

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

October 17, 2007

The City Council of the City of Grand Junction convened into regular session on the 17th day of October 2007 at 7:10 p.m. in the City Auditorium. Those present were, Council Members Bonnie Beckstein, Teresa Coons, Gregg Palmer, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Councilmember Bruce Hill was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Citizen Comments

There were none.

Presentations

The City Youth Council presentation to introduce new members and update Council on their recent retreat will be rescheduled for a later date.

CONSENT CALENDAR

Councilmember Beckstein read the items on the Consent Calendar and then moved to approve the Consent Calendar. It was seconded by Councilmember Coons, and carried by roll call vote to approve the Consent Items #1 through #8.

1. **Three Community Development Block Grant (CDBG) Projects for St. Mary's Foundation** [File # CDBG 2007-04, 2007-05, and 2007-06]

The Subrecipient Contracts formalize the City's award of a total of \$40,500 to various non-profit organizations via the St. Mary's Foundation as allocated from the City's 2007 CDBG Program as previously approved by Council. The three being funded are the Gray Gourmet, Foster Grandparent, and Senior Companion programs.

Action: Authorize the City Manager to Sign the Three Subrecipient Contracts with the St. Mary's Foundation for the City's 2007 Program Year, Community Development Block Grant Program

2. **Setting a Hearing on Zoning the Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road** [File #GPA-2007-051]—Continued from October 3, 2007

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 Park (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 November 7, 2007

3. **Setting a Hearing on Zoning the Page Annexation, Located at 2076 Ferree Drive and 2074 Broadway** [File #GPA-2007-061]

Request to zone the 17.52 acre Page Annexation located at 2076 Ferree Drive and 2074 Broadway, to R-4, Residential—4 units/acre Zone District. The Planning Commission recommended approval of the proposed zoning designation at their September 25, 2007 meeting.

Proposed Ordinance Zoning the Page Annexation to R-4, Residential—4 Units/Acre, Located at 2076 Ferree Drive and 2074 Broadway

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

4. **Setting a Hearing on Zoning the Bookcliff Land and Building Annexation, Located at 564 29 Road** [File #ANX-2007-232]

Request to zone the 2.93 acre Bookcliff Land and Building Annexation, located at 564 29 Road, to R-8 (Residential, 8 units per acre). This property is located on the east side of 29 Road just south of Dawn Drive. This parcel is better known as the old Bookcliff Veterinary site.

Proposed Ordinance Zoning the Bookcliff Land and Building Annexation to R-8 (Residential, 8 Units Per Acre), Located at 564 29 Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 5, 2007*

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

Request to zone the 5.37 acre Crespin Annexation, located at 2930 D ½ Road, to R-8 (Residential, 8 units per acre). This parcel is located on the north side of D ½ Road and south of the railroad tracks.

Proposed Ordinance Zoning the Crespin Annexation to R-8 (Residential, 8 Units per Acre) Located at 2930 D ½ Road

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

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

Request to zone the 10 acre Krabacher Annexation, located at 2946 B ½ Road, to R-4 (Residential, 4 units per acre). This property is on the west side of 29 ½ Road directly north of B ½ Road on Orchard Mesa.

Proposed Ordinance Zoning the Krabacher Annexation to R-4 (Residential, 4 Units per Acre) Located at 2946 B ½ Road

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

7. **Setting a Hearing on Zoning the Rim View Estates Annexation, Located at 595 21 ⅛ Road** [File #ANX-2007-251]

Request to zone the 4.70 acre Rim View Estates Annexation, located at 595 21 ⅛ Road, to R-4 (Residential, 4 units per acre). The property is located on the southwest corner of South Broadway and 21 ⅛ Road in the Redlands.

Proposed Ordinance Zoning the Rim View Estates Annexation to R-4 (Residential, 4 Units per Acre) Located at 595 21 ⅛ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for November 5, 2007*

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

Request to zone the 2 acre Timberline Steel Annexation, located at 2185 River Road, to I-1 (Light Industrial). The property is located on the southeast corner of River Road and Railhead Circle.

Proposed Ordinance Zoning the Timberline Steel Annexation to I-1 (Light Industrial) Located at 2185 River Road

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Safety Building Preliminary Design Services

Contract with the professional design and planning firm, Humphries Poli Architects, to conduct a Public Safety Building needs assessment and provide a preliminary design.

Jay Valentine, Assistant Financial Operations Manager, reviewed this item. He explained the process to select this firm, and how the task force selected qualified firms. The process was narrowed down to four finalists, and the partnerships the different companies would use in the process were reviewed. Humphries Poli was selected unanimously.

Councilmember Palmer asked if the selection was based on qualifications rather than by low bid. Mr. Valentine responded affirmatively.

Council President Doody clarified that once qualifications were reviewed, and the company was chosen, then the sealed bids were opened. Council President Doody noted the plan is to build the new building on the existing site.

Councilmember Coons asked if the site visits to other jurisdictions included any buildings designed by Humphries Poli. Mr. Valentine said each company had a building in the site review. Fire Chief Watkins, who went on the site visits, said that two of the buildings visited on the tour were designed by Humphries Poli.

Councilmember Todd moved to authorize the Purchasing Division to enter into a contract with Humphries Poli Architects to complete the Public Safety Building needs assessment and preliminary design services, for fees not to exceed \$174,000. Councilmember Coons seconded the motion. Motion carried.

Parks and Recreation Department Standardized Fees and Charges Policy

In the context of 2008 budgetary development, the Parks and Recreation Department was tasked with reviewing its existing fees and charges policy, with particular attention to the complexity of staff time utilized administering differing fees, focused on the current 20% discount afforded City of Grand Junction residents for most recreation programs, youth and adult sports, and golf course season passes. Current exceptions to the 20% discount (one fee for all participants) include separate activities at Orchard Mesa Community Center Swimming Pool, all fees associated with City cemeteries, daily aquatic entrance fees, on-site registrations, special events, green fees at the golf courses, and shelter and sport field rental fees. Additionally, Two Rivers Convention Center and the Avalon Theatre have a standardized fee structure regardless of residency.

Joe Stevens, Parks and Recreation Director, reviewed this item. He said the primary change in the policy is to eliminate the differential pricing between the City residents, and residents living outside City limits. It is very difficult with sporting teams, as some team members live in the City limits, and some are living outside the City limits, making administering the program difficult. The fees being recommended are adjusted based on increased labor costs (minimum wage increase). Service clubs luncheons at the Convention Center are proposed to be raised 50 cents per meal.

Councilmember Palmer asked if the cost recovery of 70% is standard. Mr. Stevens said that is the overall goal, but that is not for each case. Golf fees, under an enterprise fund, recover 100% plus some set aside money.

Councilmember Palmer asked if there is higher technology that could help with residency verifications. Mr. Stevens indicated that not everyone provides their real address. Team sponsors also contend that if they are in the City limits, they are deserved of the residential rate. It happens in all the sports. Another issue is that neighbors can have different residency status.

Councilmember Coons asked if the elimination of the fee differential will encourage more participation. Mr. Stevens said that may happen, especially with golfers.

Councilmember Thomason asked if Mr. Stevens has any cost savings estimated to eliminate the differential. Mr. Stevens said no, but he knows it will allow the Staff to have time to concentrate on other matters. He added that the fee structure is non-differential at Orchard Mesa Pool, as that is a joint partnership with Mesa County and the School District.

Councilmember Thomason supported the meal increase at Two Rivers due to the great job Tim Seeberg and Staff are doing at the facility.

Councilmember Coons agreed and supported the change in policy, as the valley becomes more blended, and more of a valley-wide community.

Councilmember Beckstein also supported the change saying that verification is not a good use of time, and out-of-City residents shop and work in the City limits. This shows the businesses that the City appreciates their sponsorship.

Councilmember Palmer commended the Staff on the report, as it was a comprehensive discussion. He noted the Parks and Recreation Advisory approved it four to three. He agreed that the time is not worth the cost. He supported the change.

Council President Doody agreed with standardizing the fees, especially in light of recent discussions on daytime population which increases from 56,000 to 83,000. He supports the change.

Resolution No. 145-07—A Resolution Establishing the 2008 Fees and Charges Policy for the Grand Junction Parks and Recreation Department

Councilmember Thomason moved to adopt Resolution No. 145-07. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Revising Section 38-49 (18) of the Code of Ordinances Regarding Mass Based Limit for Metals

A renewed National Pollutant Discharge Elimination System (NPDES) Permit was Issued to the Persigo Wastewater Treatment Plant effective November 1, 2006. Federal regulations require the revision of industrial pretreatment local limits within 270 days from the issuance of the new discharge permit. The industrial pretreatment local will be revised through this ordinance revision. There are no resulting impacts to local industries resulting from this change.

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

John Shaver, City Attorney, reviewed this item. He noted the renewal of the permit has been an extensive process. The permit requires amendments to the Code be made.

Dan Tonello, Wastewater Services Superintendent, was available for questions.

The City Council was provided an opinion letter from the City Attorney that the ordinance meets all Federal, State, and local requirements.

Councilmember Coons asked Mr. Tonello about the impacts of the changes. Mr. Tonello said the impact from the new permit identified the discharge point as Persigo Wash instead of the Colorado River. The new limits are more stringent, but it will not impact operations significantly.

Councilmember Palmer asked about the limits as they seemed high. Mr. Tonello said they are, but the plant has a lot of capacity left.

Council President Doody asked about the discharge point change. Mr. Tonello explained the change and how that changed the plant discharge capacity. The Persigo Wash also includes drainage from the irrigation system which is not treated. However, studies were done on the normal levels in the "Wash". Scientists then reviewed those studies and provided the Plant with the discharge limits.

Councilmember Palmer asked about future restrictions with the change in the point of discharge. Mr. Tonello said the City has two years, under the new permit, to get data to loosen the requirements. There will be higher restrictions, but the plant does have two years to make adjustments.

City Attorney Shaver said the Persigo Wash is manmade, and is primarily an effluent stream, but they are continuing with the process to make adjustments.

There were no public comments.

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

Ordinance No. 4122—An Ordinance Amending Sections and/or Portions of Sections of Article II of Chapter 38, Utilities, of the Code of Ordinances

Councilmember Coons moved to adopt Ordinance No. 4122, and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Assessments Connected with Alley Improvement District No. ST-07

Improvements to the following alleys have been completed as petitioned by a majority of the property owners to be assessed.

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South and East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue

- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

The public hearing opened at 7:55 p.m.

Tim Moore, Public Works and Planning Director, reviewed this item. He described the process on how the improvement district was formed, that the improvements were completed, and how the costs are to be assessed. The City paid 83% of the costs, since the cost per foot was higher than estimated.

There were no public comments.

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

Ordinance No. 4123—An Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-07 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 Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said Districts; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Councilmember Palmer moved to adopt Ordinance No. 4123, and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Public Hearing—Ute Water Annexation and Zoning, Located at 825 22 Road [File #ANX-2007-220]

Request to annex and zone 47.86 acres, located at 825 22 Road, to I-1 (Light Industrial). The Ute Water Annexation consists of one parcel, including a portion of 22 Road.

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

Ronnie Edwards, Associate Planner, reviewed this item. She described the location, the request, and then asked that all of the reports and attachments be entered into the record. The request meets all requirements for annexation and zoning, and the Planning Commission did recommend approval. The applicant, Larry Cleaver with Ute Water, was present.

Councilmember Palmer asked about property across from the subject property. Ms. Edwards said those properties will be designated commercial/industrial, and the existing homes will become non-conforming.

There were no public comments.

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

a. Accepting Petition

Resolution No. 146-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Ute Water Annexation, Located at 825 22 Road, Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4124—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ute Water Annexation, Approximately 47.86 Acres, Located at 825 22 Road, Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4125—An Ordinance Zoning the Ute Water Annexation to I-1 (Light Industrial) Located at 825 22 Road

Councilmember Todd moved to adopt Resolution No. 146-07, and adopt Ordinance Nos. 4124 and 4125, and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Gentry Annexation and Zoning, Located at 805 22 Road [File #ANX-2007-215]

Request to annex and zone 8.46 acres, located at 805 22 Road, to I-1 (Light Industrial). The Gentry Annexation consists of one parcel and a portion of the 22 Road Right-of-Way, and is located on the northwest corner of H Road and 22 Road.

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

Ronnie Edwards, Associate Planner, reviewed this item. She described the location, the request, and then asked that all of the reports and attachments be entered into the record. The request meets all requirements for annexation and zoning, and the Planning Commission did recommend approval.

The applicant's representative, Jalyn VanConett, 794 25 ³/₄ Road, said the applicant wants the property annexed and zoned, so she can sell and move to a more rural area.

There were no public comments.

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

a. Accepting Petition

Resolution No. 147-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Gentry Annexation, Located at 805 22 Road Including a Portion of the 22 Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4126—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gentry Annexation, Approximately 8.46 Acres, Located at 805 22 Road Including a Portion of the 22 Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4127—An Ordinance Zoning the Gentry Annexation to I-1 (Light Industrial) Located at 805 22 Road

Councilmember Palmer moved to adopt Resolution No. 147-07, and adopt Ordinance Nos. 4126 and 4127, and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens and Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:07 p.m.

Stephanie Tuin, MMC
City Clerk