

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

November 19, 2007

The City Council of the City of Grand Junction convened into regular session on the 19th day of November 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 Jim Doody called the meeting to order. Councilmember Palmer led in the Pledge of Allegiance. The audience remained standing for the invocation by Dr. Paul Dibble, Retired Professor of Colorado Christian University.

Proclamations

Proclaiming November 2007 as “Hospice and Palliative Care Month” in the City of Grand Junction

Appointments

Councilmember Beckstein moved to reappoint Travis Cox and Mark Williams to the Zoning Board of Appeals for a four year term expiring October 2011. Councilmember Hill seconded the motion. Motion carried.

Council Comments

There were none.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Coons read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Palmer, and carried by roll call vote to approve the Consent Items #1 through #7.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the November 5, 2007 and the November 7, 2007 Regular Meeting

2. **Downtown Holiday Parking**

The Downtown Partnership has requested that parking downtown be free again this year to best position downtown for the holiday shopping season. City Staff recommends Free Holiday Parking in all of downtown, including the first floor (119 spaces) of the new Rood Avenue parking structure, with the exception of government offices, illegal parking areas, and shared-revenue lots.

Action: Vacate Parking Enforcement at all Designated Downtown Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, Except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices

3. **Purchase of Six Wheel Regenerative Air Sweeper**

This purchase is for a six-wheel regenerative air sweeper for the Parks and Recreation Forestry/Horticulture Division and is an addition to the fleet.

Action: Authorize the City Purchasing Division to Purchase a 2007 Tymco 210 Regenerative Air Sweeper from Intermountain Sweeper Company, Located in Denver, CO in the Amount of \$75,750.00

4. **Purchase of Hot Mix Asphalt for Streets Division**

Purchase of approximately 1,200 tons of hot mix asphalt for use by the Streets Division for patching and paving during the 2008 calendar year.

Action: Authorize the City Purchasing Division to Purchase Approximately 1,200 Tons of Hot Mix Asphalt from Elam Construction, Inc., in the Total Amount of \$64,800

5. **Setting a Hearing on Zoning the Ingle Annexation, Located at 436 Clear Creek Drive** [File #ANX-2007-269]

Request to zone the 5.90 acre Ingle Annexation, located at 436 Clear Creek Drive, to R-5 (Residential, 5 units per acre).

Proposed Ordinance Zoning the Ingle Annexation to R-5 (Residential, 5 Units Per Acre), Located at 436 Clear Creek Drive

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

6. **Setting a Hearing on the DeHerrera Annexation, Located at 359 29 5/8 Road**
[File ANX-2007-300]

Request to annex 15.52 acres, located at 359 29 5/8 Road. The DeHerrera Annexation consists of one parcel and right-of-way.

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

Resolution No. 163-07—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, DeHerrera Annexation, Located at 359 29 5/8 Road and Including Parts of the 29 5/8 Road Right-of-Way

Action: Adopt Resolution No. 163-07

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, DeHerrera Annexation, Approximately 15.52 Acres, Located at 359 29 5/8 Road and Including Parts of the 29 5/8 Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008

7. **Setting a Hearing on the Sipes Annexation, Located at 416 1/2 30 Road, 413 and 415 30 1/4 Road** [File #ANX-2007-313]

Request to annex 3.54 acres, located at 416 1/2 30 Road, 413, and 415 30 1/4 Road. The Sipes Annexation consists of three parcels and right-of-way.

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

Resolution No. 164-07—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, Sipes Annexation, Located at 416 1/2 30 Road, 413, and 415 30 1/4 Road and Including Parts of the 30 1/4 Right-of-Way

Action: Adopt Resolution No. 164-07

c. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sipes Annexation, Approximately 3.54 Acres, Located at 416 ½ 30 Road, 413, and 415 30 ¼ Road and Including Parts of the 30 ¼ Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for January 14, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Rates and Fees Increase for Utilities and Parking**

Proposed 2008 Utility Rates and Rood Avenue Garage Parking Rates as presented and discussed during budget workshops.

Jodi Romero, Financial Operations Manager, reviewed this item. She noted that the utility rates have been discussed previously at budget workshops. The utility rates are adjusted to meet the cost of operations. The Plant Investment Fee for the Persigo Wastewater Treatment Plant is proposed to increase to \$2,500.

The ribbon cutting for the new parking garage is Wednesday, and the garage will be available for the public on Friday. The short term rates on the main floor beginning January 2, 2008 will be 50 cents per hour. The month to month leases will be \$50 per month for uncovered spaces, \$60 per month for the covered spaces. There will be long term leases available for ten year periods. The proposed rates are \$8,750 for uncovered spaces, and \$10,500 for covered spaces for the ten-year leases.

Councilmember Palmer asked about the rate change for the on-street metered rates. Ms. Romero said that since the mechanical meters cannot be adjusted, the rates will not increase until 2009 when such meters can be replaced.

Councilmember Coons asked when was the last time the utility rates were increased. Ms. Romero said the sewer rates have increased annually to meet the long term financial plan, and to meet the increase in costs. The water rates were last increased in 2006 and the solid waste rates were last increased in 2007. The irrigation rates in the Ridges have not increased since 2001.

Council President Doody asked Utility and Street Systems Director Greg Trainor to review the need for the increase in Plant Investment Fees for the Sewer Plant. Mr. Trainor reviewed the discussions with the Mesa County Commissioners, and the stepped increase plan. He also explained the purpose of the Plant Investment Fee (PIF).

Councilmember Palmer asked what the PIF should be today. Mr. Trainor said the fee should be \$3,200, but the decision was made to step the increases to reach the appropriate rate.

Councilmember Hill asked about the increases in Solid Waste and the reason for the increase. Mr. Trainor said the costs of gas and tires have increased, and that has resulted in the needed increase. He said the costs are looked at each year and a determination is made as to the need. Land fill fees are another big cost to that division.

Councilmember Coons asked if there has been growth in the customer base. Mr. Trainor said the water system does not increase with the exception of infill or redevelopment. For sewer, there is about a 2.5% increase per year. The trash system gets new customers, but competes with the local companies.

Resolution No. 165-07—A Resolution Adopting Utility Rates for Water, Wastewater, and Solid Waste Services Effective January 1, 2008

Resolution No. 166-07—A Resolution Adopting the Parking Rates for the Rood Avenue Parking Garage

Councilmember Palmer moved to accept adopt Resolution Nos. 165-07 and 166-07. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Contract to Purchase Software for Financial and Utility Systems

The project will provide an integrated financial software system to support financial operations across the City. The project will also provide an updated Utility Billing software system to support the Utility operations for the City. The resulting systems will improve business productivity in the following divisions: Accounting, Accounts Payable, Accounts Receivable, Human Resources, Payroll, Purchasing, Customer Service, Water Services, Solid Waste, and Persigo Wastewater, in addition to providing greatly enhanced budgeting and reporting capabilities for all of the City's operations. The awarded software suppliers will provide installation assistance, system integration, data conversion assistance, staff training, system maintenance, and system support as well as the software.

Jim Finlayson, Information Systems Manager, and Jodi Romero, Financial Operations Manager, reviewed this item. Mr. Finlayson explained why they are looking at replacing the system. The current system was originally implemented in 1995 and is obsolete and no longer supported. The system is inefficient and does not have the ability to import data from other systems. It is also very difficult to get information out of the system. The plan is to have more integration in order to better serve the customers and to use the same systems to serve those customers. The company is New World and Mr. Finlayson

displayed some of the features of the new technology. It is very user-friendly and uses navigation similar to the web technology. It also allows the data to be pulled into an Excel spreadsheet. It also has graph options that come directly from the system rather than those having to be created. For utility billing, North Star is the system being considered. It allows on-line payments and integrates with the New World system.

Ms. Romero said with the new system the customer can access the information 24 hours a day, and can send an inquiry anytime. She lauded the functionality, the usability, and the navigation functions, noting they will be great improvements over the current system.

Mr. Finlayson then described the selection process which started about one year ago. A Request for Proposals (RFP) was developed and sent out via the local newspaper and the bid net process. After checking references, four companies were brought in for live demonstrations. Then the top two went through another demonstration. Both companies had good features for each function. Other cities had selected the same combination, and it provided the best of both worlds. Therefore the combination of New World and North Star is being proposed.

Councilmember Palmer asked about the conversion costs. Mr. Finlayson said about 50% of the cost proposed includes implementation which includes conversion, training, and installation.

Councilmember Palmer asked about the funding piece. Mr. Finlayson said the funds were not accrued, but there are funds available that can be used up front which will be repaid through the other divisions over a period of five years. Councilmember Palmer asked why it wasn't budgeted for. Mr. Finlayson said the maintenance and equipment replacement for the existing system has been budgeted, but one year ago they realized they needed to buy a new system. If the Information Services budget is not used, then the General Fund would need to fund the purchase.

Councilmember Thomason asked about the time frame. Mr. Finlayson said that it is about a nine month implementation process. Ms. Romero added that the implementation for both systems will be concurrent.

Councilmember Palmer asked if these systems will continue to be built on. Mr. Finlayson said 12 years is a long time for one technology, but as long as the company continues to upgrade and move forward they expect to be able to use this system in the foreseeable future.

Councilmember Coons asked for references, and number of customers for each of the companies. Mr. Finlayson listed the number for each noting that each is used widely and have good reputations.

Councilmember Coons asked for the maintenance cost. Mr. Finlayson said the New World is \$50,000 per year, and the North Star is \$20,000 per year. The existing system costs \$130,000 per year to support.

Councilmember Coons asked if the new systems will be able to communicate with the County and the State. Mr. Finlayson said there is no need for that at this time, but the systems do have the capability.

Councilmember Hill asked how the new system will impact human resources. Mr. Finlayson said when he first came to the City he was appalled at the cumbersomeness of the current system. The new system is easy to learn in a short period of time. The ease for extracting information for reporting purposes will be much better. It will also be easy to allow outside access; staff could, for example, work from home. There will also be fewer screens to access to obtain the information.

Councilmember Palmer said he understands that technology changes; he was questioning when Staff realized the system needed to be changed. He lauded the Staff for their efforts, and the method they used to make the selection.

Councilmember Todd moved to authorize the City Purchasing Division to negotiate contracts, and award the Integrated Financial Software System Project to New World Systems, St. Louis, Missouri for \$608,794, and authorize the City Purchasing Division to award the Utility Billing Software System Project to Harris Computer Systems, North Star Division, Ottawa, Ontario Canada for \$289,000. Councilmember Coons seconded. Motion carried.

Public Hearing—Amendments to the Zoning and Development Code [File #TAC-2007-307]

The City of Grand Junction requests approval to amend the Zoning and Development Code to consider amendments to the Growth Plan and/or Future Land Use Map more than twice a year, and to update or clarify certain provisions of the Code.

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

Lisa E. Cox, Planning Manager, reviewed this item. She said there are two ordinances for consideration. Both will clarify and simplify processes. The first ordinance will allow Growth Plan Amendments to occur more than twice per year; actually at any time. There is a sunset provision in the ordinance to allow the City Council an opportunity to review the process as changed, and either re-enact, or go back to the current twice per year process.

Councilmember Hill asked that the two ordinances be considered individually. He then asked if the County needs to also approve the change. Ms. Cox said the City has asked for their comments, but does not need their approval. For clarification, City Attorney Shaver advised that those requests within the City limits just require City approval. In the urban growth area, both the City and the County must approve. Councilmember Hill asked if there is an impact on Staff for the change. Ms. Cox said it is not an adverse impact; her concern was that the Comprehensive Plan is ongoing, and yet Growth Plan Amendments can come forward any time. She has no reservations with the included sunset provision.

Councilmember Hill noted that even though there was a great deal of public input, and process to develop the Growth Plan, it is not perfect, and there may very well be areas that need to be revisited. He queried Ms. Cox's thoughts on this. Ms. Cox said that right now the process is very restrictive, but she agreed that can be reviewed once the Comprehensive Plan is complete; perhaps the opportunity for Growth Plan Amendments should only be quarterly.

Councilmember Coons asked if the County would then have to consider the requests in the Urban Growth boundary at the same frequency. City Attorney Shaver said it is hoped that the vast majority will be within the City limits. Outside those limits, Staff plans to confer with the County on how those other requests would be handled. The request tonight changes the City's Code.

Councilmember Palmer asked if one year sunset provision is sufficient. Ms. Cox said the Comprehensive Plan may take 18 months, or shorter, or longer, but the year review time, should be sufficient. Councilmember Palmer asked if it will continue to be renewed annually. City Attorney Shaver responded that will be up to Council, depending on whether they feel they have enough data to decide on the time period. City Manager Kadrach noted that the sunset provision could be crafted in the reverse, if Council so chooses.

Councilmember Hill said he doesn't see any reason to not support the change.

There were no public comments.

The public hearing was closed at 8:07 p.m.

Ordinance No. 4140—An Ordinance Amending Section 2.5 of the Zoning and Development Code to Allow Amendments to the Growth Plan and/or the Future Land Use Map More than Twice Each Calendar Year

Councilmember Todd moved to adopt Ordinance No. 4140, and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

The public hearing was reopened at 8:08 p.m.

Lisa Cox, Planning Manager, then reviewed the next ordinance. The ordinance will make some housekeeping changes to the Zoning and Development Code. Councilmember Palmer asked about the time frames in the ordinance. Ms. Cox replied that the time frames allowed were sufficient. It was noted that was as it currently exists in the Code.

There were no public comments.

The public hearing was closed at 8:14 p.m.

Councilmember Hill asked for clarification on footnote No. 1. Ms. Cox said the meeting over the counter would result in the same information, but allows a meeting to occur more quickly.

Councilmember Todd lauded that change especially for the less complicated applications.

Ordinance No. 4141—An Ordinance Amending the Zoning and Development Code to Update and Clarify Certain Sections of the Code and to Make Minor Corrections

Councilmember Coons moved to adopt Ordinance No. 4141, and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Sura Annexation, Located at 405 25 Road [File #ANX-2007-276]

Request to annex 1.45 acres, located at 405 25 Road, which includes a portion of the 25 Road and South Broadway rights-of-way. The Sura Annexation consists of one parcel and is located north of South Broadway on the west side of 25 Road in the Redlands.

The public hearing opened at 8:16 p.m.

David Thornton, Principal Planner, reviewed this item. He described the location, and the request, and entered the staff report with attachments into the record. The Zoning and Development Code criteria, and the State requirements for annexation have been met. The applicant was not present.

There were no public comments.

The public hearing was closed at 8:18 p.m.

a. Accepting Petition

Resolution No. 167-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sura Annexation, Located at 405 25 Road and Includes a Portion of the 25 Road and Highway 340 Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4142—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sura Annexation, Approximately 1.45 Acres, Located at 405 25 Road and Includes a Portion of the 25 Road and Highway 340 Rights-of-Way

Councilmember Palmer moved to adopt Resolution No. 167-07, and Ordinance No. 4142, and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Reigan/Patterson/TEK/Morario Annexation, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, and 2204 H Road [File #ANX-2007-279]

Request to annex 27.74 acres, located at 824 22 Road, 2202 H Road, 2202 ½ H Road, and 2204 H Road. The Reigan/Patterson/TEK/Morario Annexation consists of four parcels and is a two part serial annexation which also includes portions of the H Road and 22 Road rights-of-way.

The public hearing opened at 8:19 p.m.

David Thornton, Principal Planner, reviewed this item. He described the location, the request, and noted it is a two part serial annexation. He entered the staff report and attachments into the record. The State requirements for annexation have been met. The applicants were represented by Marie Reigan, 2204 H Road, who was present, but had nothing to add.

There were no public comments.

The public hearing was closed at 8:22 p.m.

Councilmember Hill asked about the mixed use. Mr. Thornton said the property will also go through a Growth Plan Amendment. It will then come back for zoning.

a. Accepting Petition

Resolution No. 168-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Reigan/Patterson/TEK/Morario Annexation No. 1 and No. 2, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road, 2204 H Road, Including a Portion of 22 Road and H Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 4143—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/Tek/Morario Annexation No. 1, Approximately 1.03 Acres, Located in the 22 Road and H Road Rights-of-Way and Includes a Small Portion of 824 H Road

Ordinance No. 4144—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reigan/Patterson/Tek/Morario Annexation No. 2, Approximately 26.702 Acres, Located at 824 22 Road, 2202 H Road, 2202 ½ H Road and 2204 H Road and Also Includes a Portion of the H Road Right-of-Way

Councilmember Todd moved to adopt Resolution No. 168-07, and adopt Ordinance Nos. 4143 and 4144, and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Mesa Heights Annexation and Zoning, Located at 2856 B ¾ Road
[File #ANX-2007-270]

Request to annex and zone 3.86 acres, located at 2856 B ¾ Road to R-4 (Residential – 4 dwelling units per acre). The Mesa Heights Annexation consists of 7 parcels and right-of-way dedicated within the Kirby Subdivision.

The public hearing opened at 8:25 p.m.

Greg Moberg, Planning Services Supervisor, reviewed this item. He described the location and the request, and entered the staff report and attachments into the record. He said the request meets the requirements of the Zoning and Development Code.

There were no public comments.

The public hearing was closed at 8:25 p.m.

a. Accepting Petition

Resolution No. 169-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Mesa Heights Annexation, Located at 2856 B $\frac{3}{4}$ Road and Includes the Claire Drive Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4145—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Heights Annexation, Approximately 3.86 Acres, Located at 2856 B $\frac{3}{4}$ Road and Includes the Claire Drive Right-of-Way

c. Zoning Ordinance

Ordinance No. 4146—An Ordinance Zoning the Mesa Heights Annexation to R-4, Located at 2856 B $\frac{3}{4}$ Road

Councilmember Coons moved to adopt Resolution No. 169-07, and Ordinance Nos. 4145 and 4146, and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing—Indian Wash Rentals Annexation and Zoning, Located at 378 27 $\frac{1}{2}$ Road [File #ANX-2007-278]

Request to annex and zone 1.999 acres, located at 378 27 $\frac{1}{2}$ Road, to I-1 (Light Industrial). The Indian Wash Rentals Annexation consists of 1 parcel and includes a portion of the 27 $\frac{1}{2}$ Road right-of-way. The property owners are requesting annexation due to a proposed development on a portion of the property.

The public hearing opened at 8:27 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location and the request and entered the staff report and attachments into the record. She said the request meets the requirements of the Zoning and Development Code. The Planning Commission recommended approval of the zoning request. The applicant was present and available for questions but had nothing to add.

There were no public comments.

The public hearing was closed at 8:28 p.m.

a. Accepting Petition

Resolution No. 170-07—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Indian Wash Rentals Annexation, Located at 378 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4147—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Wash Rentals Annexation, Approximately 1.999 Acres, Located at 378 27 ½ Road and Including a Portion of the 27 ½ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 4148—An Ordinance Zoning the Indian Wash Rentals Annexation to I-1, Located at 378 27 ½ Road

Councilmember Thomason moved to adopt Resolution No. 170-07, and Ordinance Nos. 4147 and 4148, and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing—Ingle Annexation, Located at 436 Clear Creek Drive [File #ANX-2007-269]

Request to annex 5.90 acres, located at 436 Clear Creek Drive. The Ingle Annexation consists of one parcel.

The public hearing opened at 8:29 p.m.

Faye Hall, Associate Planner, reviewed this item. She described the location and the request and entered the staff report and attachments into the record. She said the request meets the requirements of the Zoning and Development Code. The zoning on the parcel will come before the City Council on December 17th.

There were no public comments.

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

a. Accepting Petition

Resolution No. 171-07—A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining that Property Known as the Ingle Annexation, Located at 436 Clear Creek Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4149—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Ingle Annexation, Approximately 5.90 Acres, Located at 436 Clear Creek Drive

Councilmember Todd moved to adopt Resolution No. 171-07, and adopt Ordinance No. 4149 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Vacating the Pear Street Right-of-Way, Located North of North Avenue and East of 28 $\frac{3}{4}$ Road [File #VR-2007-088]

The petitioner is requesting to vacate the Pear Street right-of-way located on the north side of North Avenue and on the east side of 28 $\frac{3}{4}$ Road at the old Fun Junction site. This request is conditioned upon the approval of a simple subdivision that will reconfigure seven existing parcels adjacent to Pear Street. The Planning Commission recommended approval of the proposed right-of-way vacation at their October 23, 2007 meeting.

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

Faye Hall, Associate Planner, reviewed this item. She described the request and the location. It is at the old Fun Junction site. The vacation will allow reconfiguration of the lots. The Planning Commission did recommend approval. The request is consistent with the Growth Plan and the criteria of the Zoning and Development Code were met. She listed the following conditions for approval: approval and recordation of a subdivision plat providing access to all lots in the subdivision currently served by Pear Street; provision of a tract for sanitary sewer and water facilities currently in Pear Street; and relocation of other utilities in Pear Street with associated easements.

There were no public comments.

The public hearing was closed at 8:35 p.m.

Ordinance No. 4150—An Ordinance Vacating Right-of-Way for Pear Street Located North of North Avenue and East of 28 $\frac{3}{4}$ Road

Councilmember Hill moved to adopt Ordinance No. 4150, and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Executive Session

Councilmember Todd moved to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiators and/or instructing negotiators pursuant to section 402 4 E of Colorado's Open Meetings Act, and will not be returning to open session. Councilmember Hill seconded the motion. Motion carried.

Adjournment

The meeting adjourned into Executive Session at 8:37 p.m. to the Administration Conference Room.

Stephanie Tuin, MMC
City Clerk