

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

The City Council of the City of Grand Junction convened into regular session on the 15<sup>th</sup> day of September 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 Pro Tem Teresa Coons. Council President Gregg Palmer was absent. Also present were City Manager Laurie Kadrach, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Coons called the meeting to order. Councilmember Todd led in the Pledge of Allegiance.

Randy Mills, Pastor for the Oasis Christian Fellowship Church, gave the invocation.

### **Proclamations**

Proclaiming September 17 through 23, 2008 as "Constitution Week" in the City of Grand Junction

### **Appointments**

Councilmember Hill moved to re-appoint John Gormley and Kathy Herzog for three year terms expiring July, 2011, appoint Frank Watt for a three year term expiring July 2011, Reginald Price for a two year term expiring July, 2010, and Gust Panos for a one year term expiring July, 2009 all to the Riverfront Commission. Councilmember Beckstein seconded the motion. Motion carried.

### **Certificates of Appointments**

David McInay was present to receive his Certificate of Appointment to the Parks and Recreation Advisory Board.

### **Council Comments**

There were none

### **Citizen Comments**

Paul Cooper, 2095 Wildwood Court, accompanied by concerned citizens, addressed the City Council on Solar Access Protection (Protection of Existing Solar Collection Devices). He is a local physician and a proud owner of a solar system that generates all of his electricity. A group of citizens stood in support representing over 300 people in the community that own such systems. He asked City Council to adopt an ordinance that would prevent solar panels from being blocked. He noted that Grand Junction

could be a leader in solar energy. He asked the Council to make it a priority much like other communities have.

Council President Pro Tem Coons thanked the group, noting one of their representatives spoke with City Attorney John Shaver who suggested they get in touch with the focus group working on new amendments to the Zoning and Development Code.

### **City Council/City Manager Meeting Schedule Review**

Laurie Kadrich, City Manager, reviewed the upcoming meeting schedule. There are additions to the future topic list. On October 14<sup>th</sup>, the City will host the City and County meeting, but the meeting in November will be canceled on the 11<sup>th</sup>. The additions to the schedule are board and commissions assignments back on the list for fall, continue infill and redevelopment discussion, and develop the 2009 work plan which will be after budget workshops are over.

Council President Pro Tem Coons noted that the boards and commissions assignments discussion should also include looking at all of them along with their missions and purposes. City Manager Kadrich concurred adding that some of the volunteer boards and commissions are waiting for that discussion. There could also be committees that they might want to participate in, i.e. Comprehensive Plan Implementation Committee.

City Manager Kadrich pointed out that on the Associated Governments of Northwest Colorado (AGNC) socioeconomic study, she is recommending that they wait until the local study is complete as the same group is doing the local study. Then both can be reviewed at once.

Councilmember Hill advised that the City Manager's assumption is correct; wait on the development of the 2009 work plan until after the budget is adopted. He feels that it is a good idea to do the budget and then move into a work plan phase after the budget.

### **CONSENT CALENDAR**

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

#### **1. Minutes of Previous Meetings**

*Action: Approve the Minutes of the August 27, 2008 Annual Persigo Meeting, the September 3, 2008 Special Session, and the September 3, 2008 Regular Meeting*

2. **Setting a Hearing on Amending the City Smoking Ordinance to Specify Signage Requirements for Public Parks and Unenclosed Public Places**

City staff has become aware of issues regarding inadequate notification of non-smoking areas in public parks and unenclosed public places. To help clarify and reinforce notification of non-smoking areas, City staff wishes to revise the Smoking Ordinance to include specific language regarding sign placement in public parks and unenclosed public places.

Proposed Ordinance Amending Chapter 16, Article VI, Section 16-127 of the Code of Ordinances to Specify Placement of Non-Smoking Signs in Public Parks and Unenclosed Public Places

*Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008*

3. **Setting a Hearing on Andy's Liquor Mart Rezone, Located at 145 Belford Avenue and 925 and 927 N. 2<sup>nd</sup> Street** [File #RZ-2008-222]

A request to rezone 0.324 acres, located at 145 Belford Avenue and 925 - 927 N. 2<sup>nd</sup> Street, from R-O (Residential Office) to C-1 (Light Commercial).

Proposed Ordinance Rezoning the Property Known as Andy's Liquor Mart Addition from R-O (Residential Office) to C-1 (Light Commercial), Located at 145 Belford Avenue and 925 and 927 N. 2<sup>nd</sup> Street

*Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008*

4. **Setting a Hearing Amending the Zoning and Development Code Concerning Permits and B-2 Zone District Uses** [File #TAC-2008-240]

The City of Grand Junction proposes to amend Chapters 2 and 3 of the Zoning and Development Code to extend the validity of administrative and public hearing permits, and to make certain uses in the B-2 (Downtown Business) and MU (Mixed Use) zone districts uses by right.

Proposed Ordinance Amending Sections in Chapters 2 and 3 of the Zoning and Development Code to Extend the Validity of Administrative and Public Hearing Permits and to Make Certain Uses in the B-2 (Downtown Business) and MU (Mixed Use) Zone Districts Uses by Right

*Action: Introduction of a Proposed Ordinance and Set a Hearing for September 29, 2008*

5. **Humphries Poli Architects Contract Modification for Additional Design Services for the Public Safety Initiative**

This request is for approval of a contract modification for further design services related to the Public Safety Initiative. This modification reflects the next steps in preparation of design for the Public Safety Facilities located between Ute Avenue and Pitkin Avenue, 5<sup>th</sup> Street, and half a block east of 7<sup>th</sup> Street. These site improvements, utility relocations and design services will move the project into position to begin phased construction in early 2009, should the voters approve the project.

*Action: Authorize the City Manager through the Purchasing Division to Enter into a Contract Modification with Humphries Poli Architects for Design Services Associated with the Public Safety Initiative, Not to Exceed \$200,000*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

**Revise the City's 1% for Art Program**

The Commission on Arts and Culture recommends several changes to the guidelines governing the City's Art in Public Places program, which was established in 1997 in order to include works of art as part of certain capital improvement projects, in order to allow the placement of art in locations that are the most visible and beneficial to the general public, and to allow for the pooling of funds from smaller CIP projects so that more significant and sizeable artwork may be purchased, if appropriate.

City Manager Laurie Kadrich thanked the Arts Commission and Allison Sarmo for following up on this amendment. It started with art proposed to be placed at the City Services Building in conjunction with the Neighborhood Services remodel. Because of the location, discussions ensued on different ways since the placement of art at that location perhaps would not be seen by the public as readily. The revision is more in line with the intent of the program.

Allison Sarmo, Cultural Arts Coordinator, and the Vice Chair Don Meyers presented this item. Jeanne Kilgore of the Arts Commission was also in attendance.

Mr. Meyers thanked the City Council for their support in the idea that art enhances a community. The Commission is recommending some changes to the program which was established in 1997. He reviewed the Arts in Public Places program – eighteen works have been placed as a result of capital improvements. The current policy requires that art be installed at the location of the improvement. Also smaller projects make the amount to be spent small. He then reviewed the changes: the placement to be in the most appropriate places and allowing the pooling of funds. A second change is to increase the

minimum capital budget from \$50,000 to \$100,000. Thirdly, allowing for a 1% project to be applied to a round-about or traffic circle. Also allowing the City Department where the art will be located to be involved in the selection. Lastly, adding language “with the advice and consultation of the Commission”.

Councilmember Todd asked about clarification on the reference to roundabouts. Ms. Sarmo explained that placement can be anywhere; the resolution is addressing what projects would be subject to the 1% set aside for art.

City Attorney John Shaver offered to add some clarification to the resolution.

Councilmember Hill agreed with the proposal that provides the placement be located where it is to the public’s benefit. He asked if there is also flexibility to use any leftover funds for multiple projects. Ms. Sarmo said the leftover money last year allowed for the purchase of the fish that was placed in Lincoln Park, so the answer is yes, there is that flexibility.

Councilmember Hill said he delighted with the Commission and the program and thanked Commission members for their service. Ms. Sarmo noted that the Art on the Corner project was the seed to the art program throughout, not just the State, but the Country.

Resolution No. 125-08—A Resolution Revising the City of Grand Junction’s Art in Public Places Program – One Percent for Art

Councilmember Todd moved to adopt Resolution No. 125-08 as corrected to make language inclusionary. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing—Panorama Point Annexation and Zoning, Located at 2122 and 2123 Sequoia Court** [File #ANX-2008-176]

Request to annex and zone 12.55 acres, located at 2122 and 2123 Sequoia Court, to CSR (Community Services and Recreation). The Panorama Point Annexation consists of 2 parcels, is a 2 part serial annexation, and includes portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way rights-of-way.

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

Senta L. Costello, Senior Planner, presented this item. She described the request, the location and the site. She asked that the Staff Report and the attachments be entered into the record. The annexation meets the criteria of the Zoning and Development Code. The Planning Commission recommended approval of the annexation and the zoning.

The applicant was not present.

There were no public comments.

The public hearing was closed at 7:46 p.m.

**a. Accepting Petition**

Resolution No. 126-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Panorama Point Annexations No. 1 and 2, Located at 2122 and 2123 Sequoia Court and Including Portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinances**

Ordinance No. 4283—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Panorama Point Annexation No. 1, Approximately 0.22 Acres, Located at 2122 and 2123 Sequoia Court and Including Portions of the Broadway, Panorama Drive, Sequoia Road, Sequoia Court, and Wild Rose Way Rights-of-Way

Ordinance No. 4284—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Panorama Point Annexation No. 2, Approximately 12.33 Acres, Located at 2122 and 2123 Sequoia Court and Including a Portion of the Wild Rose Way Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4285—an Ordinance Zoning the Panorama Point Annexation to CSR (Community Services and Recreation), Located at 2122 and 2123 Sequoia Court

Councilmember Thomason moved to adopt Resolution No. 126-08 and Ordinance Nos. 4283, 4284, and 4285 and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing—Krogh Annexation and Zoning, Located at 2932 B ½ Road** [File #ANX-2008-164]

Request to annex and zone 9.58 acres, located at 2932 B ½ Road, to R-4 (Residential 4 du/ac). The Krogh Annexation consists of 1 parcel and includes a portion of the B ½ Road right-of-way.

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

Senta L. Costello, Senior Planner, presented this item. She described the request, the location and the site. She asked that the Staff Report and the attachments be entered into the record. The annexation meets the criteria of the Zoning and Development Code. The Planning Commission recommended approval of the annexation and the zoning.

The applicant was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 7:49 p.m.

**a. Accepting Petition**

Resolution No. 127-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Krogh Annexation, Located at 2932 B ½ Road Including a Portion of the B ½ Road Right-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4286—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krogh Annexation, Approximately 9.58 Acres, Located at 2932 B ½ Road Including a Portion of the B ½ Road Right-of-Way

**c. Zoning Ordinance**

Ordinance No. 4287—An Ordinance Zoning the Krogh Annexation to R-4 (Residential 4 DU/Ac), Located at 2932 B ½ Road

Councilmember Hill moved to adopt Resolution No. 127-08 and Ordinance Nos. 4286 and 4287 and ordered them published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Public Hearing—Green Leaf Annexation and Zoning, Located at 3109 E Road** [File #ANX-2008-196]

Request to annex and zone 2.29 acres, located at 3109 E Road, to R-8 (Residential 8 du/ac). The Green Leaf Annexation consists of one (1) parcel.

The public hearing was opened at 7:50 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request, the location and the site. He asked that the Staff Report and the attachments be entered into

the record. The annexation meets the criteria of the Zoning and Development Code. The Planning Commission recommended approval of the annexation and the zoning.

The applicant was present but did not wish to speak unless there are questions.

There were no public comments.

The public hearing was closed at 7:51 p.m.

**a. Accepting Petition**

Resolution No. 128-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Green Leaf Annexation, Located at 3109 E Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4288—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Green Leaf Annexation, Approximately 2.29 Acres, Located at 3109 E Road

**c. Zoning Ordinance**

Ordinance No. 4289—An Ordinance Zoning the Green Leaf Annexation to R-8 (Residential 8 DU/Ac), Located at 3109 E Road

Councilmember Todd moved to adopt Resolution No. 128-08 and Ordinance Nos. 4288 and 4289 and ordered them published. Councilmember Thomason seconded the motion. Motion carried.

**Public Hearing—Mesa View Elementary School Annexation, Located at 2967 B Road** [File #GPA-2008-206]

Request to annex 19.51 acres, located at 2967 B Road. The Mesa View Elementary Annexation consists of one (1) parcel.

The public hearing was opened at 7:53 p.m.

Brian Rusche, Senior Planner, presented this item. He described the request, the location and the site. He asked that the Staff Report and the attachments be entered into the record. The annexation meets the criteria of the Zoning and Development Code. The Planning Commission recommended approval of the annexation. The zoning will come forward later.



The applicant was present but did not need to speak.

There were no public comments.

The public hearing was closed at 7:54 p.m.

**a. Accepting Petition**

Resolution No. 129-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Mesa View Elementary Annexation, Located at 2967 B Road is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4290—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa View Elementary Annexation, Approximately 19.51 Acres, Located at 2967 B Road

Councilmember Doody moved to adopt Resolution No. 129-08 and Ordinance No. 4290 and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

**Public Hearing—Martin R and S Annexation and Zoning, Located at 2105 H Road**  
[File #ANX-2008-205]

Request to annex and zone 1.54 acre Martin R and S Annexation, located at 2105 H Road to I-1 (Light Industrial).

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

Judith Rice, Associate Planner, presented this item. She described the request, the site and the location. She asked that the Staff Report and the attachments be entered into the record. The annexation meets the criteria of the Zoning and Development Code. The Planning Commission recommended approval of the annexation and the zoning on August 12, 2008.

The applicant was present but did not need to make a presentation.

There were no public comments.

The public hearing was closed at 7:56 p.m.

**a. Accepting Petition**

Resolution No. 130-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Martin R and S Annexation, Located at 2105 H Road and Includes Portions of the 21 Road and H Road Rights-of-Way is Eligible for Annexation

**b. Annexation Ordinance**

Ordinance No. 4291—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Martin R and S Annexation, Approximately 1.54 Acres, Located at 2105 H Road and Includes Portions of the 21 Road and H Road Rights-of-Way

**c. Zoning Ordinance**

Ordinance No. 4292—An Ordinance Zoning the Martin R and S Annexation to I-1 (Light Industrial), Located at 2105 H Road

Councilmember Hill moved to adopt Resolution No. 130-08 and Ordinance Nos. 4291 and 4292 and ordered them published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

**Non-Scheduled Citizens & Visitors**

There were none.

**Other Business**

City Manager Laurie Kadrich introduced the new Parks and Recreation Director Rob Schoeber. Mr. Schoeber expressed his appreciation of the community and said he is excited to come to Grand Junction.

**Adjournment**

The meeting was adjourned at 7:59 p.m.

Stephanie Tuin, MMC  
City Clerk