

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

May 4, 2009

The City Council of the City of Grand Junction convened into regular session on the 4th day of April 2009 at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Tom Kenyon, Bill Pitts, Linda Romer Todd, and Council President Gregg Palmer. 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 Coons led in the Pledge of Allegiance followed by an invocation by Father John Farley, Immaculate Heart of Mary Catholic Church.

Proclamations/Recognitions

Proclaiming May 9, 2009 as “Grand Junction Letter Carriers Stamp Out Hunger Day” in the City of Grand Junction

Proclaiming May 10-16, 2009 as “National Police Week” and May 15, 2009 as “Peace Officers’ Memorial Day” in the City of Grand Junction

Recognition of Neighborhood Organization—Spring Valley

Kristen Ashbeck, Senior Planner, described the Spring Valley Neighborhood and advised it is the largest homeowners association in the City. It remains to be one of the most desirable neighborhoods in the City. Ms. Ashbeck then introduced two members of the homeowners association. They were presented with a certificate.

Recognition of Neighborhood Organization—LaRoche Condominiums

Kristen Ashbeck, Senior Planner, described the La Roche Condominiums which is a multifamily area with 31 residences. She described some of the goals of the neighborhood association. Ms. Ashbeck introduced some of the Home Owners Association board members. They were presented with a certificate.

Historic Preservation Awards to Marie Tipping and the I.O.O.F. Hall

Kathy Jordan, Historic Preservation Board Chair, reviewed the program of Historic Preservation Awards. Ms. Jordan described the work Ms. Tipping has done to uncover local history. Councilmember Beckstein then presented the first award to Marie Tipping for her historical research.

Kathy Jordan then described the next award and reviewed the history of the I.O.O.F. building. She noted that later on the agenda, there is a request to designate the building in the City Register of Historic Sites, Structures, and Districts. She introduced two of the owners and Councilmember Beckstein presented them with the award.

Certificates of Appointments

To the Horizon Drive Association Business Improvement District

Clark Atkinson and Janice Rohr were present to receive their certificates for appointment and re-appointment to the Horizon Drive Association Business Improvement District.

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Council President Gregg Palmer expressed his appreciation for the opportunity to serve as Mayor but due to family and business, he has asked not to be considered for re-appointment. He thanked his fellow Councilmembers and Staff for their assistance during his term.

Councilmember Beckstein thanked Council President Palmer for his service and then nominated Councilmember Bruce Hill for Mayor of the City of Grand Junction. Councilmember Coons seconded the nomination. Councilmember Hill was elected as President of the Council/Ex Officio Mayor by acclamation and unanimous vote.

Councilmember Todd nominated Teresa Coons as Mayor Pro Tem for the City of Grand Junction. Councilmember Beckstein seconded the nomination. Councilmember Teresa Coons was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem by acclamation and unanimous vote.

City Clerk Stephanie Tuin administered the oath of office to both Council President Pro Tem Coons and Council President Hill and Council President Hill took his seat at the dais.

Council President Hill called a recess at 7:45 p.m.

The meeting reconvened at 7:47 p.m.

Council President Hill thanked Councilmember Palmer for all his service and his dedication.

He then welcomed the two new Councilmembers – Councilmember Bill Pitts and Councilmember Tom Kenyon.

He thanked Councilmember Coons for her willingness to serve as Pro Tem and said he will be gone Wednesday.

Councilmember Coons also thanked Councilmember Palmer for his service as Mayor.

Citizen Comments

There were none.

Council Comments

There were none.

City Manager's Report

City Manager Laurie Kadrach addressed the City Council for her report.

She thanked former Mayor Gregg Palmer for his service and especially his dedication in talking to groups and Staff members.

City Manager Kadrach thanked Elizabeth Tice for her work with legislative updates and working with federal legislation. Ms. Tice is also the lead person on the, American Recovery and Reinvestment Act project (ARRA). Kathy Portner, Neighborhood Services Manager, has also been working on the Division of Local Government grants and Ms. Kadrach thanked her for her work.

The first topic is an update on the ARRA. She described all the new items under the Recovery Act. Transportation is the number one project, the 29 Road project in partnership with the County; the request is now at \$24 million as this is one part of a two part project. The City is considering projects to determine best use of the grants. Economic Development allocated \$91,783 CDBG for the Housing Resources of Western Colorado. The number one project is the Transportation Surface Project; the criteria will be announced in May. This is joint with Mesa County for an estimated \$24 million as opposed to the \$30 million because it will be done in two phases. For the Energy, Environment, and Infrastructure, Energy Efficiency and Conservation, CDBG allocated \$229,800 for a Community Energy Efficient Project and LED Lighting and Retrofits. The application is in process and due in June. The Compressed Natural Gas Project at Persigo, which is through the Department of Energy (DOE), is in the amount of \$4.1 million and will be very competitive. In addition to looking at Recovery Act dollars, the City is looking at public/ private partnerships. The State Energy Program is discretionary funding through the Governor's Energy Office with potential for solar energy and facility upgrades that have not already been identified. The City is still awaiting criteria. The Clean Cities Petroleum Reduction Technology is a competitive grant process through the

DOE. The City is requesting \$1.3 million for the Compressed Natural Gas fueling station. In addition to converting the byproduct at the sewer treatment plant, the City needs to have a way to transport the fuel to sanitation vehicles. Solid Waste is an Enterprise account and the grant dollars will help keep the cost of fuel low. An application has already been submitted for Clean Water and Safe Water which is distributed through a State Revolving Fund. There may not be enough funding for the sewer project. Because this is a shovel- ready project, the City may look to private sector partners to move this project forward. The Public Safety-Firefighter Assistance Grants, which is a competitive grant process through FEMA, is a possibility for construction of Fire Station #1 and Remodel of Firestation #2. The grant criteria will be announced in June or July. There are many applying for these first round assistance grants. The demand for this grant will be very competitive. Under a Justice Assistance Grant, a joint formula allocation of \$254,568 was awarded to the County and City for Computer Aided Dispatch (CAD) and Records Management System (RMS). The City has since been awarded \$1 million towards implementation of this project. This grant will help in reducing the total cost of the Public Safety Initiative Project. The grant through the Colorado Division of Criminal Justice for 800 MHZ digital trunked radio system in the amount of \$2.1 million application is in process. An application has been submitted for a Public Safety Telecommunicator grant in the amount of \$552,040 for two years of staffing costs. The application is in process for Community Oriented Policing Services (COPS) for three years' salary and benefits for sworn Police Officers in the amount of \$2.6 million.

Councilmember Palmer asked if these grants that require matching grants obligates the City to fund that portion within a certain time frame. City Manager Kadrach said no, the ones applied for so far, with the exception of the E 911, do not require a match. Those funds are already budgeted. The only other attachment is for the police officer grants but that won't affect the City for four years.

Next, City Manager Kadrach addressed Spring Clean Up. The program has been a tradition since the early 1900's. Nearly 26,000 residences are served and contractors are required to complete the project. It is an expensive program for the City. The curbside recycling that occurs is encouraged because then those items do not have to be taken to the landfill.

The third topic to be addressed is the Swine Flu. The City has been coordinating with Mesa County Emergency Management and Health Department. Employees are encouraged to stay home if they have flu symptoms. As of today there have been no reported cases in Mesa County. City Manager Kadrach then displayed important contact information.

Councilmember Coons advised the World Health Organization has a good website on the illness. The official name is now the H1N1 Flu.

Tim Moore, Public Works and Planning Director, then introduced a discussion on the I-70 B improvements. It is a Colorado Department of Transportation project. The improvements are needed in addition to the Riverside Parkway completion and has been on the State's list of projects. It has been determined that widening and closing off of access points are some of the improvements needed.

Jim Shanks, Deputy Public Works and Planning Director, identified the area to be improved for this project is from 24 Road to Rimrock Drive. The estimate for the improvements is \$40 million. There is limited funding. The American Recovery and Reinvestment Act funding has presented a funding possibility. This project is item #7 on the "A" list. However, CDOT has not started the right-of-way acquisition yet. CDOT is on a hiring freeze and their real estate department is short four people. They are also not allowed to hire a contractor for the service. Therefore, CDOT has asked the City to participate in this project by hiring and funding the services of a right-of-way acquisition service. There are a total of 69 separate pieces of property owned by 29 different owners that need to be acquired for the project. There is one parcel where the business will have to be relocated. CDOT will pay for all those costs. There are some other funding possibilities on the horizon but they require a 20% funding match. If the City contributes by hiring the right-of-way contractor, this will be the City's contribution.

Councilmember Palmer asked if there is a possibility that the City pays for this contractor and then the project does not go forward. Mr. Shanks said there is that possibility/risk but without the City's participation the possibility of the project happening is nil.

Councilmember Palmer asked if it is possible to get the project done by the deadline. Mr. Shanks said it is possible but having CDOT reduce the amount of red tape will be needed. He noted the contractor being considered is currently being used by the City's engineering firm for the 29 Road project and they have met all previous deadlines.

City Attorney Shaver agreed that the contractor, TRS, Bradley Rodenberg, has performed well in the past.

Councilmember Todd asked if action is required on this item. City Attorney Shaver advised the action item is on the Wednesday agenda.

Councilmember Kenyon asked, if hired, will the contractor begin immediately so he can meet the deadline. Mr. Shanks said there is also a priority list from CDOT so the contractor can concentrate on those properties first. That way the first phase could be bid out.

Council President Hill asked Mr. Shanks to clarify that the cost of this contract, \$300,000 plus, would be the only contribution toward the project. Mr. Shanks said yes unless the

Intermodal Surface Transportation Efficiency Act (ISTEA) is reauthorized and then this project would be redesignated as a high priority. Those funds do require a 20% match.

That concluded the briefing on the I-70 B improvement project relative to the action item on Wednesday's agenda.

Council President Hill called a ten minute recess at 8:30 p.m.

The meeting reconvened at 8:38 p.m.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar and then moved to approve items #1 through #4. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the April 13, 2009 and the April 15, 2009, Regular Meetings

2. **I.O.O.F. Hall Historic Building Designation, Located at 128 North 5th Street**
[File # HBD-2009-081]

The owners of the I.O.O.F. Hall located at 128 North 5th Street, are requesting that the building be designated as historic in the City register of Historic Sites, Structures and Districts.

Resolution No. 44-09—A Resolution Designating the I.O.O.F. Hall Located at 128 North 5th Street in the City Register of Historic Sites, Structures and Districts

Action: Adopt Resolution No. 44-09

3. **Setting a Hearing on Vacation of Public Right-of-Way in the Vicinity of 7th Street, Struthers Avenue and Kimball Avenue** [File # VR-2009-053]

Request by the City of Grand Junction to vacate two surplus right-of-way areas totaling 0.22 acres: (1) a portion of South 7th Street south of the Riverside Parkway and north of Struthers Avenue and (2) a portion of Kimball Avenue west of the Riverside Parkway. These remnants have been rendered impractical as right-of-way because of the alignment of the Riverside Parkway through the area.

Proposed Ordinance Vacating a Portion of the South 7th Street Right-of-Way Located South of the Riverside Parkway and North of Struthers Avenue and a Portion of the Kimball Avenue Right-of-Way Located West of the Riverside Parkway

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 18, 2009

4. **Setting a Hearing on the Lang Industrial Park Annexation, Located at 2764 C $\frac{3}{4}$ Road, 2765 and 2767 Riverside Parkway** [File #ANX-2009-072]

Request to annex 4.86 acres, located at 2764 C $\frac{3}{4}$ Road, 2765 and 2767 Riverside Parkway. The Lang Industrial Park Annexation consists of 3 parcels.

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

Resolution No. 45-09—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, Lang Industrial Park Annexation, Located at 2764 C $\frac{3}{4}$ Road, 2765 and 2767 Riverside Parkway

Action: Adopt Resolution No. 45-09

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lang Industrial Park Annexation, Approximately 4.86 Acres, Located at 2764 C $\frac{3}{4}$ Road, 2765 and 2767 Riverside Parkway

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 15, 2009

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Airport Improvement Program Grant at Grand Junction Regional Airport

AIP-39 is a Stimulus Project to rehabilitate the General Aviation Concrete Ramp on the east end of the airport. The grant amount is \$8,000,000.00. The Supplemental Co-sponsorship Agreement is required by the FAA as part of the grant acceptance by the City.

Laurie Kadrach, City Manager, presented this item. She described the request is for Airport Improvements. Usually these requests are on the Consent Calendar, however,

this grant is coming under the ARRA and it is required the City certify that the Airport Board has fulfilled the requirements for the grant. She suggested the City receive a quarterly written report or via a report from the Councilmember representative on the board.

Councilmember Palmer advised the management at the Airport is top notch and he has no qualms that they will meet all the requirements. He was comfortable with the Council's representative reporting back. Ms. Kadrich said she would ask that there be some report trail/documentation.

Councilmember Coons asked that there be a quarterly report. Councilmember Kenyon agreed to avoid any problems at the end of the process.

Council President Hill suggested a report in the Airport Board minutes.

City Manager Kadrich recalled the meeting where the criteria for the grant dollars from the ARRA need to be very well documented and scrutinized.

Councilmember Palmer moved to authorize the Mayor to sign the original FAA AIP-39 grant documents and the ARRA Airport Sponsor Certification for General Aviation Ramp Rehabilitation (Phase 1) at the Grand Junction Regional Airport and authorize the City Manager to sign the Supplemental Co-sponsorship Agreement for AIP-39.

Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing—North Avenue Rights-of-Way Annexation [File #ANX-2009-042]

Request to annex approximately 5.32 acres, located at six locations on North Avenue between 29 Road and I-70 Business Loop. The North Avenue Annexation consists only of right-of-way.

The public hearing was opened at 8:47 p.m.

Ivy Williams, Development Services Supervisor, presented this item. She described the site and the location and asked that the Staff Report and attachments be entered into the record. The request meets the criteria of the Zoning and Development Code and Planning Commission recommended approval.

Councilmember Palmer asked why the City needs to annex when the City took over the roadway a couple of years ago. Tim Moore, Public Works and Planning Director, advised that the agreement was negotiated which included the City annex the whole corridor. The remainder of the agreement is still in process.

There were no public comments.

The public hearing was closed at 8:50 p.m.

a. Accepting Petition

Resolution No. 46-09—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the North Avenue Rights-of-Way Annexation Located at Six Separate Sections of North Avenue Right-of-Way, from 29 Road to I-70 Business Loop as Shown in Attachment A is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 4354—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, North Avenue Rights-of-Way Annexation, Approximately 5.32 Acres, Located at Six Separate Sections of North Avenue Right-of-Way from 29 Road to I-70 Business Loop as Shown in Attachment A

Councilmember Palmer moved to adopt Resolution No. 46-09 and Ordinance No. 4354 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—The Tall Grass Rezone, Located at 2293 and 2295 Tall Grass Drive
[File #RZ-2009-014]

Request to rezone the 3.709 acres, located at 2293 and 2295 Tall Grass Drive from C-2 (General Commercial) to I-1 (Light Industrial).

The public hearing was opened at 8:50 p.m.

Michelle Hoshide, Associate Planner, presented this item. She described the request, the site, and the location. She asked that the Staff Report and attachments be entered into the record. The request meets the criteria of the Zoning and Development Code and Planning Commission recommended approval on March 24, 2009.

There were no public comments.

The public hearing was closed at 8:52 p.m.

Ordinance No. 4355—An Ordinance Rezoning Two Parcels of Land from C-2 (General Commercial) to I-1 (Light Industrial) Known as the Tall Grass Rezone, Located at 2293 and 2295 Tall Grass Drive

Councilmember Coons moved to adopt Ordinance No. 4355 and ordered it published. Councilmember Todd seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Todd asked if the discussion on volunteer boards and commissions was scheduled. Council President Hill said it was not. He suggested that the appointment be made to the open seats first, and then they can discuss the rest of the matters related to boards and commissions.

Adjournment

The meeting adjourned at 8:55 p.m.

Stephanie Tuin, MMC
City Clerk