

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

**June 6, 2007**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of June 2007, at 7:06 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and President of the Council Jim Doody. Also present were Acting City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. He recalled the anniversary of D-Day, 63 years ago today. Councilmember Todd led in the pledge of allegiance. The audience remained standing for the invocation by Chaplain Abe Phiefer, New Horizons Foursquare Church.

**Proclamations / Recognitions**

Proclaiming June 11 – 18, 2007 as “Homeless Family Week” in the City of Grand Junction

Proclaiming June, 2007 as “Grand Junction’s 125<sup>th</sup> Anniversary Month” in the City of Grand Junction - The City Council and audience were treated to a rendition of the official song of Grand Junction, “Grand Junction, My Home Town”.

**Citizen Comments**

Mark Williams was present to address City Council on Bike Path Safety. He protested the fines that were given to bike riders at the downtown Arts and Jazz Festival; he didn’t think it was right. He said the signage is not adequate and the ticketing sends the wrong message.

**CONSENT CALENDAR**

Councilmember Coons read the items on the Consent Calendar. Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Todd and carried by roll call vote to approve the Consent Items #1 through #18.

1. **Minutes of Previous Meetings**

*Action: Approve the Summary of the May 14, 2007 Workshop and the Minutes of the May 16, 2007 Regular Meeting and the May 21, 2007 and May 30, 2007 Special Sessions*

2. **Setting a Hearing to Amend the Niagara Village Planned Development, Located West of 28 ¼ Road and South of K-Mart** [File #RZ-2007-049]

A request to amend the Niagara Village Planned Development Ordinance to allow zero side and rear yard setbacks for accessory structures less than 200 square feet.

Proposed Ordinance Amending Ordinance No. 2864 the Niagara Village Planned Development Zone Ordinance, Establishing Zero Side and Rear Yard Setbacks for Accessory Structures that are less than 200 Square Feet

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

3. **Addresses at the Commons Cottages, Located at 625 27 ½ Road** [File #PFP-2006-250]

Hilltop Health Services, Inc. is proposing private streets within the Commons Cottages Subdivision be assigned official street names and the housing units be assigned addresses relating to the private streets rather than to Hermosa Avenue.

Resolution No. 71-07 – A Resolution Naming Private Streets within the Hilltop Commons Subdivision and Addressing Residential Units Along the Private Streets

*Action: Adopt Resolution No. 71-07*

4. **Setting a Hearing on the Sutton Annexation, Located at 413 South Camp Road** [File #ANX-2007-057]

Request to annex 53.69 acres, located at 413 South Camp Road. The Sutton Annexation consists of two parcels which is located north of the Canyon View Subdivision on the west side of South Camp Road in the Redlands.

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

Resolution No. 77-07 – 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, Sutton Annexation, Located at 413 South Camp Road and Including the Redlands Water and Power Company Canal Property

*Action: Adopt Resolution No. 77-07*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sutton Annexation, Approximately 53.69 Acres, Located at 413 South Camp Road and Including the Redlands Water and Power Company Canal Property

*Action: Introduction of Proposed Ordinance and Set a Hearing for July 18, 2007*

**5. Setting a Hearing on the Right-of-Way Vacation, Located at 711 Niblic Drive and 718 Horizon Drive [File #VR-2007-022]**

A request to vacate public right-of-way adjacent to Niblic Drive, east of Horizon Drive located in the Partee Heights Subdivision. The proposed right-of-way vacation is a 50' wide unnamed stub street that was platted, but never built. A 14' multi-purpose easement will be reserved along Niblic Drive.

Proposed Ordinance Vacating Right-of-Way Adjacent to Niblic Drive, Located at 711 Niblic Drive and 718 Horizon Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

**6. Setting a Hearing on the Vacation of a Portion of Public Right-of-Way, Located at 2397 and 2399 Mariposa Drive [File #VR-2006-284]**

The property owners at 2397 and 2399 Mariposa Drive are requesting that Hilltop Court located between 2397 and 2399 Mariposa Drive on the Redlands be reduced from 50 feet to 20 feet in width with approximately 15 feet of Right-of-Way being vacated from each side. Within the vacated Right-of-Way a multi-purpose easement will be reserved as a perpetual easement for City approved public utilities and appurtenances.

Proposed Ordinance Vacating Right-of-Way for Hilltop Court, Located between 2397 and 2399 Mariposa Drive

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

**7. Setting a Hearing on Zoning the Sky View Annexation, Located at 2881 D Road [File #ANX-2007-085]**

Request to zone the 13.89 acre Sky View Annexation, located at 2881 D Road in the Pear Park area, to R-4 (Residential, 4 units per acre).

Proposed Ordinance Zoning the Sky View Annexation to R-4, (Residential, 4 units per acre) Located at 2881 D Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

8. **Setting a Hearing on Zoning the Street Property Annexation, Located at 623 29 ½ Road** [File #ANX-2007-107]

Request to zone the 1.49 acre Street Property Annexation, located at 623 29 ½ Road, to R-4 (Residential, 4 units per acre). Staff is recommending the R-5 (Residential, 5 units per acre) zone district. This property is located directly east of the Forrest Run Subdivision in the Fruitvale area.

Proposed Ordinance Zoning the Street Property Annexation to R-5 (Residential, 5 Units Per Acre), Located at 623 29 ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

9. **Setting a Hearing for the Young Court Rezone, Located at 2575 Young Court** [File #RZ-2007-089]

Request to rezone 2575 Young Court, comprised of 1.09 acres, from R-R (Residential – 5 ac/du) to R-2 (Residential -2 du/ac). Young Court is located off of Young Street, north of F ½ Road and west of 1<sup>st</sup> Street, in the north Grand Junction neighborhood area.

Proposed Ordinance Rezoning a Parcel of Land from Residential, One Unit per Five Acres (R-R) to Residential, Two Units per Acre (R-2), Located at 2575 Young Court

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

10. **Vacation of Utility Easement in the Redlands Village Subdivision** [File #VE-2006-336]

Request to vacate a 20' utility easement, where no utilities exist on a parcel located at 565 22 ½ Road, located in the Redlands Village Subdivision.

Resolution No. 78-07 – A Resolution Vacating a Utility Easement on Lot 1, Block 8, of the Redlands Village Subdivision Filing 4, Located at 565 22 ½ Road

*Action: Adopt Resolution No. 78-07*

11. **Vacation of Storm Sewer Easement at 202 Main Street** [File #VE-2007-120]

The City of Grand Junction proposes to vacate a storm sewer easement, originally acquired from the CSECU property at 202 Main Street as part of the Combined Sewer Elimination Project (CSEP). The CSEP project is complete and the easement was not utilized due to a design change for the project.

Resolution No. 79-07 – A Resolution Vacating a Storm Sewer Easement, Located at 202 Main Street

*Action: Adopt Resolution No. 79-07*

12. **Vacation of Pedestrian Easement, Located at the Brickyard on Wellington Avenue East of 12<sup>th</sup> Street** [File #PP-2006-218]

A request to vacate a 35-foot pedestrian easement located in the Brickyard at Wellington residential subdivision, located on Wellington Avenue, east of 12<sup>th</sup> Street. There are no improvements located in the easement and as dedicated its location encroaches into the building footprints of the proposed subdivision. A new 20-foot pedestrian easement will be required per the Urban Trails Master Plan.

Resolution No. 80-07 – A Resolution Vacating a 35 Foot Pedestrian Easement Located at 1631 Wellington Avenue, in Order to Accommodate the Proposed Brickyard at Wellington Subdivision

*Action: Adopt Resolution No. 80-07*

13. **Setting a Hearing on Zoning the Senatore Annexation, Located at 2302 E Road** [File #ANX-2007-074]

Request to zone 3.07 acre Senatore Annexation, located at 2302 E Road, in the Redlands, to R-4 (Residential – four units per acre). The Senatore Annexation consists of one parcel.

Proposed Ordinance Zoning the Senatore Annexation to R-4, Located at 2302 E Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

14. **Grant Application for Rail Hazard Elimination on River Road, East of the Railroad Boulevard Intersection**

Request to apply for Federal Rail Hazard Elimination funds for an improved rail spur crossing on River Road east of the Railroad Boulevard intersection.

*Action: Authorize Staff to Submit an Application to CDOT for Federal Rail-Highway Safety Improvements for the Rail Spur Cross #254295W for FY 2009-2011*

15. **Public Hearing – Jones Annexation, Located at 2858 C ½ Road** [File #ANX-2007-087]

Request to continue the Jones Annexation to the June 20, 2007 City Council meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting, the annexation schedule dates had to be shifted to accommodate the change.

*Action: Continue the Adoption of the Resolution Accepting the Petition for the Jones Annexation and Public Hearing to Consider Final Passage of the Annexation Ordinance to June 20, 2007 City Council Meeting*

16. **Setting a Hearing on Zoning the Jones Annexation, Located at 2858 C ½ Road** [File #ANX-2007-087]

Request to zone the 3.42 acre Jones Annexation, located at 2858 C ½ Road in Pear Park, to R-4 (Residential, 4 units per acre).

Proposed Ordinance Zoning the Jones Annexation to R-4, Located at 2858 C ½ Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

17. **Public Hearing – Younger Annexation, Located at 2172 and 2176 H Road** [File #GPA-2007-054]

Request to continue the Younger Annexation to the June 20, 2007 City Council meeting. The request to continue is due to the May 8, 2007 Planning Commission meeting being cancelled. Due to the cancellation of this meeting, the annexation schedule dates had to be shifted to accommodate the change.

*Action: Continue the Adoption of the Resolution Accepting the Petition for the Younger Annexation and Public Hearing to consider Final Passage of the Annexation Ordinance to the June 20, 2007 City Council Meeting.*

18. **Setting a Hearing on Zoning the Younger Annexation, Located at 2172 and 2176 H Road** [File #GPA-2007-054]

Request to zone the 44.87 acre Younger Annexation, located at 2172 and 2176 H Road, to I-1 (Light Industrial). The Younger Annexation consists of 2 parcels inside the H Road/Northwest Area Plan boundary area that was recently changed on the Future Land Use Map from a Rural 5-35 ac/du to Commercial/Industrial.

Proposed Ordinance Zoning the Younger Annexation to I-1 (Light Industrial), Located at 2172 and 2176 H Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for June 20, 2007*

### **ITEMS NEEDING INDIVIDUAL CONSIDERATION**

#### **2030 Comprehensive Plan Phase I and II Contract**

Council will review a contract with the professional design and planning firm, Winston Associates, to conduct the 2030 Comprehensive Plan. The schedule for this work anticipates an April 2009 completion date.

Tim Moore, Public Works and Planning Director, reviewed this item. He explained that due to funding, the project has been separated into different phases. Phases III and IV will be subject to appropriation in 2008. Mr. Moore briefly identified the items that will be included in the Comprehensive Plan, which were detailed at the workshop on Monday. Completion is anticipated in 2009.

Councilmember Coons asked Mr. Moore to review the selection process for the consultants. Mr. Moore said as with all contracts, the RFP was publicly advertised. Proposals were received from all over the country. Through an interview process, with Councilmember Beckstein participating, Winston Associates from Boulder were selected for recommendation.

Councilmember Beckstein lauded the interview team and the process.

Councilmember Palmer moved to authorize the Purchasing Division to enter into a contract with Winston Associates, to complete the 2030 Comprehensive Plan. Councilmember Thomason seconded the motion. Motion carried.

**Airport Improvement Program Grant at Walker Field Airport for an Airport Wildlife Assessment Study**

AIP-33 is for an Airport Wildlife Assessment Study. The Project will study the variety of wildlife at the airport and determine how best to manage it. The grant amount is \$97,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Rex Tippetts, Walker Field Airport Operations Director, reviewed this item and explained why the FAA is requiring this wildlife study. Some of the items that they anticipate coming out of the plan to be developed are already being implemented. There is only about 500 feet of fence that will be constructed to keep the wildlife off the runways.

There were no questions.

Councilmember Palmer moved to authorize the Mayor to sign the FAA AIP-33 Grant and the City Manager to sign the Supplemental Co-Sponsorship Agreement for a Wildlife Assessment Study at Walker Field Airport. Councilmember Thomason seconded the motion. Motion carried.

Councilmember Palmer noted that there have been dramatic changes at the airport and much of that is due to the leadership of Mr. Tippetts.

Mr. Tippetts agreed noting that there are \$57 million of improvements planned.

**Public Hearing – Mesa State College Annexation, Located at 2899 D ½ Road** [File #GPA-2007-081]

Request to annex 154 acres, located at 2899 D ½ Road. The Mesa State College Annexation consists of one parcel.

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

Ken Kovalchik, Senior Planner, reviewed this item. He said the property will proceed through a Growth Plan Amendment and then the zoning. He described the location, the site, and the existing and surrounding uses. He described the Future Land Use designation and the surrounding zoning.



Tom Logue, representing the applicant, was present and identified others present that could answer questions.

There were no public comments.

The public hearing was closed at 7:39 p.m.

**a. Acceptance Petition**

Resolution No. 81-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Mesa State College Annexation, Located at 2899 D ½ Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4081 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa State College Annexation, Approximately 154 Acres, Located at 2899 D ½ Road

Councilmember Thomason moved to adopt Resolution No. 81-07 and adopt Ordinance No. 4081 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing – Page Annexation, Located at 2074 Broadway and 2076 Ferree Drive** [File #GPA-2007-061]

Request to annex 19.7 acres, located at 2074 Broadway and 2076 Ferree Drive in the Redlands. The Page Annexation consists of 2 parcels and is a 4 part serial annexation.

The public hearing was opened at 7:40 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the two properties, the location, the surrounding uses and the reason for the request. There are two single family homes existing on the properties. The Future Land Use Map designates the properties as Residential, Medium-Low for one property and Estate for the other. The proposed Growth Plan Amendment has been reviewed by the Planning Commission and it has been recommended for approval. The zoning will come forward after the Growth Plan Amendment has been considered. The request meets the annexation criteria and is recommended for approval.

Mr. Peterson offered to clarify the properties' relation to the Urban Growth Boundary.

Councilmember Hill questioned the appropriateness of that information in an annexation hearing.

Councilmember Palmer advised he had a question at Monday's workshop relative to that.

City Attorney Shaver advised that a finding does need to be made that the properties are urban or urbanizing, so he had counseled Mr. Peterson that clarification on the Urban Growth Boundary could be discussed. The City Council decided to discuss it at a later time, apart from the annexation consideration.

The applicants were present but had nothing to add.

There were no public comments.

The public hearing was closed at 7:45 p.m.

**a. Acceptance Petition**

Resolution No. 82-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Page Annexation, Located at 2074 Broadway and 2076 Ferree Drive Including Portions of the 20 ½ Road, Broadway and Ferree Drive Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4082 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 1, Approximately 0.21 Acres, Located in a Portion of the 20 ½ Road Right-of-Way

Ordinance No. 4083 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 2, Approximately 0.58 Acres, Located in a Portion of the 20 ½ Road Right-of-Way

Ordinance No. 4084 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 3, Approximately 1.39 Acres, Located in Portions of the 20 ½ Road and Broadway Rights-of-Way

Ordinance No. 4085 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Page Annexation No. 4, Approximately 17.52 Acres, Located at 2074 Broadway and 2076 Ferree Drive Rights-of-Way

Councilmember Palmer moved to adopt Resolution No. 82-07 and adopt Ordinance Nos. 4082, 4083, 4084, and 4085 and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing – Three Sisters Annexation, Located at 2431 Monument Road** [File #GPA-2007-076]

Request to annex 128.92 acres, located at 2431 Monument Road in the Redlands. The Three Sisters Annexation consists of one parcel of land.

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

Scott D. Peterson, Senior Planner, reviewed this item. He described the location, the site and the reason for the annexation request. The property is 125 acres. The Future Land Use Map designates a portion of the property as Residential, Low; the remainder of the property is designated Conservation. The applicant has withdrawn his application for a Growth Plan Amendment. The zoning will come forward later. The site location map showed the location of the property in relation to the Redlands. Both Staff and Planning Commission recommended approval of the annexation, finding the request meets the annexation requirements.

Councilmember Coons asked about the adjacent property designated on the Future Land Use Map as Public. Mr. Peterson stated that it is vacant and owned by the City.

The applicant was present but had nothing to add.

Councilmember Palmer asked about the County's zoning on the property. Mr. Peterson said the County zoning is RSF-4. City Attorney Shaver advised that the City Council has the option of zoning to a zone that implements the Future Land Use Map or the current County zoning.

Councilmember Hill noted that the City Council typically zones in accordance with the Growth Plan. If the County zone is determined to be appropriate, there would still need to be a Growth Plan Amendment.

Councilmember Coons asked about if the zoning would be RSF-4 if the property is not annexed. Mr. Peterson said yes but any subsequent proposed development would require annexation.

There were no public comments.

The public hearing was closed at 7:58 p.m.

**a. Acceptance Petition**

Resolution No. 83-07 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Three Sisters Annexation, Located at 2431 Monument Road Including Portions of the Monument Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4087 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Three Sisters Annexation, Approximately 128.92 Acres, Located at 2431 Monument Road Including Portions of the Monument Road Right-of-Way

Councilmember Hill moved to adopt Resolution No. 83-07 and adopt Ordinance No. 4087 and order it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

**Public Hearing – Amending the Parking Code**

Proposed amendment to the Parking Code allowing peace officers working traffic enforcement to park in areas of the City where parking is not normally allowed.

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

John Shaver, City Attorney, reviewed this item. He explained the ordinance will authorize marked law enforcement vehicles, specifically motorcycles, to park on the sidewalks when enforcing traffic laws. There were complaints from citizens about the motorcycle officers parking on the sidewalks when they were doing traffic enforcement.

Councilmember Coons asked if there have been any complaints on the officers causing a hazard. Mr. Shaver replied that has not been the nature of the complaints.

Councilmember Hill expressed his concern that the Code change is so narrowly applied that only officers enforcing traffic will be affected. Mr. Shaver said if there is an emergency and lights are activated, the officers can lawfully utilize the sidewalks if necessary.

There were no public comments.

The public hearing was closed at 8:05 p.m.

Ordinance No. 4088 – An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances Relating to Parking  
Councilmember Thomason moved to adopt Ordinance No. 4088 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

**Public Hearing – Repeal Ordinance No. 2575, Concerning Emergency Medical Services**

The County adopted a county-wide ambulance regulatory system. Based on the successful implementation of the County resolution, the City no longer needs its ordinance and by this ordinance the existing ordinance will be repealed. The proposed ordinance repeals Ordinance No. 2575, which is codified as Article IV, Sections 18-86 – 18-101 of the Grand Junction Code of Ordinances, Emergency Medical Services.

The public hearing was opened at 8:05 p.m.

John Shaver, City Attorney, reviewed this item. He explained the necessity of the ordinance by reviewing the history of the purpose of this Code provision. The change in delivery of emergency services and the County's adoption of the emergency services resolution, and with the City being the designated provider, precludes the need for the provision. He noted that the system is working well.

Councilmember Todd asked for further clarification. Mr. Shaver advised that the County now has the authority over any provider. Councilmember Todd asked if the need arises where another service provider were to come in and provide service, would the City then have to reinstate the Code provision. Mr. Shaver said no, the County now has that jurisdiction.

Councilmember Palmer reviewed some of the history of the City taking over the service and the discussions that took place during the preceding months.

There were no public comments.

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

Ordinance No. 4089 – An Ordinance Repealing Ordinance No. 2575 Codified as Chapter 18, Section 86 – 101 of the City of Grand Junction Code of Ordinances, Concerning Emergency Medical Services

Councilmember Palmer moved to adopt Ordinance No. 4089 and ordered it published. Councilmember Coons seconded the motion. The motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

Milton "Tony" Long, 302 Pitkin, which is the Catholic Day Center address, said he is homeless. In 2003, there was a nice little neighborhood on South Avenue. The families living there, some in cars, have been run off. He was injured when he was looking for a place to camp because he could not live in his automobile. He disagreed with the law being enforced unless needed for the health, safety, and welfare of the citizens. Council President Doody thanked Mr. Long and suggested that he speak with the Deputy City Manager or the City Attorney.

**Other Business**

There was none.

**Executive Session**

Councilmember Beckstein moved to go into executive session for discussion of personnel matters under Section 402 (4)(f)(I) of the Open Meetings Law relative to City Council employees specifically the City Manager and we will not be returning to open session. Councilmember Palmer seconded the motion. Motion carried.

Council President Doody advised that City Council will reconvene in Executive Session in ten minutes. This was a continuation of the earlier session.

**Adjournment**

The meeting adjourned at 8:15 p.m.

Stephanie Tuin, MMC  
City Clerk