2927 and 2927 ½ D ½ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005

4. **Setting a Hearing for the Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive** [File #ANX-2005-108]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The .79 acres Koch/Fisher annexation consists of two parcels and a portion of Conestoga Drive.

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

Resolution No. 106-05 – 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, Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive

Action: Adopt Resolution No. 106-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Koch/Fisher Annexation, Approximately 0.79 Acres, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive

Action: Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005

5. **Setting a Hearing for the Schultz Annexation, Located at 513 29 ¼ Road** [File #ANX-2005-112]

Resolution referring a petition for annexation and introduction of proposed ordinances. The .73 acre Schultz annexation consists of one parcel and 1133.51' of North Avenue and 29 ¼ Road Right-of-Way.

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

Resolution No. 107-05 – 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, Schultz Annexation, a Serial Annexation Comprising Schultz Annexation No. 1 and Schultz Annexation No. 2, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Rights-of-Way

Action: Adopt Resolution No. 107-05

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 1, Approximately 0.02 Acres of North Avenue and 29 ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 2, Approximately 0.71 Acres, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005

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

Introduction of a proposed zoning ordinance to zone the Beanery Annexation RMF-8, located at 556 29 Road.

Proposed Ordinance Zoning the Beanery Annexation to RMF-8, Located at 556 29 Road

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

7. **Setting a Hearing for Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road** [File #ANX-2005-089]

Introduction of a proposed zoning ordinance to zone the Munkres-Boyd Annexation RSF-4, located at 2866 A ¾ Road.

Proposed Ordinance Zoning the Munkres-Boyd Annexation to RSF-4, Located at 2866 A ¾ Road

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

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

Introduction of a proposed zoning ordinance to zone the Beagley II Annexation RMF-8, located at 2932 and 2938 D ½ Road.

Proposed Ordinance Zoning the Beagley II Annexation to RMF-8, Located at 2932 and 2938 D ½ Road

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

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

Introduction of a proposed zoning ordinance to zone the Bookcliff Middle School Annexation CSR, located at 2935 Orchard Avenue.

Proposed Ordinance Zoning the Bookcliff Middle School Annexation to CSR, Located at 2935 Orchard Avenue

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

10. **Setting a Hearing for Zoning the Theobold Annexation, 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 Zoning Ordinance, designating the property RMF-8, Residential Multi-family, not to exceed eight dwelling units per acre. The property is 5.19 acres in size.

Proposed Ordinance Zoning the Theobold Annexation to Residential Multi-Family – Eight (RMF-8), Located at 3060 D Road

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

11. **Construction Contract for 2005 Asphalt Overlays**

The 2005 Asphalt Overlay project consists of asphalt resurfacing on twelve selected streets throughout the City.

Action: Authorize the City Manager to Sign a Construction Contract for the 2005 Asphalt Overlay Project to United Companies of Mesa County in the Amount of \$1,069,449.00

12. **Extend School Land Dedication Fee to December 2005**

In December, 2004, City Council authorized a letter to the School Board extending the School Land Dedication fee at its current amount until June, 2005. The working group continues to study the fee and anticipates a recommendation in December, 2005. The letter from December, 2004 will be updated to extend the existing fee until December 31, 2005 and drafted for the Mayor's signature if authorized.

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Economic Development Incentive to GJEP

The resolution authorizes an incentive to GJEP for the benefit of Prospect #04025 in the amount of \$40,000.

Council President Hill explained that Council had an adequate discussion on this item on Monday night with representation from Grand Junction Economic Partnership (GJEP). He said that GJEP is not in attendance, but Council wanted to move this item to individual consideration in order to explain that the City Council discussed this program at their retreat. He said Council will be moving forward on developing a new method or program for economic development and move away from paying per job and focus on things that are important to the community. Council President Hill stated that Council wants to work on specific things that may come out of the City's "Listening to

Business” program that is currently in progress with results expected in August. He said the incentives per job program will be phased out by the end of this year’s budget.

Councilmember Spehar agreed and characterized Council’s desire to be recognized for efforts on economic development, rather than just for the funding and to develop a program that is good for new and existing businesses.

Councilmember Coons also agreed and said the Council discussed in depth looking at economic development creatively along with the other partners in the community.

Councilmember Doody noted that the current program is an old model and he is excited at the prospect of developing a new way.

Councilmember Thomason agreed.

Councilmember Beckstein added that one of the goals is to insure the dollars stay in the community and benefit the community and it will be a positive direction.

Resolution No. 108-05 – A Resolution Authorizing an Economic Incentive for GJEP Prospect #04025 for \$40,000 for their Job Creation and Relocation to Grand Junction

Councilmember Coons moved to adopt Resolution No. 108-05. Councilmember Thomason seconded. Motion carried by roll call vote.

Public Hearing – Chatfield III Annexation and Zoning, Located at 3156 and 3164 D ½ Road [File #ANX-2005-057]

Acceptance of a petition to annex and consider the annexation and zoning for the Chatfield III Annexation. The Chatfield III Annexation is located at 3156 and 3164 D ½ Road and consists of 2 parcels on 24.781 acres. The zoning being requested is RMF-5.

The public hearing was opened at 7:44 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site location, the surrounding uses, the Growth Plan designation, the requested zoning and the surrounding zoning. She said staff finds the request meets the requirements of the Growth Plan and the Zoning and Development Code.

Ted Ciavonne, Ciavonne, Roberts, & Associates, said he had nothing to add but can answer questions.

Councilmember Beckstein acknowledged a business relationship with Mr. Ciavonne and his company.

There were no public comments.

The public hearing was closed at 7:47 p.m.

a. Accepting Petition

Resolution No. 109-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Chatfield III Annexation, Located at 3156 and 3164 D ½ Road, Including a Portion of the D ½ Road Right-of-Way, is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3774 – An 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

c. Zoning Ordinance

Ordinance No. 3780 – An Ordinance Zoning the Chatfield III Annexation to RMF-5, Located at 3156 and 3164 D ½ Road

Councilmember Spehar moved to adopt Resolution No. 109-05 and Ordinances No. 3774 and 3780 on second reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Reynolds Annexation and Zoning, Located at 3077 D ½ Road
[File #ANX-2005-058]

Acceptance of a petition to annex and consider the annexation and zoning for the Reynolds Annexation. The Reynolds Annexation is located at 3077 D ½ Road and consists of 1 parcel on 6.55 acres. The zoning being requested is RMF-8.

The public hearing was opened at 7:48 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She noted the annexation is a two part serial annexation and described the site location, the surrounding uses, the Future Land Use designation, the requested zoning, and the surrounding zoning. She said Staff finds the request meets the requirements of the Growth Plan and the Zoning

and Development Code. She said the Planning Commission recommended approval and there are several letters from surrounding property owners noting their concerns.

Council President Hill asked if one of the cul-de-sacs is for the purpose of providing connectivity. Ms. Costello said that is her understanding.

Ted Ciavonne, Ciavonne, Roberts, & Associates, said he represents the developer South Camp LLC and the property owners. He said Mr. Reynolds is also present and the plan meets the requirements of the Pear Park Plan.

There were no public comments.

The public hearing was closed at 7:52 p.m.

a. Accepting Petition

Resolution No. 110-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Reynolds Annexations #1 and #2, Located at 3077 D ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3781 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #1, Approximately 1.48 Acres, Located at 3077 D ½ Road

Ordinance No. 3782 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #2, Approximately 5.07 Acres, Located at 3077 D ½ Road

c. Zoning Ordinance

Ordinance No. 3783 – An Ordinance Zoning the Reynolds Annexation to RMF-8, Located at 3077 D ½ Road

Councilmember Thomason moved to adopt Resolution No. 110-05 and Ordinances No. 3781, 3782, and 3783 on second reading and ordered them published.

Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing – Swan Lane Annexation and Zoning, Located at the South End of Swan Lane [File #ANX-2004-249]

Acceptance of a petition to annex and consider the annexation and zoning for the Swan Lane Annexation. The Swan Lane Annexation is located at the south end of Swan Lane and consists of 6 parcels on 4.47 acres. The zoning being requested is RSF-4.

The public hearing was opened at 7:55 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site location, the surrounding uses, the Growth Plan designation, the requested zoning and the surrounding zoning. She said Staff finds the request meets the requirements of the Growth Plan and the Zoning and Development Code. She said the Planning Commission recommended approval.

Tom Dixon, Rolland Engineering, representing the property owner, Robert Smith, said he had nothing to add but can respond to any concerns or public comments.

The public hearing was closed at 7:56 p.m.

a. Accepting Petition

Resolution No. 111-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Swan Lane Annexation, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3784 – An 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

c. Zoning Ordinance

Ordinance No. 3785 – An Ordinance Zoning the Swan Lane Annexation to RSF-4, Located at the South End of Swan Lane

Councilmember Doody moved to adopt Resolution No. 111-05 and Ordinances No. 3784 and 3785 on second reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – Vacate Rights-of-Way for an Alley and Hoesch Street Within the Riverside School/Proposed Dual Immersion Academy Site [File #VR-2005-067]

Public hearing for a proposed ordinance to vacate undeveloped rights-of-way for an alley and Hoesch Street within the Riverside School/Proposed Dual Immersion Academy site.

The public hearing was opened at 7:59 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She explained the project and the time frame for the project. The location of the requested vacation is an area large enough to place a large new building and has never been developed for a roadway or access. She said there are no existing utility lines but there is a sewer line under the old school, so the City is requesting an easement and relocation of the line in exchange for vacation of the rights-of-way. She said the Planning Commission recommended approval with two conditions: an easement for the sewer line and the vacation not be effective until the site development plan has been approved.

Council President Hill asked if the entire property is owned by the School District. Ms. Ashbeck said yes. He asked about other existing buildings. Ms. Ashbeck said the barracks building will stay through the first phase and then that building will come down. Council President Hill asked why the Planning Commission placed the second condition on the approval. City Attorney Shaver advised that is the purpose of the vacation; if this development does not occur there is no reason to vacate. Council President Hill countered that it may be good to vacate those right-of-ways regardless. Ms. Ashbeck advised the two conditions go hand-in-hand.

There were no representatives from the School District.

There were no public comments.

The public hearing was closed at 8:07 p.m.

Ordinance No. 3786 – An Ordinance Vacating Rights-of-Way for an Alleyway and Hoesch Street within the Riverside School Site

Councilmember Spehar moved to adopt Ordinance No. 3786 with the conditions recommended by the Planning Commission on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Request to Acquire Access for Development of Redlands Mesa, Phase IV [File #PP-2005-019]

Ron Austin/Sunflower Investment, LLC has a development application (PP-2005-019) pending for a Preliminary Plan and revised zoning ordinance for Redlands Mesa, Phase IV. As was previously discussed with City Council at its December 13, 2004 work session, the developer is interested in obtaining street access to the development across City owned property.

The public hearing was opened at 8:09 p.m.

John Shaver, City Attorney, reviewed this item. He explained the history of the request from the developer Mr. Austin. He said the unusual circumstance of this request is that a right-of-way had been previous dedicated in 1975 and so in essence the right-of-way granted will be a swap with the existing right-of-way so there is no consideration being recommended.

Ron Austin, developer, stated the proposal is to move the access to Mariposa to make the intersection safer and he feels the proposal is a fair trade.

The public hearing was closed at 8:11 p.m.

Resolution No. 112-05 – A Resolution Approving Designation of City Owned Land as Right-of-Way

Councilmember Coons moved to adopt Resolution No.112-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – Rezone of Redlands Mesa, Phase IV, Located at Monument Road and Mariposa Road [File #PP-2005-019]

Hold a public hearing and consider final passage of an ordinance to amend the PD zoning for Redlands Mesa, Phase IV.

The public hearing was opened at 8:12 p.m.

Kathy Portner, Planning Manager, reviewed this item. She described the site location and how the development has proceeded, a section of West Ridges Blvd. will be skipped and this area will be developed next. She then described the area zoning and how the Planned Development zoning was designed in pods, and the development has occurred in pods. She displayed their Outline Development Plan and described the location of the pods that are being proposed to be developed. She said the proposed

density is well below the original plan. Therefore, it does meet with the approval of the Outline Development Plan which was approved under the old Zoning and Development Code.

Ron Austin, the developer, had nothing to add but could answer questions.

There were no public comments.

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

Ordinance No. 3787 – An Ordinance Zoning Land Located South and West of The Ridges Known as Redlands Mesa, Phase IV

Councilmember Thomason moved to approve Ordinance No. 3787 on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

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

City Council will consider final adoption of the 2005 Program Year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of CDBG funds. The Action Plan includes the CDBG projects for the 2005 Program Year that City Council approved for funding on May 18, 2005.

The public hearing was opened at 8:16 p.m.

Council President Hill noted the good news, that the CDBG program was not cut by the Federal Government and though the funds were reduced, they were not eliminated.

David Thornton, Principal Planner, reviewed this item. He explained the purpose of the public hearing is to adopt the Action Plan for 2005. Mr. Thornton detailed the recommendations for funding and also stated in the plan, a number of human service agencies are included within the consolidated plan which helps bolster the causes of those programs and also funded are a number of City programs that meet the criteria of the CDBG program. Mr. Thornton said the public hearing is to adopt the plan and the public comment period ends July 8th. He said the minutes of this meeting and the plans are then submitted to HUD and then there is a forty day review period. Mr. Thornton said they expect approval from HUD at the end of August or in September, then the City can begin funding.

There were no public comments.

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

Council President Hill stated the CDBG program was the main focus of most communities at the NLC conference due to the possibility of the funding being cut by the Federal Government. He said the City made a presentation at that conference and was pleased to hear that the funds were not eliminated. He said the presentation made it clear that communities do not take these funds lightly and they are appreciated and used wisely. The funds are also used to leverage up to eight times more funding.

Councilmember Spehar commended the efforts to reach out to the legislators to make sure they are aware of the importance of these funds. He said these funds precipitated the start of the City's neighborhood program.

Resolution No. 113-05 – A Resolution Adopting the 2005 Program Year Action Plan as a part of the City of Grand Junction 2001 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Spehar moved to adopt Resolution No. 113-05. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Purchase of Property at 1101 Kimball Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 1101 Kimball Avenue from BESS Investments. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Jim Shanks, Program Manager for the Riverside Parkway, reviewed this item. He described the location of the property. He said the Parkway needs $\frac{3}{4}$ acre and 1500 feet of right-of-way from this property. Mr. Shanks said the City had an appraisal completed and the property was appraised at \$121,500. He said the owner obtained his own appraisal which came in at \$69,000. In reviewing the two appraisals the City felt there were comparables that justified the higher appraisal amount and Staff feels it is fair market value. He said the closing is scheduled for the following week.

Council President Hill said it has been asked why the alignment did not use more of Las Colonias Park, but noted the alignment actually struck a good balance because it does not take away too much of the Park and does not damage the remaining property of this owner. Mr. Shanks agreed, noting a slight shift in the alignment was made to strike that balance.

Councilmember Spehar noted that he is comfortable with the policy and the City does not want property owners to have hard feelings if their neighbors are paid more for their property than they are.

Councilmember Coons said she appreciates the explanation of why the appraisals came out differently.

Councilmember Doody asked if Council has the authority to negotiate if there is a discrepancy. City Attorney Shaver said the City always negotiates but the question is what the property owner will accept. The City proceeds with the appraisal it feels most comfortable with.

Resolution No. 114-05 – A Resolution Authorizing the Purchase of Real Property at 1101 Kimball Avenue from BESS Investments

Councilmember Coons moved to adopt Resolution No. 114-05. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Purchase of Property at 2902 D Road for the Riverside Parkway Project

The City has entered into a contract to purchase a portion of the property at 2902 D Road from Daniel H. Feuerborn. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Jim Shanks, Program Manager for the Riverside Parkway, reviewed this item. He described the location and explained that the net property being paid for is about 1/3 of an acre. The property owner did not obtain his own appraisal. The price was negotiated at \$70,000.

Resolution No. 115-05 – A Resolution Authorizing the Purchase of Real Property at 2902 D Road from Daniel H. Feuerborn

Councilmember Beckstein moved to adopt Resolution No. 115-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

Council President Hill advised that Council has made some adjustments to the meeting schedule. For years the Council has met on Wednesday evening at 7:30 p.m. and for a number of reasons has now changed the start time of the meeting to 7:00 p.m. which not only allows Council to complete their business earlier but is also consistent with the start time of the Monday night workshops.

EXECUTIVE SESSION

Councilmember Spehar moved to return to executive session for the purpose of discussing the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under Section 402(4)(a) of the Open Meetings Law relative to the Riverside Parkway project and will not be returning to open session.

ADJOURNMENT

Council adjourned into executive session at 8:44 p.m.

Stephanie Tuin, MMC
City Clerk