

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

September 19, 2007

The City Council of the City of Grand Junction convened into regular session on the 19th day of September 2007 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Thomason led in the Pledge of Allegiance.

Proclamations and Recognitions

Council President Doody recognized a member of the Boy Scout Troop 303.

USEPA Region 8 2007 Clean Water Act Recognition Award

Greg Trainor, Utility and Street Systems Director, presented the EPA Award to the Persigo Wastewater Treatment Plant. It is an annual award given to wastewater treatment plants. This award is a Regional Award, but the EPA has also awarded the Persigo Plant the National Award which will be presented in San Diego.

The City Council praised the Staff, the cost savings, and the innovative ideas the Staff at Persigo has brought to fruition.

Certificates of Appointments

To the Parks and Recreation Advisory Board

Jack Scott, Reford Theobald, and Tawny Espinoza were present to receive their certificates of appointment to the Parks and Recreation Advisory Board.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Coons read the items on the Consent Calendar noting that Item #6, the Brady South zoning, the first reading is being continued to October 3, 2007.

Councilmember Hill moved to approve the Consent Calendar. It was seconded by Councilmember Beckstein and carried by roll call vote to approve Consent Items #1 through #7, with item #6 being continued to October 3rd.

1. **Setting a Hearing to Expand Designated Outdoor Dining Downtown**

Some restaurant owners in the downtown area would like to expand their businesses to include sidewalk dining. This necessitates amending Chapter 32, Article III of the City Code of Ordinances, which regulates commercial use of public rights-of-way in the downtown area.

Proposed Ordinance Amending Chapter 32, Article III City Code of Ordinances, Regulating Commercial Use of Public Right-of-Way in Downtown Area, To Revise Designated Downtown Areas for Sidewalk Dining

Action: Introduction of Proposed Ordinance and Set a Hearing for October 3, 2007

2. **Setting a Hearing on the Rowell Rezone Located at 2593 G Road** [File #RZ-2007-048]

Request to rezone 1.06 acres, located at 2593 G Road, from R-1 (Residential—1 du/ac) to R-2 (Residential—2 du/ac).

Proposed Ordinance Rezoning a Parcel of Land from Residential—One Unit Per Acre (R-1) to Residential—Two Units Per Acre (R-2) Located at 2593 G Road (Rowell Rezone)

Action: Introduction of Proposed Ordinance and Set a Hearing for October 3, 2007

3. **Setting a Hearing on the Timberline Steel Annexation Located at 2185 River Road** [File #ANX-2007-242]

Request to annex 2 acres, located at 2185 River Road. The Timberline Steel Annexation consists of one parcel.

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

Resolution No. 132-07—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, Timberline Steel Annexation, Located at 2185 River Road

Action: Adopt Resolution No. 132-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Timberline Steel Annexation, Approximately 2 Acres, Located at 2185 River Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

4. **Setting a Hearing on Crespin Annexation Located at 2930 D ½ Road** [File #ANX-2007-234]

Request to annex 5.37 acres, located at 2930 D ½ Road. The Crespin Annexation consists of two parcels and is located on the north side of D ½ Road in the Pear Park area.

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

Resolution No. 133-07—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, Crespin Annexation, Located at 2930 D ½ Road and a Portion of the D ½ Road Right-of-Way

Action: Adopt Resolution No. 133-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Crespin Annexation, Approximately 5.37 Acres, Located at 2930 D ½ Road and a Portion of the D ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

5. **Setting a Hearing on the Krabacher Annexation, Located at 2946 B ½ Road** [File #ANX-2007-241]

Request to annex 10 acres, located at 2946 B ½ Road. The Krabacher Annexation consists of one parcel. This property is on the west side of 29 ½ Road directly north of B ½ Road on Orchard Mesa.

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

Resolution No. 134-07—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, Krabacher Annexation, Located at 2946 B ½ Road

Action: Adopt Resolution No. 134-07

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krabacher Annexation, Approximately 10 Acres, Located at 2946 B ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 7, 2007

6. Setting a Hearing on Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road [File #GPA-2006-051]

SLB Enterprises LLC, owners of the properties located at 347 and 348 27 ½ Road and 2757 C ½ Road are requesting zoning of the properties from County Heavy Industrial (I-2) to Light Industrial (I-1) and Industrial Office (I-O). Planning Commission heard the request at its September 11, 2007 meeting and recommended approval of the Industrial/Office Park (I-O) zoning for all three parcels.

Proposed Ordinance Zoning the Brady South Annexation to Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Action: Continue to October 3, 2007

7. Setting a Hearing to Create the Galley Lane Sanitary Sewer Improvement District No. SS-49-07

A majority of the owners of real estate located in the area of Young Street between F ½ Road and Galley Lane have submitted a petition requesting an improvement district be created to provide sanitary sewer service to their respective properties, utilizing the septic sewer elimination program to help reduce assessments levied against the affected properties. The proposed Resolution is the required first step in the formal process of creating the proposed improvement district.

Resolution No. 135-07—A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City, the Galley Lane Sanitary Sewer Improvement District No. SS-49-07, Authorizing the City Utility Engineer to Prepare Details and Specifications for the Same and Giving Notice of a Hearing

Action: Adopt Resolution No. 135-07 and Set a Public Hearing for November 7, 2007

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Assessments for Sanitary Sewer Improvement District No. SS-48-06 (East of 23 Road and Between Terry Court and the Colorado River)

The City has completed the installation of sanitary sewer facilities as requested by a majority of the property owners to be assessed, located in the area east of 23 Road and between Terry Court and the Colorado River.

The public hearing was opened at 7:17 p.m.

Tim Moore, Public Works and Planning Director, reviewed this item. He advised the actual assessment will be one thousand dollars less than the original cost due to lower construction cost.

There was one applicant in the audience, but he did not wish to speak.

There were no public comments.

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

Councilmember Thomason asked if price is the reason why the people who didn't sign the petition are opposed. Mr. Moore said typically those in favor of the petition are generally having septic problems. The City does pay one third of the cost. Those against the petition may be opposed for a variety of reasons, including that they have a functioning septic system and don't want the additional cost.

Ordinance No. 4116—An Ordinance Approving the Assessable Cost of the Improvements made in and for Bluffs Sanitary Sewer Improvement District No. SS-48-06, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, As Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said

District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Councilmember Hill moved to adopt Ordinance No. 4116, and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Vacating an Existing Alley Right-of-Way Located Adjacent to Mesa State College Properties—1257 Elm Avenue and 1260 Kennedy Avenue [File #VR-2007-177]

The petitioner, Mesa State College, is requesting to vacate an existing alley right-of-way located west of 13th Street between Elm and Kennedy Avenue, adjacent to Mesa State properties for the benefit of current building expansions. The Planning Commission recommended approval of the proposed alley right-of-way vacation at their August 14, 2007 meeting.

The public hearing was opened at 7:22 p.m.

Scott D. Peterson, Senior Planner, reviewed this item. He described the location and indicated which alleys were being vacated by this request. The four single family homes in that area have been removed. A utility and access easement will be retained if the alleys are vacated. A portion of the alley was previously vacated in 1982. The proposed alley vacation will complete the entire alley. Mr. Peterson advised what the Future Land Use Designation and the Zoning for the properties were adjacent to the vacations. The request is consistent with the Growth Plan and review criteria have been met. The Planning Commission recommended approval of the request. Mr. Peterson said the applicant is present.

Tom Logue, representing the applicant, concurred with Mr. Peterson's presentation, and was available for questions.

There were no public comments.

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

Ordinance No. 4117—An Ordinance Vacating an Alley Right-of-Way Adjacent to Mesa State College Properties Located at 1257 Elm Avenue and 1260 Kennedy Avenue

Councilmember Thomason moved to adopt Ordinance No. 4117, and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Sunpointe North Subdivision Growth Plan Amendment, Located in the Southwest Corner of 26 Road and G ½ Road [File #GPA-2007-058]

There is an apparent error on the Future Land Use Map that shows 0.359 acres, surrounded by Lujan Circle, in the Sunpointe North Subdivision, designated as a Park. The entire subdivision is zoned R-2. Had the Park designation been correct, the subject parcel should have been zoned to CSR (Community Services and Recreation) upon annexation.

The public hearing was opened at 7:27 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described that the request is to correct an error on the Future Land Use Map. She described the location as undeveloped with one dwelling structure on the property. This area was annexed into the City as an enclave. The property retained the County Zoning even though it did not meet the Growth Plan. The area in question was designated as a park, but was zoned R-2. The change will designate the area Residential Medium 4 to 8 units per acre.

The applicant's representative, Keith Ellers, with Ciavonne, Roberts, and Associates, was available for questions. He explained that there is an existing plat and the intent is to create a new plat. The first step is to get the area designation changed. The initial intention for this area is for it to be a detention pond area so they agree with Staff that it was an error.

There were no public comments.

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

Councilmember Bonnie Beckstein made the disclosure that her firm represents Ciavonne, Roberts, and Associates. City Attorney Shaver asked Councilmember Beckstein of her connection to this project, and it was concluded there was no conflict.

Councilmember Hill acknowledged the error, but added that the change will also allow greater flexibility for re-platting the subdivision.

Resolution No. 136-07—A Resolution Amending the Growth Plan of the City of Grand Junction on 0.359 Acres in the Center of Lujan Circle, Shown on the Sunpointe North Subdivision Plat, the Southwest Corner of 26 Road and G ½ Road

Councilmember Coons moved to adopt Resolution No. 136-07. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

Councilmember Hill brought up the change in the meeting schedule, and asked for discussion on the change from the Staff's and Council's perspective.

Councilmember Todd said initially she was concerned that Council may not have the opportunity to discuss things, but that has not been the case.

Councilmember Coons said there is less redundancy, no repeat, she likes the change.

Councilmember Beckstein said presentations that weren't policy or going to come before Council were becoming the norm for workshops, and the change has made things more efficient.

Councilmember Palmer agreed that it is working better than before, and is glad they are not being laborious with Council reports. His two concerns are if the Council is giving enough recognition to some of the items that the Council wants to be sure the community is aware of, and if he has questions related to a Consent Calendar that he does not have an opportunity to address those concerns.

Councilmember Thomason said he liked the change, and it was good from a family perspective. The fact that decisions are being made is streamlining without shortchanging the process.

Council President Doody said the Council has been able to provide better customer service by moving issues through at a reasonable hour. The opportunity to use Other Business to catch up on comments has been helpful.

Councilmember Hill said items on the Consent Calendar can be pulled off if there needs to be dialogue.

City Attorney Shaver said the Council now has a variety of options regarding the Consent Calendar. Items can be read, taken off, or questions answered at pre-meeting.

City Manager Kadrach said the Council is still making this transition by trying to balance the Planning and Zoning items where Staff reports are being prepared in a manner to divide the scheduled projects between the two days. The Budget Workshop meetings

being held prior to the Council pre-meeting have made those pre-meetings feel rushed. That will change once the Budget Workshops are over.

Council President Doody commended City Manager Kadrach on the choice of Trent Prall for Deputy City Manager. He said he enjoys the interaction he has had with him.

Adjournment

The meeting adjourned at 7:45 p.m.

Stephanie Tuin, MMC
City Clerk