

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

June 4, 2008

The City Council of the City of Grand Junction convened into regular session on the 4th day of June 2008 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Gregg Palmer. Councilmember Teresa Coons was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Citizen Comments

David Barry, 530 Hall Avenue, was present to talk to Council about Code Enforcement. He had a plea for small business rights. He read three rights of an individual: life, liberty and his property as quoted by Justice George Sutherland. He referred to Leitner-Poma of America's relocation which is in an Industrial Office (I-O) Zone. He said he is in General Industrial (I-2) and is having to jump through all kinds of hoops to get to do what he wants to do with his property. He asked if planning is totally insulated from the people. He believes the Comprehensive Plan is about control. He cautioned the City Council on how they progress as he believes that less is better than more.

CONSENT CALENDAR

Councilmember Doody read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Hill, and carried by roll call vote to approve Consent Items #1 through 5.

1. **Intergovernmental Agreement for River Trail Construction**

Intergovernmental Agreement defining the conditions of a project for the construction of riverfront trail by the City of Grand Junction and being reimbursed by Mesa County with a Great Outdoors Colorado Grant.

***Action:** Authorize the City Manager to Enter into an Intergovernmental Agreement with Mesa County for the Reimbursement of Funds to the City of Grand Junction for Expenses to be Incurred During the Construction of the Lower No Thoroughfare Trail of the Riverfront Trail System*

2. **Setting a Hearing on the City Manager's 2008-2009 Salary**

Article VII, Section 57 of the Charter states the City Manager's salary is to be fixed by the Council by Ordinance.

Proposed Ordinance Amending Ordinance No. 4115 Concerning the Salary of the City Manager

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 18, 2008

3. **Contract to Purchase Property at 318, 324, and 338 South 7th Street; 724 and 726 Pitkin Avenue**

City staff has negotiated with the owner of 318 South 7th Street, 324 South 7th Street, 338 South 7th Street, 724 Pitkin Avenue and 726 Pitkin Avenue, Grand Junction, Colorado, for purchase of the property. The negotiations have been successful and a purchase contract for \$1,000,000.00 has been signed by both parties.

Resolution No. 77-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 318 South 7th Street, 324 South 7th Street, 338 South 7th Street, 724 Pitkin Avenue and 726 Pitkin Avenue, Grand Junction

Action: Adopt Resolution No. 77-08

4. **Purchase of Four BMW Police Enforcement Motorcycles**

This purchase is for four new 2008 Police Enforcement Motorcycles.

Action: Authorize the City Purchasing Division to Purchase Four (4) 2008 BMW R1200RTHP Police Enforcement Motorcycles from Grand Junction BMW, Grand Junction CO, in the Amount of \$89,225.92

5. **Setting a Hearing on Vacating a Portion of the Houston Avenue Right-of-Way and Alley Right-of-Way for Mesa State College** [File #VR-2008-139]

Mesa State College is requesting to vacate approximately 240 feet of the southern end of the Houston Avenue right-of-way, as well as the east-west alley right-of-way and the south 100 feet of the north-south alley right-of-way between Houston Avenue and Cannell Street, adjacent to Mesa State properties, in anticipation of campus expansion.

Proposed Ordinance Vacating a Portion of the Houston Avenue and Alley Right-of-Way Adjacent to Mesa State College Properties, Located Adjacent to 1121 and 1129 Houston Avenue, 936 and 950 North Avenue, and 1122, 1132 and 1142 Cannell Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 18, 2008

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Rezoning the Oral Health Partners, Located at 2552 F Road [File #RZ-2008-082]

Request to rezone 2552 F Road, consisting of one parcel of .89 acres, from R-8 (Residential, 8 du/ac) zone district to RO (Residential Office) zone district.

The public hearing was opened at 7:10 p.m.

Ronnie Edwards, Associate Planner, presented this item. She described the site and the location. She asked that the Staff Report and the attachments be entered into the record. She noted that Planning Commission recommended approval at their May 13, 2008 meeting.

The applicant was present to answer questions.

There were no public comments.

The public hearing was closed at 7:11 p.m.

Ordinance No. 4239—An Ordinance Rezoning a Parcel of Land from R-8 (Residential – 8 Units Per Acre) to RO (Residential Office), Located at 2552 F Road

Councilmember Thomason moved to adopt Ordinance No. 4239 and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—Zoning Brady South Annexation, Located at 347 and 348 27 ½ Road and 2757 C ½ Road [File #GPA-2007-051]

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 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.

Councilmember Hill said he has a business relationship with the owners of the property so in the interest of having no conflict of interest or appearance of such, he will recuse himself from the hearing and will leave the meeting.

Councilmember Beckstein had questions for Staff.

She asked Neighborhood Services Manager Kathy Portner if the applicant had any concerns regarding another postponement. Ms. Portner said the continuance was acceptable to the applicant. The reason for the continuance is that the request is intertwined with another proposal to be heard on June 16, 2008.

Councilmember Todd was concerned that this continuance is not in line with what has been done in the past.

City Clerk Stephanie Tuin advised that today she received a petition from neighborhood representatives which indicated they had 449 signatures. The petition asks specifically that the City initiate a land trade, swapping suitable land along the Riverside Parkway outside the flood plain adjacent to the railroad and the asphalt plant that the City owns for the Brady parcels on the riverfront. Failing this, they request a Mixed Use Zoning designation for the property rather than an Industrial/Office Zone due to the additional requirements for Mixed Use Zoning. They also asked the City Council, Planning Commission, and the Staff to examine the site plan to insure harmful effects are mitigated.

Proposed Ordinance Zoning the Brady South Annexation to Light Industrial (I-1) and Industrial/Office Park (I-O) Zone District, Located at 347 and 348 27 ½ Road and 2757 C ½ Road

Councilmember Beckstein moved to continue this item until the June 16, 2008 City Council meeting. Councilmember Thomason seconded the motion. Motion carried.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

City Clerk Stephanie Tuin announced that there are two vacancies on the Parks and Recreation Advisory Board and the City is soliciting applications for this volunteer

board. Applications to serve on the board may be obtained from the City Clerk or accessed on the City's website.

Adjournment

The meeting adjourned at 7:21 p.m.

Stephanie Tuin, MMC
City Clerk