

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

JULY 6, 2005

The City Council of the City of Grand Junction convened into regular session on the 6th day of July 2005, at 7:07 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. Councilmember Teresa Coons was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Doody led in the pledge of allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

APPOINTMENTS

TO THE WALKER FIELD AIRPORT AUTHORITY

President Pro Tem Palmer moved to appoint John Stevens to the Walker Field Airport Authority for a 4 year term expiring May 2009. Councilmember Spehar seconded the motion. Motion carried.

TO THE INTERBASIN COMPACT COMMITTEE (RESOLUTION NO. 116-05)

Councilmember Spehar moved to adopt Resolution No. 116-05 appointing Greg Trainor as the City's representative to the Basin 5 (Colorado River) committee. Councilmember Beckstein seconded the motion. Motion carried.

Council President commended Councilmember Spehar for his efforts on water issues on behalf of the City of Grand Junction.

PRESENTATION OF CERTIFICATES OF APPOINTMENT

DOWNTOWN DEVELOPMENT AUTHORITY

Scott Howard was present to receive his certificate of reappointment for the Downtown Development Authority.

PARKS AND RECREATION ADVISORY BOARD

Dennis Teeters was present to receive his Certificate for the Parks and Recreation Advisory Board.

Jack Neckels was not present to receive his Certificate for the Parks and Recreation Advisory Board. (Mr. Neckels arrived later and received his certificate.)

CITIZEN COMMENTS

DONATION TO THE CITY FOR THE D.A.R.E. PROGRAM

Dr. Wes Sheader, New Life Chiropractic, thanked everyone for their assistance with the event (a health/safety event for children). The event raised \$1,048.99 for the D.A.R.E. program. Chief Morrison accepted the check on behalf of the City and explained what the funds will be used for and thanked Dr. Sheader and New Life Chiropractic.

RICK RIEGER REGARDING THE SMOKING ORDINANCE

Rick Rieger was not in attendance to address Council regarding the smoking ordinance.

CONSENT CALENDAR

It was moved by Council President Pro Tem Palmer, seconded by Councilmember Thomason and carried by roll call vote to approve Consent Items #1 through #13.

Council President Hill announced the public hearing for Bookcliff Veterinary Hospital was continued to August 17th and the public hearing for the zoning of the Munkres-Boyd Annexation has been continued to July 20. If there is anyone who has questions, please contact Community Development Department.

1. Minutes of Previous Meetings

Action: Approve the Summary of the June 13, 2005 Workshop and the Minutes of the June 15, 2005 Special Session and the Minutes of the June 15, 2005 Regular Meeting

2. Setting a Hearing for Zoning the Career Center Annexation, Located at 2935 North Avenue [File #ANX-2005-102]

Introduction of a proposed zoning ordinance to zone the Career Center Annexation CSR, located at 2935 North Avenue.

Proposed Ordinance Zoning the Career Center Annexation to CSR, Located at 2935 North Avenue

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

3. **Vacation of 10' Utility and Drainage Easement, Located at 662 McCaldon Way**
[File #VE-2005-077]

Proposed vacation resolution to vacate the northern 5' portion of an existing 10' utility and drainage easement located at 662 McCaldon Way and more fully described in Book 3701 at Pages 663 and 664 of the Mesa County records.

Resolution No. 117-05 – A Resolution Vacating a Utility and Drainage Easement Located at 662 McCaldon Way, Also Known as Lot 7 of the Forrest Glen Subdivision

Action: Adopt Resolution No. 117-05

4. **Revocable Permit for a Fence, Located at 1532 N. 25th Street** [File #RVP-2005-122]

Request to allow an encroachment of a proposed chain-link fence up to a maximum height of six feet (6'), to be located in the N. 25th Street right-of-way located at 1532 N. 25th Street.

Resolution No. 118-05 – A Resolution Concerning the Issuance of a Revocable Permit to Robert L. and Bonnie M. Blunk

Action: Adopt Resolution No. 118-05

5. **Setting a Hearing for Zoning the Twenty Three Park Plaza Annexation, Located at the Northwest Corner of 23 Road and I-70** [File #GPA-2005-045]

Introduction of a proposed ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Proposed Ordinance Zoning the Twenty Three Park Plaza Annexation to I-O (Industrial/Office Park), Located at the NW Corner of 23 Road and I-70

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

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

Introduction of a proposed zoning ordinance to zone the Koch/Fisher Annexation to an RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac) zone district, located at 2041 and 2043 Conestoga Drive.

Proposed Ordinance Zoning the Koch/Fisher Annexation to an RSF-4 (Residential Single-Family with a Density Not to Exceed 4 du/ac) Zone District, Located at 2041 and 2043 Conestoga Drive

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

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

Introduction of a proposed zoning ordinance to zone the Schultz Annexation to an RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) zone district, located at 513 29 ¼ Road.

Proposed Ordinance Zoning the Schultz Annexation to an RMF-8 (Residential Multi-Family with a Density not to Exceed 8 du/ac) Zone District, Located at 513 29 ¼ Road

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

8. **Setting a Hearing for the Water's Edge No. 2 Annexation, Located at 2927 D Road** [File #ANX-2005-116]

A Resolution referring a petition for annexation and introduction of a proposed ordinance. The 0.97 acre Water's Edge No. 2 Annexation consists of 1 parcel.

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

Resolution No. 119-05 – 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, Water's Edge No. 2 Annexation, Located at 2927 D Road

Action: Adopt Resolution No. 119-05

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Water's Edge No. 2 Annexation, Approximately 0.97 Acres, Located at 2927 D Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for August 17, 2005*

9. **Setting a Hearing to Amend the Existing PD for The Glens at Canyon View Planned Development, Located at 2459 F ¼ Road** [File #PP-2004-219]

The Glens at Canyon View, Located at 2459 F ¼ Road is 20.942 acres in size and is located about one quarter mile north of Mesa Mall, and to the north of F 1/8 Road alignment, and just east of 24 ½ Road. It is zoned PD 17 under a currently lapsed PD, known as the Homestead Subdivision and the Hacienda Subdivision.

Proposed Ordinance Amending the Existing PD Zoning for a Parcel of Land Located at 2459 F ¼ Road Known as The Glens at Canyon View

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

10. **Request to Continue Public Hearing - Bookcliff Veterinary Hospital Annexation, Located at 564 29 Road** [File #ANX-2005-076]

Request to continue the Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation as previously scheduled and published for the July 6, 2005 City Council Meeting. The request to continue is due to further research required of the existing legal description and associated land ownership issues. City staff is requesting the Annexation Public Hearing be continued until the August 17, 2005 City Council Meeting.

Action: *Request to Continue the Bookcliff Veterinary Hospital Annexation Public Hearing until the August 17, 2005 City Council Meeting*

11. **Request to Continue Public Hearing – Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road** [File #ANX-2005-089]

The 6.04 acre Munkres-Boyd Annexation consists of 1 parcel and is requesting the RSF-4 zone district. Staff is requesting that the public hearing for the zoning of this annexation be continued due to a request from a neighbor to have a rehearing before Planning Commission.

Action: *Request to Continue the Public Hearing until July 20, 2005*

12. **Design Services for the F ½ Road Improvements Project**

The scope of services consists of all field work, coordination, and design to complete final construction drawings for the F ½ Road Improvements Project including a turn lane on northbound 24 Road at F ½ Road.

Action: Authorize the City Manager to Sign a Professional Services Contract for the Design Services for F ½ Road Improvements Project with Vista Engineering Corporation in the Amount of \$133,670

13. **Street Maintenance Contract for a Section of I-70B**

CDOT has requested that the City perform full width rotomilling and a 1 ½ inch asphalt overlay of I-70B between Grand Avenue and Pitkin Avenue in 2005.

Resolution No. 120-05 – A Resolution Authorizing an Agreement between the City of Grand Junction and the State of Colorado Department of Transportation for Rotomilling and Asphalt Overlay for 1st Street (I-70B) from Grand to Pitkin Avenue

Action: Adopt Resolution No. 120-05

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing - Theobold Annexations and Zoning, 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.

The public hearing was opened at 7:21 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning of RMF-8 meets the criteria of the Zoning and Development Code and the Planning Commission recommends approval.

Tracy Moore with Construction Services was present representing the applicant and was available for questions.

There were no public comments.

The public hearing was closed at 7:24 p.m.

a. Accepting Petition

Resolution No. 121-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Theobold Annexation No. 1 and 2, Located at 3060 D Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3788 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 1, Approximately 4.41 Acres, Located at 3060 D Road

Ordinance No. 3789 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 2, Approximately 0.78 Acres, Located at 3060 D Road

c. Zoning Ordinance

Ordinance No. 3790 – An Ordinance Zoning the Theobold Annexation to Residential Multi-Family – Eight (RMF-8), Located at 3060 D Road

Council President Pro Tem Palmer moved to adopt Resolution No. 121-05 and Ordinance Nos. 3788, 3789, and 3790 on second reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Jack Neckels arrived and was presented with his Certificate of Appointment for Parks and Recreation Advisory Board.

Public Hearing - Bookcliff Middle School Annexations and Zoning, Located at 2935 Orchard Avenue [File #ANX-2005-101]

Acceptance of petition to annex and consider the annexations and zoning for the Bookcliff Middle School Annexation. The Bookcliff Middle School Annexations are located at 2935 Orchard Avenue, includes a portion of the Orchard Avenue right-of-way, is a 3 part serial annexation, and consists of 1 parcel on 20.6 acres. The zoning being requested is CSR.

The public hearing was opened at 7:26 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

John Potter on behalf of the School District said he had nothing to add but could answer questions.

There were no public comments.

The public hearing was closed at 7:29 p.m.

a. Accepting Petition

Resolution No. 122-05 – A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining the Property Known as the 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 are Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3791 – An 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

Ordinance No. 3792 – An 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

Ordinance No. 3793 – An 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

c. Zoning Ordinance

Ordinance No. 3794 – An Ordinance Zoning the Bookcliff Middle School Annexation to CSR, Located at 2935 Orchard Avenue

Councilmember Spehar moved to adopt Resolution No. 122-05 and Ordinance Nos. 3791, 3792, 3793, and 3794 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Beagley II Annexation and Zoning, Located at 2932 and 2938 D ½ Road [File #ANX-2005-099]

Acceptance of a petition to annex and consider the annexation and zoning for the Beagley II Annexation. The Beagley II Annexation is located at 2932 and 2938 D ½ Road and consists of 2 parcels on 12.43 acres. The zoning being requested is RMF-8.

The public hearing was opened at 7:31 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Hill asked if the Future Land Use Plan includes the Pear Park Plan, noting he thought it had been updated. Community Development Director Bob Blanchard responded that the plan has been updated and he will provide a copy to Council President Hill.

The applicant was not present.

There were no public comments.

The public hearing was closed at 7:33 p.m.

a. Accepting Petition

Resolution No. 123-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Beagley II Annexation, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3795 – An 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

c. Zoning Ordinance

Ordinance No. 3796 – An Ordinance Zoning the Beagley II Annexation to RMF-8, Located at 2932 and 2938 D ½ Road

Councilmember Thomason moved to adopt Resolution No. 123-05 and Ordinance Nos. 3795 and 3796 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Beanery Annexation and Zoning, Located at 556 29 Road [File #ANX-2005-078]

Acceptance of a petition to annex and consider the annexation and zoning for the Beanery Annexation. The Beanery Annexation is located at 556 29 Road and consists of 1 parcel on 1.65 acres. The zoning being requested is RMF-8.

The public hearing was opened at 7:35 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, the Growth Plan designation and surrounding designations, the requested zoning and surrounding zoning. She said the request meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Pro Tem Palmer asked if the annexation creates an enclave. Ms. Costello said no as the right-of-way does not count for creating an enclave.

John Morrison, a representative for the applicant, was present to answer questions.

There were no public comments.

The public hearing was closed at 7:37 p.m.

a. Accepting Petition

Resolution No. 124-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Beanery Annexation, Located at 556 29 Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3797 – An 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

c. Zoning Ordinance

Ordinance No. 3798 – An Ordinance Zoning the Beanery Annexation to RMF-8, Located at 556 29 Road

Councilmember Beckstein moved to adopt Resolution No. 124-05 and Ordinance Nos. 3797 and 3798 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Munkres-Boyd Annexation No. 1 and No. 2, Located at 2866 A ³/₄ Road [File #ANX-2005-089]

Accepting of a petition to annex and consider the annexation for the Munkres-Boyd Annexation. The 6.04 acre Munkres-Boyd Annexations consist of 1 parcel, contains a portion of Highway 50 and A ³/₄ Road rights-of-way, and is a 2 part serial annexation.

The public hearing was opened at 7:38 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, noting it is a two-part serial annexation, and the existing uses. Ms. Costello advised that the property was used for agricultural uses years ago but has not been used for that in a number of years. The request meets the annexation criteria and the Planning Commission recommends approval.

Councilmember Doody asked for an explanation of a serial annexation. City Attorney Shaver explained the 1/6 contiguity requirements and how that is accomplished by building the new boundary with each annexation. Community Development Director Bob Blanchard showed the first annexation for this applicant that goes down the right-of-way thus creating the new boundary.

Councilmember Doody inquired if that is a flagpole annexation. City Attorney Shaver said yes.

Council President Hill clarified that the Persigo Agreement determines that annexations in the Urban Growth Boundary are required to be annexed if development is to occur.

The applicant was not present.

Kevin Elisha, 2865 A ¾ Road, disagreed that the agricultural uses have not been used recently. It has only been 1 ½ years since the agricultural use stopped. He said it is hard to understand the contiguity as he thought the right-of-way belongs to the State Highway Department, for use as a frontage road. In the Orchard Mesa Neighborhood Plan, there is a paragraph about leapfrogging development into agricultural areas causing problems. He asked how parks will be addressed for the area and how other needs will be addressed for that area as well.

There were no other comments.

The public hearing was closed at 7:49 p.m.

Council President Pro Tem Palmer asked City Attorney Shaver to address the right-of-way issue.

City Attorney Shaver said the annexation does not change ownership, it just changes jurisdiction. The City is not taking ownership. Usually when the right-of-way is used, the surveyor avoids the traveled portion of the road but some might be included. The City has an agreement with the State for maintenance and shared roadway maintenance.

Councilmember Doody asked about the agricultural character of the area. City Attorney Shaver advised that certain findings are required for an annexation. The area must be urban or urbanizing and there must be a community of interest. He said clearly the area is urbanizing even though it had an agricultural use in the past. The second criteria, community of interest, is met by the Persigo Agreement. It is a developing area and is becoming suburban.

Council President Pro Tem Palmer noted the Persigo Agreement between the City and County that recognizes areas to be annexed and certain parcels as they develop that need to be in the City for the provision of urban services. City Attorney Shaver said also for the consistency in the planning and development process and to avoid proliferation of septic tanks.

Councilmember Spehar addressed the parks and other services question of Mr. Elisha. He said as these areas come into the City, the Council needs to begin to plan for those needs. There are some facilities at Eagle Rim Park and at the fairgrounds but as the area grows, the City needs to plan for more.

Councilmember Beckstein clarified that Council is just discussing the annexation tonight. Council President Hill agreed but noted the citizen made a comment regarding parks.

Council President Pro Tem Palmer thanked Mr. Elisha for coming forward.

a. Accepting Petition

Resolution No. 125-05 – A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining the Property Known as the Munkres-Boyd Annexations No. 1 and No. 2, Located at 2866 A $\frac{3}{4}$ Road and a Portion of Highway 50 and A $\frac{3}{4}$ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3799 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Munkres-Boyd Annexation No. 1, Approximately 3.15 Acres, Located at 2866 A $\frac{3}{4}$ Road and a Portion of Highway 50

Ordinance No. 3800 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Munkres-Boyd Annexation No. 2, Approximately 2.89 Acres, Located at 2866 A $\frac{3}{4}$ Road and a Portion of Highway 50 and A $\frac{3}{4}$ Road

Council President Pro Tem Palmer moved to adopt Resolution No. 125-05 and Ordinance Nos. 3799 and 3800 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Career Center Annexation, Located at 2935 North Avenue [File #ANX-2005-102]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Career Center Annexation, located at 2935 North Avenue. The 7.91 acre Career Center Annexation consists of 1 parcel.

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

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, the proposed expansion, the surrounding uses, surrounding zoning, and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Pro Tem Palmer asked if the annexation is creating an enclave. Ms. Costello responded that it is not due to the right-of-way and areas not within the City limits surrounding the property.

Ms. Costello stated that the review tonight is just for the annexation.

Ethan Gibson, representing the School District, said the School District is building a new Career Center and once it is built they will demolish the existing building.

There were no public comments.

The public hearing was closed at 8:00 p.m.

a. Accepting Petition

Resolution No. 126-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Career Center Annexation, Located at 2935 North Avenue and Including a Portion of the North Avenue Right-of-Way is Eligible for Annexation

Action: Adopt Resolution No. 126-05

b. Annexation Ordinance

Ordinance No. 3801 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Career Center Annexation, Approximately 7.91 Acres, Located at 2935 North Avenue and Including a Portion of the North Avenue Right-of-Way

Councilmember Beckstein moved to adopt Resolution No.126-05 and Ordinance No. 3801 on second reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing - Growth Plan Amendment for the Pear Park School Site Property at 2927 and 2927 ½ D ½ Road [File #GPA-2005-125]

Hold a public hearing and consider final passage of the Resolution to change the Growth Plan designation from “Residential Medium 4-8” to “Public”.

The public hearing was opened at 8:01 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She identified the location and the size of the parcel. The current use is a residential home and agricultural uses

in the past. The current Future Land Use designation is Residential Medium and the request is to change it to Public. Ms. Costello said staff and Planning Commission recommend approval.

There were no public comments.

The public hearing was closed at 8:03 p.m.

Resolution No. 127-05 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate Approximately 20.42 acres, Located at 2927 and 2927 ½ D ½ Road from “Residential Medium 4-8 du/ac” to “Public”

Councilmember Thomason moved to adopt Resolution No. 127-05. Councilmember Doody seconded the motion.

Council President Hill said he was asked by the media about the Growth Plan Amendment process so he clarified that the Growth Plan change is separate from the zoning. It is important to amend the Growth Plan first, prior to considering the zoning.

Motion carried by roll call vote.

Council President Hill called a recess at 8:05 p.m.

The meeting reconvened at 8:19 p.m.

Purchase of Property at 818, 820 and 832 Struthers Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 818, 820, and 832 Struthers Avenue from John R. Crouch. 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 business tenant. Under the City’s policy, an appraisal is obtained and the property owner can obtain a separate appraisal. Mr. Relph said the final price was negotiated after reviewing both appraisals. In addition to the purchase price, there is a relocation cost and a relocation benefit if the applicant relocates within the City limits. He said that a new relocation site has not been identified yet. The relocation benefit is an estimated amount of \$30,000 maximum. Mr. Relph stated that the relocation has a timing factor due to the nature of the business.

Councilmember Doody pointed out that the negotiated price was a happy medium. Mr. Relph concurred.

Resolution No. 128-05 – A Resolution Authorizing the Purchase of Real Property at 818, 820, and 832 Struthers Avenue from John R. Crouch

Councilmember Spehar moved to adopt Resolution No. 128-05. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Purchase of Property at 2507 Highway 6 & 50 for the Riverside Parkway Project

The City has entered into a contract to purchase a portion of the property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees, of the Green Family Trust. 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 identified the location and what portion of the Riverside Parkway will cross the property. Council President Hill asked if this is the last piece of land needed north of the railroad tracks. Mr. Relph said yes it is.

Mr. Relph stated the City is not purchasing the entire parcel. Both parties obtained an appraisal. The two appraisals were reviewed and the price was negotiated in between. The total purchase is less than one half acre for the road structure and utilities. Closing is scheduled for July 31. Mr. Relph said the first phase of the Parkway, on the east end, is in final plan review with bids going out mid August. The groundbreaking will be October 3rd.

Councilmember Spehar asked if the utility relocations have been accomplished. Mr. Relph said yes, XCel Energy has moved those poles and one is presently in the middle of the existing 25 Road but protected by barriers.

Resolution No. 129-05 – A Resolution Authorizing the Purchase of Real Property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees of the Green Family Trust

Councilmember Doody moved to adopt Resolution No. 129-05. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESSFuture Workshop Agenda

City Manager Kelly Arnold referred the City Council to the Future Workshop Agenda. He asked Council to bring to him any topic for the meeting with the Chamber of Commerce on July 18th. Mr. Arnold said for the evening workshop, he proposed the workshop to have a start time of 7:00 p.m. and to reschedule the gymnasium issue to sometime in August and the Citizen Survey should be the first item discussed on July 18th. Mr. Arnold asked about Council's desire for a presentation on the Listening to Business Report. Council President Hill suggested and Councilmember Spehar agreed that it should be at a televised meeting for a public presentation. Mr. Arnold suggested thirdly for July 18th, the Downtown BID discussion (for 30 minutes) and the last item to be discussed that evening to be the storm water ordinance. Mr. Arnold said on August 1st, a continuation of the meeting with Planning Commission is at lunch and the August 1st evening will be the Referendums forum, which will be televised with other officials. Mr. Arnold said that will put Riverside Parkway at lunch on August 15th, with the CIP budget that evening.

Councilmember Spehar suggested putting the Sister City request on a regular Council meeting (July 20) so Council can make a decision and the Communications Update will go back in the bin list.

Mr. Arnold said the Persigo meeting scheduled for August 10th will probably go for 2 hours and there will be some hearings for boundary adjustments. He said the evening on August 15th is scheduled for Budget CIP. He said lunch on September 19th will be all Economic Partners board members for a lunch discussion, keeping in mind the regular ED Partner meeting has a reschedule issue. Mr. Arnold said regarding the watershed tour in September, it will be a full 4 hour tour. He said after the lunch workshop on September 19th, they could do the tour followed by dinner at 4:30 – 5:00. He advised scheduling the Avalon discussion for October 3rd and suggested adding the Botanical Gardens to the bin list.

Upcoming Board Vacancies

City Clerk Tuin said she would set up interviews via email, regarding the board vacancies.

ADJOURNMENT

The meeting adjourned at 8:49 p.m.

Stephanie Tuin, MMC
City Clerk