

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

February 7, 2007

The City Council of the City of Grand Junction convened into regular session on the 7th day of February 2007, at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Absent were Councilmembers Bonnie Beckstein and Teresa Coons. Also present were City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Palmer led in the pledge of allegiance. The audience remained standing for the invocation by Elder Dave Dawson, New Life Church.

Appointments

To the Historic Preservation Board

Councilmember Spehar moved to reappoint Zebulon Miracle and appoint Michael Menard and Yvonne Piquette to the Historic Preservation Board for four year terms expiring December, 2010. Councilmember Hill seconded the motion. Motion carried.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Thomason read the list of items of the Consent Calendar.

It was moved by Councilmember Thomason, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #14.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the January 15, 2007 Workshop and the Minutes of the January 17, 2007 Regular Meeting

2. **Election Notice for Regular Election April 3, 2007 and Authority to Appoint Election Judges**

Both the Charter and the Municipal Election Code have specific publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements. Also, pursuant to 31-10-401, C.R.S., of the Municipal Election Code "The governing body may by resolution delegate to the clerk the authority and responsibility to appoint judges of election." The proposed resolution includes that authorization.

Resolution No. 15-07 – A Resolution Setting Forth the Notice of Election for the Regular Municipal Election to be Held on April 3, 2007 in the City of Grand Junction and Granting Authority to the City Clerk to Appoint Election Judges

Action: Adopt Resolution No. 15-07

3. **Election Notice for the Downtown Development Authority Special Election April 3, 2007**

Both the Charter and the Municipal Election Code have specific publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements.

Resolution No. 16-07 – A Resolution Setting Forth the Notice of Election for the DDA Special Election to be Held on April 3, 2007 in the City of Grand Junction

Action: Adopt Resolution No. 16-07

4. **Lease to Douglas L. Jones, D/B/A Doug Jones Sawmill for a Portion of Las Colonias Park**

A portion of Doug Jones's property on 1441 Winters Avenue was sold to the City in late 2005 for the Riverside Parkway project. Mr. Jones agreed to convey what the City needed for the project and City staff discussed the possibility with Mr. Jones of acquiring, by sale or lease, a small portion of the Las Colonias Park property to use for his sawmill business and to replace the property he sold to the City.

Resolution No. 17-07 - A Resolution Authorizing a Lease of a Portion of the "Las Colonias Property" to Douglas L. Jones, D/B/A Doug Jones Sawmill

Action: Adopt Resolution No. 17-07

5. **Rendezvous Restaurant Lease Expansion for Sidewalk Dining**

A number of downtown restaurants have been serving alcohol outdoors along Main Street. Rendezvous of Grand Junction (317 Main St), has submitted an application to expand their premise to include both 315 and 317 Main St. for a revocable permit for use of the public right-of-way in front of their business. They have the required permits from the DDA for use of the sidewalk, but are required to have a revocable license from the City of Grand Junction to expand their licensed premise, permitting alcohol sales.

Resolution No. 18-07 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Rendezvous of Grand Junction, Ltd.

Action: Adopt Resolution No. 18-07

6. **Vacate a Temporary Turnaround Easement Located at 2314 Logos Drive** [File #VE-2006-351]

Request to vacate a temporary turn-around easement on Lot 1, Block 1, Interstate Commercial Park Four Subdivision, located at 2314 Logos Drive.

Resolution No. 19-07 – A Resolution Vacating a Temporary Turn-Around Easement on Lot 1, Block 1, Interstate Commercial Park Four Subdivision Located at 2314 Logos Drive

Action: Adopt Resolution No. 19-07

7. **Rescinding the Annexation Request for the Bookcliff Veterinary Hospital Annexation Located at 564 29 Road** [File #ANX-2005-076] – Continued from January 17, 2007

Request to rescind the annexation request for the 2.93 acre Bookcliff Veterinary Hospital property located at 564 29 Road.

Resolution No. 20-07 – A Resolution Rescinding Resolution No. 94-05 and Corresponding Annexation Ordinance that Referred a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Set a Hearing on Such Annexation, and Exercised Land Use Control, Bookcliff Veterinary Hospital Annexation, Located at 564 29 Road and Including a Portion of the 29 Road Right-of-Way

Action: Adopt Resolution No. 20-07

8. **Setting a Hearing on the Wexford Annexation Located at 2949 and 2953 D ½ Road** [File #ANX-2006-324]

Request to annex 14.46 acres, located at 2949 and 2953 D ½ Road. The Wexford Annexation consists of two parcels.

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

Resolution No. 21-07 – 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, Wexford Annexation Located at 2949 and 2953 D ½ Road

Action: Adopt Resolution No. 21-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Wexford Annexation, Approximately 14.46 Acres Located at 2949 and 2953 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for March 21, 2007

9. **Setting a Hearing on the Heron’s Nest Annexation Located at 3125 D Road** [File #ANX-2006-350]

Request to annex 9.43 acres, located at 3125 D Road. The Heron’s Nest Annexation consists of one parcel and is a two part serial annexation.

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

Resolution No. 22-07 – 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, Heron’s Nest Annexation Located at 3125 D Road

Action: Adopt Resolution No. 22-07

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron's Nest Annexation No. 1, Approximately 0.22 Acres Located at 3125 D Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Heron's Nest Annexation No. 2, Approximately 9.21 Acres Located at 3125 D Road

Action: Introduction of Proposed Ordinances and Set a Hearing for March 21, 2007

10. **Setting a Hearing on the Cimarron Mesa Enclaves 1-4 Annexation Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 South Highway 50** [File #ANX-2007-019]

Request to annex 21.65 acres, located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 S Highway 50. The Cimarron Mesa Enclaves 1-4 Annexation consists of 9 parcels and is a 4 part enclave annexation.

a. Giving Notice of Annexation and Exercising Land Use Jurisdiction

Resolution No. 23-07 – A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as Cimarron Mesa Enclaves, Located at 246, 248, 250, 256, 268 26 ¼ Road, 272 Linden Avenue, and 2677, 2685 South Highway 50, Consisting of Approximately 21.65 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado, and Exercising Land Use Control

Action: Adopt Resolution No. 23-07

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 1 Annexation, Located at 268 26 ¼ Road, Consisting of Approximately 2.51 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 2 Annexation, Located at 256 26 ¼ Road, Consisting of Approximately 0.73 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 3 Annexation, Located at 246, 248, and 250 26 ¼ Road, Consisting of Approximately 11.86 Acres

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cimarron Mesa Enclave No. 4 Annexation, Located at 272 Linden Avenue, 2677 and 2685 South Highway 50, Consisting of Approximately 6.55 Acres

Action: Introduction of Proposed Ordinances and Set a Hearing for March 21, 2007

11. **Revocable Permit for 2nd Story Balconies Located at 201 Colorado Avenue**
[File #RVP-2006-349]

Request for a Revocable Permit to install 2nd story balconies on the building located at 201 Colorado Avenue over the South 2nd Street right-of-way.

Resolution No. 24-07 – A Resolution Concerning the Issuance of a Revocable Permit to Two Rivers Condo LLC

Action: Adopt Resolution No. 24-07

12. **Setting a Hearing on Zoning the Shetland Meadows Annexation, Located at 3022 and 3024 D ½ Road** [File #ANX-2006-344]

Request to zone the 5.99 acre Shetland Meadows Annexation, located at 3022 and 3024 D ½ Road, to RMF-5 (Residential Multi Family 5 du/ac).

Proposed Ordinance Zoning the Shetland Meadows Annexation to RMF-5 Located at 3022 and 3024 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

13. **Setting a Hearing on Zoning the Jobsite Annexation Located at 839 and 841 21 ½ Road** [File #ANX-2006-347]

Request to zone the 25.23 acre Jobsite Annexation, located at 839 and 841 21 ½ Road, to I-1 (Light Industrial).

Proposed Ordinance Zoning the Jobsite Annexation to I-1 Located at 839 and 841 21 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

14. **Setting a Hearing on Zoning the Costopoulos Annexation Located at 2966, 2968, and 2970 D Road** [File #ANX-2006-328]

Request to zone the 10.67 acre Costopoulos Annexation, located at 2966, 2968 & 2970 D Road, to RMF-8 (Residential Multi-Family 8 units per acre).

Proposed Ordinance Zoning the Costopoulos Annexation to RMF-8 Located at 2966, 2968 and 2970 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for February 21, 2007

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Parking Garage 1% for the Arts Selection

The Commission on Arts and Culture recommends that the City Council approve commissioning three entryway canopies for the new downtown parking garage through the 1% for the Arts Program

Allison Sarmo, Cultural Arts Coordinator, introduced other Arts Commission members that were accompanying her at the podium. She then reviewed the 1% for the Arts program. She thanked others that served on the selection committee. She reviewed the process and the reasoning behind the selection of Rafe Ropeck as the artist. The art will be incorporated into the parking garage awnings and will contain LED lights that can change colors in conjunction with the season.

Councilmember Hill expressed his appreciation for the process and the artist.

Councilmember Palmer expressed his appreciation for the program and other art programs.

Councilmember Spehar echoed those comments and praised the uniqueness of this proposal. He inquired about ongoing maintenance.

Arts Commission Chair Doug McClary responded that LED lights have a fifteen year lifespan, the awnings will not collect snow and the artist worked on the T-Rex project so has experience with public works projects.

Arts Commission member Karen Kiefer added that it is also vandal resistant.

Councilmember Palmer moved to authorize the City Manager, City Attorney, and the Commission on Arts and Culture to negotiate a contract with Artist Rafe Ropek to design, fabricate, and install three entryway canopies for the downtown parking garage. Councilmember Hill seconded the motion. Motion carried.

Construction Contract for the 7th Street Corridor Project

Bids were opened on Tuesday, January 23, 2007 for the reconstruction of 7th Street from the south side of Grand Avenue to the north side of Ute Avenue and the reconstruction of Main Street from 7th Street to 8th Street.

Tim Moore, Public Works and Planning Director, reviewed this item. He described how the specifications were divided into three alternative schedules. He noted that Schedule B became the preferred alternative and explained that it could be accomplished quicker due to the type of concrete and it will be the alternative easiest to replicate and most affordable for when the same concept is extended onto Colorado Avenue. The selection of Schedule B does create a shortfall, half of which DDA has agreed to fund.

Councilmember Hill noted that in community discussions that were raised in conjunction with the Strategic Plan update made the downtown a high priority.

Councilmember Palmer acknowledged his concerns with this project, especially the installation of a roundabout at 7th and Main Street and the reverse angle parking. Those items have been decided so the issue before them is the financing. He applauded the plan for improvements in the future for Colorado Avenue and DDA's efforts in that regard.

Councilmember Spehar agreed with some of the other comments; he was pleased with the upgrade to 7th Street and that improvements to Colorado Avenue will follow. Although he believes in the safety aspect of roundabouts, but at this location the roundabout is mainly for aesthetics, so he has some concerns. This project may have too many unique features that may be too much at one time and also throttling down the lanes from four lanes is a concern. He felt the design will not only have an affect on the downtown, it will impact the entire community as a main corridor.

Councilmember Thomason supported the scope and magnitude of the project and is excited about the unique elements.

Council President Doody, the City Council representative to the DDA, was supportive and felt the design had some real positive aspects. He asked Executive Director Harold Stalf about what will happen with Farmers' Market. Mr. Stalf said Main Street will be open but 7th Street will be shut down. There will be some inconvenience and about thirty parking

spaces will be unavailable. He hopes that 5th street will still be able to closed during the Market.

Councilmember Hill moved to authorize the City Manager to execute a contract for the 7th Street Corridor Project with Mays Concrete Construction for bid Schedule B in the amount of \$3,133,307. Councilmember Spehar seconded the motion. Motion carried by roll call vote with Councilmember Spehar voting NO.

Construction and Maintenance Contract with Grand Valley Irrigation Company

The proposed Construction and Maintenance Agreement between Grand Valley Irrigation Company (GVIC) and the City of Grand Junction authorizes the City to construct and maintain stormwater conveyance structures in the vicinity of existing Ranchmen's Ditch facilities along Patterson Rd. between 24 Rd. and 26 Rd. within Right of Way and easements owned or held by GVIC. This agreement is required to proceed with construction of the Ranchmen's Ditch Flood Control Project, Phase I and II (referred to as the "Big Pipe Project").

Tim Moore, Public Works and Planning Director, reviewed this item. He described the purpose of the Big Pipe Project for which this will facilitate.

Councilmember Thomason moved to authorize the Mayor to sign the Construction and Maintenance Agreement to construct and maintain stormwater conveyance structures in the vicinity of existing Ranchmen's Ditch facilities along Patterson Road between 24 Road and 26 Road within right-of-way and easements owned or held by GVIC. Councilmember Palmer seconded the motion. Motion carried.

Public Hearing – The Preliminary Plan and Planned Development for Fairway Villas Located at 2065 South Broadway [File #PP-2006-208]

Request for Preliminary Subdivision Plan and Planned Development Ordinance approval for the proposed Fairway Villas residential subdivision located at 2065 South Broadway.

The public hearing was opened at 7:50 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the request, the location and history of the previous zoning. The current Growth Plan map indicates this parcel could be developed at a higher density than what is being proposed. City Council reviewed this at a Growth Plan consistency review in May, 2006 and found the proposed density is consistent with the Growth Plan.

Mr. Peterson then discussed the design of the Preliminary Plan and some of the elements of the Planned Development proposal. The design will also require a change to the tenth fairway at Tiara Rado Golf Course to avoid golf ball impact and the developer has agreed to pay for the changes.

Mr. Peterson outlined some proposed conditions for approval. He noted that the request meets the goals and policies of the Growth Plan and Future Land Use Map and is recommended for approval.

Ted Ciavonne, Ciavonne, Roberts, and Associates, was present to represent the applicant and had nothing to add but was available for questions.

There were no public comments.

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

Ordinance No. 4018 – An Ordinance Establishing Standards for the Planned Development (PD) Zone District and Preliminary Development Plan for the Fairway Villas Subdivision Located at 2065 South Broadway

Councilmember Spehar moved to adopt Ordinance No. 4018 on Second Reading and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Amending the Planned Development Zoning of the Hilltop Commons Cottages Located at 625 27 ½ Road [File #PP-2006-250]

Request for an amended Planned Development zoning ordinance and Preliminary Development Plan for revision and expansion of The Commons located at 625 27 ½ Road to include additional property and change the proposed use within the project.

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

Lori Bowers, Senior Planner, reviewed this item. She described the location, the request, the reason for the request and its consistency with the Zoning and Development Code and the Growth Plan. Hilltop has acquired additional property and is proposing to utilize it to add 42 more cottage units on the expanded site. The current plan is to revise the previously approved plan to delete the proposed Enrichment Center, include the newly acquired properties in the Planned Development zone and construct 42 additional cottage units in the area where the recreation center was to be located and in the newly-acquired areas.

Ms. Bowers reviewed the details of the plan. The City Council questioned the density as it seemed to exceed the underlying zoning. It was explained that the density is based on the entire site and does meet the requirements.

Mike Stahl, 2671 Hemlock Court, was representing Hilltop and relayed there is a huge need for this type of housing in the community and asked for approval.

Councilmember Spehar asked about a clarification on the funding set aside previously for assistance with construction of the Enrichment Center. It was explained that no money was ever disbursed and budgets have since been adjusted.

The public hearing was closed at 8:10 p.m.

Councilmember Hill noted that under the old Planned Development, it had the public/private partnership for the recreation center, but the change will reduce the impact that a recreation center would have created to the surrounding neighborhoods and streets.

Ordinance No. 4019 – An Ordinance Amending Ordinance No. 3527 Zoning the Commons Planned Development to Revise the Preliminary Development Plan and Include Additional Acreage Located at 625 27 ½ Road

Councilmember Palmer moved to adopt Ordinance No. 4019 on Second Reading and ordered it published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 8:12 p.m.

The meeting reconvened at 8:23 p.m.

Public Hearing – Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue [File # CUP-2006-313]

A request to rezone property at 1405 Wellington Avenue from RMF-8 to a Residential Office (RO) zone district in order to bring an existing Unlimited Group Home known as the Hilltop Bacon Center in compliance with the Zoning and Development Code.

The public hearing was opened at 8:23 p.m.

Lori Bowers, Senior Planner, reviewed this item. She described the location, the request and the intent to demolish an existing building and construct a new 13,400 square foot community building in the same location. A rezone will bring the property zoning into

compliance with the Zoning and Development Code and allow for the size of the building being proposed. She described the existing zoning, the proposed zoning and the Future Land Use Designation. Ms. Bowers related the use of the building and the buildings existing on the site. The use requires a Conditional Use Permit. Planning Commission approved the Conditional Use Permit at its January 9, 2007 meeting, contingent upon Council approval of the rezone. There is a provision in the Code that allows the density to exceed the Growth Plan Designation under these conditions.

Councilmember Hill questioned why this non-compliance was not adjusted when the Growth Plan was adopted. City Attorney John Shaver advised that the RO zone district was not available until 2001. The Hilltop representatives brought this to the City's attention.

Councilmember Palmer asked when non-conforming properties must come into compliance. City Attorney Shaver said at expansion, thus the reason for the request.

Mike Stahl, 2671 Hemlock Court, representing Hilltop, was present to answer questions.

There were no public comments.

The public hearing was closed at 8:30 p.m.

Ordinance No. 4020 – An Ordinance Rezoning the Hilltop Bacon Center Located at 1405 Wellington Avenue from RMF-8 to Residential Office (RO)

Councilmember Hill moved to adopt Ordinance No. 4020 on Second Reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Councilmember Hill asked if the City Council should initiate a change to the Growth Plan so this property matches the Plan. City Attorney Shaver agreed and said this could be brought forward with any others that are necessary.

Public Hearing – Vacating Mesa County Parking Lot Right-of-Way Located Adjacent to 420 South 6th Street [File #SPR-2006-192]

Request to vacate right-of-way located along the eastern boundary of South 6th Street.

The public hearing was opened at 8:33 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location, the site and the long term plan for the property. She identified the Future Land Use Designation and the current zoning. The width of the area to be vacated is approximately 7.5 feet wide and 126 feet long. The vacation request meets the criteria of the Zoning and Development Code and staff recommends approval as did the Planning Commission.

There were no public comments.

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

Ordinance No. 4021 – An Ordinance Vacating a Portion of the Right-of-Way for South 6th Street Located Adjacent to 420 South 6th Street, Mesa County Parking Lot

Councilmember Spehar moved to adopt Ordinance No. 4021 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – Vacating a Portion of the Public Right-of-Way, River Run Subdivision, Located at 3060 D Road [File #FP-2006-301]

Request to vacate the north 10 feet of a portion of D Road, abutting and lying south of Lot 1, Junction East Subdivision, (the site of the proposed River Run Subdivision) located at 3060 D Road, consisting of 0.083 acres of land.

The public hearing was opened at 8:37 p.m.

Lori Bowers, Senior Planner, reviewed this item. She described the site, the location, the Future Land Use Designation and the current zoning. In the final review process, it was discovered that there was excess right-of-way along D Road adjacent to the property so the applicants have requested the vacation. The estimated value of the right-of-way is \$6,000. The Planning Commission has recommended approval finding the review criteria have been met.

JoCarole Haxel, with Developmental Services, 2350 G Road (business address), was present representing the applicant and was available for questions.

There were no public comments.

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

Ordinance No. 4022 – An Ordinance Vacating a Portion of the D Road Right-of-Way Adjacent to the River Run Subdivision Located at 3060 D Road

Councilmember Thomason moved to adopt Ordinance No. 4022 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – River Trail Annexation and Zoning, Located at 3141 D Road [File #ANX-2006-330]

Request to annex and zone 17.405 acres, located at 3141 D Road to RMF-8 (Residential Multifamily 8 du/ac). The River Trail Annexation consists of one parcel.

Ken Kolvachik, Senior Planner, reviewed this item. He described the location, the site and the Future Land Use Designation as well as the current zoning.

Mike Qualley, 1994 Bison Court, and Kevin Reimer, 225 Main Street, were the applicants and were present. Mr. Reimer said the proposal is for 4.5 units per acre which is on the low side of the Land Use Designation.

There were no public comments.

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

a. Accepting Petition

Resolution No. 25-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the River Trail Annexation, Located at 3141 D Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4023 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, River Trail Annexation, Approximately 17.405 Acres, Located at 3141 D Road

c. Zoning Ordinance

Ordinance No. 4024 – An Ordinance Zoning the River Trail Annexation to RMF-8 Located at 3141 D Road

Councilmember Palmer moved to adopt Resolution No. 25-07 and Ordinance No. 4023 and 4024 on Second Reading and ordered them published. Councilmember Hill seconded the motion.

Councilmember Hill noted that the zoning requested is RMF-8, not the lower density of 4.5 units per acre being proposed. However, the actual density is not under consideration.

Councilmember Palmer noted that many times the higher densities are sought when they really want to build at a lower density due to the requirements of the various zone districts and that should be a discussion in the future.

Planner Kolvachik advised that the Planning Commission had same concerns, however, when the plan comes before them they will address their concerns.

Councilmember Hill stated that is not part of this hearing.

Motion carried by roll call vote.

Purchase of Real Property Located at 549 Noland Avenue

On December 20, 2006, City Council authorized the City Manager to sign a Contract to purchase property located at 549 Noland Avenue, from Dave and Verna Murphy of Any Auto Wrecking. The purpose of the acquisition is to continue the revitalization efforts of the south downtown area.

John Shaver, City Attorney, reviewed this item. He advised that there were a number of environmental concerns and the reports from Walsh Environmental found nothing significant. There was some asbestos in the building but that would be expected in a building of that age. A lease will be executed at closing to allow the current business owner to occupy the property until July.

Councilmember Spehar asked if the site will be clean. Mr. Shaver said the metal building will remain, otherwise it will be a clean site. The plan is to assemble this property with others in the vicinity.

Councilmember Hill asked if there are avoided costs due to this purchase. Mr. Shaver replied that there will be savings between \$80,000 and \$120,000 for providing access to this from 4th Avenue. No negotiations have been entered into the Parkway fund relative to that cost savings, however there may be some consideration.

Councilmember Hill asked when the assemblages of remnant properties will begin, commenting that maybe it should be looked at now. Mr. Shaver agreed with the idea but lot layout has not been discussed. As soon as the deal closes, that can begin.

Resolution No. 26-07 – A Resolution Ratifying the Contract to Purchase Real Property Located at 549 Noland Avenue from David Murphy and Verna Murphy

Councilmember Spehar moved to adopt Resolution No. 26-07. 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 8:55 p.m.

Stephanie Tuin, MMC
City Clerk