

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

**July 19, 2006**

The City Council of the City of Grand Junction convened into regular session on the 19<sup>th</sup> day of July 2006, at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, and Council President Pro Tem Bonnie Beckstein. Those absent were Councilmember Jim Spehar and Council President Jim Doody. Also present were Interim City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

**Proclamations / Recognitions**

Proclaiming July 26, 2006 as “Americans with Disabilities Act Day” in the City of Grand Junction

Proclaiming July 19, 2006 as “Ride to Work Day” in the City of Grand Junction

**Presentations of Certificates of Appointment**

**To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board of Directors**

Bill Keith and Stephen Thoms were present to receive their certificates for the Downtown Development Authority and Downtown Grand Junction Business Improvement District Board of Directors.

**To the Avalon Theatre Advisory Committee**

Alan Friedman, Edward Lipton, Harold Stalf, and André van Schaften were present to receive their certificates for the Avalon Theatre Advisory Committee

**Appointments**

**To the Riverfront Commission**

Councilmember Hill moved to re-appoint Dennis DeVore and Lesley Kibel to the Riverfront Commission for three year terms until July, 2009, appoint Bennett Boeschenstein and Tom Kenyon to the Riverfront Commission for three year terms until July, 2009, and appoint Ken Henry to the Riverfront Commission for an unexpired term

until July, 2007. Councilmember Coons seconded the motion. Motion carried by roll call vote.

### **Citizen Comments**

A representative from Western Colorado Congress to update Council on an initiative petition regarding a Watershed Protection Ordinance

Bill Grant, 257 Martello Drive, thanked the City Council for the strong proactive stand they have taken to protect the City's watershed. He had a stack of comment cards from citizens who feel that the City Council should have every tool possible in their hand to protect the watershed. The petition his group is circulating is asking for protections to mitigate the drilling activities in the watershed areas.

Karen Schoenberg, with the Western Colorado Congress, represents Grand Valley Peace and Justice too, which supports the petition. They feel it is also a moral issue at stake. They are also supported by St. Joseph Parish here in Grand Junction.

### **CONSENT CALENDAR**

Councilmember Palmer read the list of items on the Consent Calendar.

It was moved by Councilmember Palmer, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #6.

1. **Minutes of Previous Meeting**

*Action: Approve the Minutes of the July 5, 2006 Regular Meeting*

2. **Setting a Hearing on Zoning the Hamilton Annexation, Located at 3124 D Road** [File #ANX-2006-105]

Request to zone the 8.33 acres Hamilton Annexation located at 3124 D Road to RMF-5 (Residential Multi-Family 5 du/ac).

Proposed Ordinance Zoning the Hamilton Annexation to RMF-5, Located at 3124 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006*

3. **Setting a Hearing on Zoning the Harris Annexation, Located at 2730 B Road**  
[File #ANX-2006-125]

Introduction of a proposed ordinance to zone the Harris Annexation located at 2730 B Road, to the RSF-4 (Residential Single Family, 4 units per acre) zone district.

Proposed Ordinance Zoning the Harris Annexation to RSF-4, Located at 2730 B Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006*

4. **Setting a Hearing on Zoning the Pine Industrial No. 1 Annexation, Located at 2769 D Road** [File #ANX-2006-124]

Introduction of a proposed ordinance to zone the Pine Industrial No.1 Annexation located at 2769 D Road, to the I-2 (General Industrial) zone district.

Proposed Ordinance Zoning the Pine Industrial No.1 Annexation to I-2, Located at 2769 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006*

5. **Setting a Hearing on the Burkey Park II Annexation, Located at 179 28 ½ Road** [File #ANX-2006-179]

Request to annex 9.68 acres, located at 179 28 ½ Road. The Burkey Park II Annexation consists of 1 parcel.

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

Resolution No. 87-06 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, Burkey Park II Annexation, Located at 179 28 ½ Road

*®Action: Adopt Resolution No. 87-06*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park II Annexation, Approximately 9.68 Acres, Located at 179 28 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006*

**6. Change Order #1 for 2006 Asphalt Overlays**

CDOT has requested that the following streets be added to the City's current 2006 Asphalt Overlay Contract: 1) HWY 50 from South Street to Ute Avenue, 2) I-70B from Grand Avenue to North Avenue, and 3) HWY 340 from Mulberry to I-70B. This additional work will add 13,500 square yards of asphalt milling and 3,650 tons of hot mix asphalt grading SX binder 76-28.

*Action: Authorize the Interim City Manager to Sign Change Order No. 1 to Elam Construction Inc. in the Amount of \$318,051.80 and a Memorandum of Agreement Between CDOT and the City for Overlay of State Highways Within the City and Reimbursement for Those Costs*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION****Software Purchase for Fire and EMS Records Management**

As a result of a cooperative effort between Mesa County and the City, the Grand Junction Fire Department is seeking authorization to purchase software from High Plains Information Systems to replace the current Fire and Emergency Medical Services (EMS) Records Management System. The Fire Records Management System (Fire Manager) includes three modules: Incident Reporting, Life Safety and Human Resource Management.

Jim Bright, Interim Fire Chief, reviewed this item. He explained the purpose of the request which began as a cooperative effort with Mesa County in order to be able to share information between agencies. After reviewing the proposals, the proposal for High Plains Information Systems, Inc. was the best proposal out of three that were submitted.

Jim Finlayson, Information Systems Manager, stated that the big advantage to the recommended software is the usability. The new software will make the responder have the information much quicker as well as reports being available to the hospital faster. It

also has a Human Resources module that will identify the responder and his qualifications. It will be a significant improvement.

Councilmember Coons asked why the City isn't using the same software as the County. Mr. Finlayson advised that it is the same software but the City is purchasing two additional modules that will make reporting quicker.

Councilmember Hill asked for clarification on the cost. Interim Chief Bright explained that the amount shown in the staff report is the net amount to be paid by the City. The cost of the rest of the software was paid for with a grant.

Councilmember Palmer moved to authorize the Purchasing Division to purchase two High Plains Software Modules from High Plains Information Systems, Inc. in Centennial, CO in the amount of \$104,040. Councilmember Coons seconded the motion. Motion carried.

**Change Order to Professional Services Contract for the Horizon Drive/I-70 Interchange Improvements Project to Include the 24 Road/I-70 Interchange Landscaping**

The City has budgeted funds to install landscaping and artistic features in the new interchange at 24 Road and I-70. To design and coordinate the landscape improvements with artistic features, staff proposes an amendment to the contract with Carter Burgess for design of the Horizon Drive/I-70 Interchange Improvement Project.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained how this approval will amend the current contract with Carter Burgess to include the landscaping improvements at the new interchange at 24 Road and I-70.

Councilmember Palmer asked why this was not already considered. Mr. Relph explained a contractor was hired to design the concept. It was anticipated that a contract would then be bid to actually design the project.

Councilmember Hill commended the work that has been done so far by Carter Burgess for the various projects around town.

Councilmember Hill moved to authorize the Interim City Manager to amend the professional services contract with Carter Burgess for the Horizon Drive/I-70 Improvement Project. This amendment will include landscaping design and coordination of landscaping and art features to be installed at the 24 Road/I-70 Interchange. The cost of the additional services is \$35,200. This amendment will increase the Carter Burgess contract amount from \$102,400 to \$137,600. Councilmember Thomason seconded the motion. Motion carried.

**Construction and Maintenance Agreement with GVIC for Storm Drainage Improvements to the Ranchmen's Ditch Drainage System**

This is a proposed agreement to be entered into by the City of Grand Junction with the Grand Valley Irrigation Company (GVIC). The agreement will allow for construction and maintenance of piped infrastructure that will convey storm water and irrigation supply water for the Ranchmen's Ditch Drainage.

John Shaver, City Attorney, reviewed this item. He briefed the Council on the history of the contract and stated that it will create a cooperative relationship with the Grand Valley Irrigation Company due to the ongoing maintenance. The City will be responsible for the ditch. The City will be piping the canal along Patterson Road and then down through the Mesa Mall parking lot to Leach Creek.

Councilmember Coons asked how the work will take place along Patterson Road. Public Works and Utilities Director Mark Relph stated the City received a \$3 million grant from FEMA to help with this project. The Mall owners have been very cooperative. Two lanes will have to be closed on Patterson Road during the construction.

Councilmember Coons asked for the schedule. Mr. Relph said it will start up by the airport in the fall and at the same time they will start from Leach Creek coming up the other way. The Mesa Mall parking lot will not be under construction during holiday shopping. The project does have to be done in the winter when there is no water in the ditch. The Patterson Road section will probably be done the winter of 2007.

Councilmember Palmer asked for Mr. Relph to explain the purpose of the project. Mr. Relph stated the FEMA maps drawn in the 1980's established the flood plain incorrectly in the Mesa Mall area. When the error was discovered, it placed hundreds of properties in the floodplain along 25 Road, west to the Mall, and including many of the Mall properties. The new pipe will take those properties out of the floodplain. A few smaller properties will still be subject to the 100 year flood and the City is still working with those property owners.

Councilmember Hill commended the staff for getting the FEMA grant as they are difficult to get. Mr. Relph agreed noting that FEMA had high praises for the grant application, noting its completeness and detail.

Councilmember Hill moved to authorize the Interim City Manager to sign a maintenance and construction agreement for the construction and maintenance of the Ranchmen's Ditch Storm Drainage Project also known as the Big Pipe. Councilmember Palmer seconded the motion. Motion carried.

**Public Hearing – Fletcher Annexation, Located ½ Mile West of Monument Road on South Camp Road Across from Monument Valley Subdivision** [File #ANX-2006-108]

Request to annex 144 acres, located 1/2 mile west of Monument Road on South Camp Road. No zoning designation is requested at this time.

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

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the property and the location. She advised the request meets the State Statute requirements for annexation and the property is eligible for annexation.

Councilmember Coons inquired if the annexation will create an enclave. Ms. Portner said it does not, but very close to one.

Sid Squirrel, 289 W. Morrison Court, representing the applicant, was available for questions.

There were no public comments.

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

**a. Accepting Petition**

Resolution No. 88-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Fletcher Annexation, Located on South Camp Road ½ Mile West of Monument Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 3929 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fletcher Annexation, Approximately 144 Acres Located on South Camp Road ½ Miles West of Monument Road

Councilmember Hill moved to adopt Resolution No. 88-06 and Ordinance No. 3929 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing – Hamilton Annexation, Located at 3124 D Road** [File #ANX-2006-105]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Hamilton Annexation, located at 3124 D Road. The 8.33 acre Hamilton Annexation consists of 1 parcel and is a 2 part serial annexation.

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

Kathy Portner, Assistant Community Development Director, reviewed this item. The zoning will be brought forward later. She described the property and the location.

Jenette Traynor, the applicant, 3185 D ½ Road, was present but had nothing to add.

Howard Walitt, 416 West Mallard Way, said the site is an ill advised project. It will impact the nearby Grove Creek subdivision. He said D ¼ Road is not much of a road. He was concerned about traffic.

George Wishman, 415 West Mallard Way, was also concerned about the development. He felt the proposed development will have adverse impacts on their property. The proposal was initially an RMF-8 zoning which would have taken away their privacy. That was recognized at Planning Commission who voted for RSF-4. The matter was then reheard and the Planning Commission approved RMF-5 zoning which will allow townhomes. He urged Council to approve something that will be compatible.

City Attorney Shaver reminded the City Council that only annexation is under consideration at this time, not the zoning.

Council President Pro Tem Beckstein asked about the zoning process. Ms. Portner advised that the hearing on the zoning is scheduled for the next meeting on August 2<sup>nd</sup>. Once the zoning is approved, there will also be a hearing before the Planning Commission for the Preliminary Plan.

Councilmember Palmer asked for clarification on the rehearing referred to by Mr. Wishman. Ms. Portner explained what happened. Councilmember Palmer asked why the City Council was not provided with those minutes. Ms. Portner responded that the minutes were not ready but will be provided when the Council is considering zoning at the next meeting.

Councilmember Thomason inquired how traffic impacts are reviewed. Ms. Portner advised that is considered during the subdivision process which is only reviewed by the Planning Commission.



Councilmember Hill thanked Mr. Walitt and Mr. Wishman for bringing their concerns forward and although the zoning was not being considered at this time, he encouraged them to stay involved as the process proceeds.

The public hearing was closed at 8:13 p.m.

**a. Accepting Petition**

Resolution No. 89-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Hamilton Annexation, Located at 3124 D Road and Including a Portion of the D Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 3930 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hamilton Annexation #1, Approximately 0.15 Acres, Located at 3124 D Road and Including a Portion of the D Road Right-of-Way

Ordinance No. 3931 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hamilton Annexation #2, Approximately 8.18 Acres, Located at 3124 D Road

Councilmember Coons moved to adopt Resolution No. 89-06 and Ordinance Nos. 3930 and 3931 on Second Reading and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Council President Pro Tem Beckstein called a recess at 8:15 p.m.

The meeting reconvened at 8:25 p.m.

**Public Hearing – Vodopich Annexation and Zoning, Located at 3023 F ½ Road** [File #ANX-2006-109]

Acceptance of a petition to annex and consider the annexation and zoning for the Vodopich Annexation. The Vodopich Annexation is located at 3023 F ½ Road and consists of one parcel on 3.23 acres. The zoning being requested is RSF-4.

The public hearing was opened at 8:26 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location, the proximity to the airport critical zone, the zoning for the surrounding properties as well as the densities and land use designations. She stated the

request is consistent with the criteria of the Zoning and Development Code and both the Planning Commission and staff recommend approval.

Councilmember Coons questioned if there is any issue with the proximity to the critical zone. Ms. Portner said no, not since it is a distance away. Properties closer may cause some concern when they are developed.

Jurgen Denk, the developer from Denver, said he is already developing another property on 12<sup>th</sup> Street, the Fairmont Village. He is planning a nice development.

There were no public comments.

The public hearing was closed at 8:29 p.m.

**a. Accepting Petition**

Resolution No. 90-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Vodopich Annexation, Located at 3023 F ½ Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 3932 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Vodopich Annexation, Approximately 3.23 Acres Located at 3023 F ½ Road

**c. Zoning Ordinance**

Ordinance No. 3933 – An Ordinance Zoning the Vodopich Annexation to RSF-4, Located at 3023 F ½ Road

Councilmember Palmer moved to adopt Resolution No. 90-06 and Ordinance Nos. 3932 and 3933 on Second Reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

**Public Hearing – Hoffmann II Annexation and Zoning, Located at 565 22 ½ Road**

[File #ANX-2006-117]

Acceptance of a petition to annex and consider the annexation and zoning for the Hoffmann II Annexation. The Hoffmann II Annexation is located at 565 22 ½ Road and consists of one parcel on 1.12 acres. The zoning being requested is RSF-2.

The public hearing was opened at 8:31 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location and the site. She stated the Future Land Use designation and the requested zoning which is consistent with nearby zoning. There are properties zoned RSF-4 adjacent to the property but staff feels the RSF-2 is more compatible with the area. The Planning Commission and staff recommend approval.

The applicant was not present.

There were no public comments.

The public hearing was closed at 8:32 p.m.

**a. Accepting Petition**

Resolution No. 91-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Hoffmann II Annexation Located at 565 22 ½ Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 3934 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hoffmann II Annexation, Approximately 1.12 Acres, Located at 565 22 ½ Road

**c. Zoning Ordinance**

Ordinance No. 3935 – An Ordinance Zoning the Hoffmann II Annexation to RSF-2, Located at 565 22 ½ Road

Councilmember Thomason moved to adopt Resolution No. 91-06 and Ordinance Nos. 3934 and 3935 on Second Reading and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing – Traynor Annexation and Zoning, Located at 748 and 749 24 ¾ Road** [File #ANX-2006-111]

Acceptance of a petition to annex and consider the annexation and zoning for the Traynor Annexation. The Traynor Annexation is located at 748 & 749 24 ¾ Road and consists of two parcels on 10.71 acres. The zoning being requested is RMF-8.

The public hearing was opened at 8:34 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location and the site. The Future Land Use Designation is Residential Medium. She described the land use designation of the surrounding properties. She described surrounding zoning and densities. Staff finds the requests meet the annexation requirements and the criteria of the Zoning and Development Code and recommend approval. Planning Commission also recommends approval.

Ron Abeloe, the applicant, was present to answer questions.

There were no public comments.

The public hearing was closed at 8:36 p.m.

**a. Accepting Petition**

Resolution No. 92-06 – A Resolution Accepting a Petition for Annexation for Annexation, Making Certain Findings, Determining that Property Known as the Traynor Annexation #1 and #2, Located at 748 and 749 24 <sup>3</sup>/<sub>4</sub> Road and Portions of the Grand Valley Canal and 24 <sup>3</sup>/<sub>4</sub> Road Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 3936 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traynor Annexation #1, Approximately .24 Acres Located at 748 and 749 24 <sup>3</sup>/<sub>4</sub> Road and a Portion of the Grand Valley Canal

Ordinance No. 3937 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traynor Annexation #2, Approximately 10.47 Acres, Located at 748 and 749 24 <sup>3</sup>/<sub>4</sub> Road and a Portion of the 24 <sup>3</sup>/<sub>4</sub> Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 3938 – An Ordinance Zoning the Traynor Annexation to RMF-8, Located at 748 and 749 24 <sup>3</sup>/<sub>4</sub> Road

Councilmember Hill moved to adopt Resolution No. 92-06 and Ordinance Nos. 3936, 3937, and 3938 on Second Reading and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

**Public Hearing – Bekon Annexation and Zoning, Located at 2250 Railroad Avenue**  
[File #ANX-2006-143]

Acceptance of a petition to annex and consider the annexation and zoning for the Bekon Annexation. The 7.21 acre Bekon Annexation is located at 2250 Railroad Avenue and consists of one (1) parcel of land and associated rights-of-way of Railroad Avenue & Railroad Boulevard. The zoning being requested is I-1, Light Industrial.

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

Scott Peterson, Senior Planner, reviewed this item. He described the request and the location. He stated the site plan includes the construction of an industrial building. The Future Land Use designation allows industrial and the request for zoning is consistent with the Zoning and Development Code. Staff recommends approval. Mr. Peterson noted the applicant's representative was present.

Rebecca Wilmarth, Sharper Engineering Services, representing the applicant, was present to answer questions but had nothing to add.

Councilmember Thomason asked if the proposed use will use the rail spur existing on the property. Ms. Wilmarth said they will not.

There were no public comments.

The public hearing was closed at 8:40 p.m.

**a. Accepting Petition**

Resolution No. 93-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Bekon Annexation, Located at 2250 Railroad Avenue and including a Portion of the Railroad Avenue and Railroad Boulevard Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 3939 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bekon Annexation, Approximately 7.21 Acres, Located at 2250 Railroad Avenue and Including a Portion of the Railroad Avenue and Railroad Boulevard Rights-of-Way

**c. Zoning Ordinance**

Ordinance No. 3940 – An Ordinance Zoning the Bekon Annexation to I-1, Light Industrial, Located at 2250 Railroad Avenue

Councilmember Palmer moved to adopt Resolution No. 93-06 and Ordinance Nos. 3939 and 3940 on Second Reading and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

There was none.

**Adjournment**

The meeting adjourned at 8:40 p.m.

Stephanie Tuin, MMC  
City Clerk