

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

May 5, 2010

The City Council of the City of Grand Junction convened into regular session on the 5th day of May 2010 at 7:03 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras, and Council President Bruce Hill. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. The Grand Junction Police Department/Mesa County Sheriff Combined Honor Guard posted the colors. Council President Bruce Hill led in the Pledge of Allegiance. That was followed by a moment of silence.

Proclamations

Proclaiming May 9-15, 2010 as “National Police Week” and May 15, 2010 as “Peace Officers’ Memorial Day” in the City of Grand Junction

Proclaiming the week of May 16 through May 22, 2010, as “Emergency Medical Services Week” in the City of Grand Junction

Proclaiming May 8, 2010 as “Grand Junction Letter Carriers Stamp Out Hunger Day” in the City of Grand Junction

Proclaiming May 2010 as “Foster/Kinship Parent Appreciation Month” in the City of Grand Junction

Proclaiming May 8, 2010 as “National Train Day” in the City of Grand Junction

Proclaiming May 15, 2010 as “Walk from Obesity Day” in the City of Grand Junction

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

Council President Bruce Hill expressed his appreciation for the opportunity to serve as Mayor. He thanked his fellow Councilmembers and Staff for their assistance during his term.

Councilmember Beckstein nominated Councilmember Coons for Mayor of the City of Grand Junction. Councilmember Coons was elected as President of the Council/Ex Officio Mayor by unanimous vote.

Councilmember Susuras nominated Councilmember Beckstein as Mayor Pro Tem for the City of Grand Junction. Councilmember Beckstein was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem by unanimous vote.

City Clerk Stephanie Tuin administered the oath of office to both Council President Pro Tem Beckstein and Council President Coons.

The meeting recessed so that the President of the Council/Ex-Officio Mayor Coons and President of the Council Pro Tem/Ex-Official Pro Tem Beckstein could be seated.

President of the Council Coons expressed her appreciation for the honor and for former Mayor Bruce Hill's mentorship.

Citizen Comments

Jim Baughman, 2579 F Road, was present to address the City Council on a water break that occurred almost two weeks prior. He had some pictures of the Big Pipe Project that was constructed two years ago. Two weeks ago Thursday, he awoke with no water. He went down the driveway to find water bubbling out of the ground. He received a call from the irrigation company about a water leak. He went to call Ute Water. When Ute Water dug down to the pipeline they found inadequate pipe and the leak. He said Ute Water replaced the line but now the driveway has sunk from the water saturation. The City, by way of Public Works and Planning Director Tim Moore, was contacted by Kent Baughman who was told neither the City nor the contractor, Mendez Construction, has any money to make the repairs. He felt the contractor is responsible and it's the City's responsibility to see that the repairs happen.

President of the Council Coons thanked Mr. Baughman assuring him the City Attorney will be talking to him.

Council Comments

There was none.

CONSENT CALENDAR

Councilmember Hill read the Consent Calendar and moved that the Consent Calendar Items #1 through 4 be adopted. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the April 19, 2010 Regular Meeting

2. **Setting a Hearing on Marriott Alley Vacation, Located North of Main Street, East of North 3rd Street** [File #VR-2009-254]

Request to vacate a portion of the east/west alley between Main Street and Rood Avenue, west of North 3rd Street. The portion of the alley that is requesting to be vacated, if approved, will be incorporated into the landscaping and site circulation of a proposed new hotel.

Proposed Ordinance Vacating Right-of-Way for a Portion of Alley Located between Main Street and Rood Avenue West of North 3rd Street (Marriott Hotel)

Action: Introduction of a Proposed Ordinance and Set a Public Hearing for May 17, 2010

3. **Setting a Hearing on a Comprehensive Plan Amendment to Include the Revised Grand Valley Circulation Plan** [File #PLN-2010-030]

Request Comprehensive Plan Amendment revising the Grand Valley Circulation Plan for consistency with the Comprehensive Plan.

Proposed Ordinance Amending the Comprehensive Plan of the City of Grand Junction to Include the Revised Grand Valley Circulation Plan

Action: Introduction of Proposed Ordinance and Set a Public Hearing for May 17, 2010

4. **Revocable Permit for 560 Colorado Avenue and 131 6th Street**

The Grand Junction, Colorado, Downtown Development Authority (“DDA”) is presently going through the City of Grand Junction’s planning process to condominiumize the building located at 560 Colorado Avenue. Through the process it has been determined that revocable permits are needed for portions of awnings and other decorations on the exterior of the building that extend into the City’s right-of-way.

Resolution No. 26-10—A Resolution Approving Revocable Permits To Grand Junction, Colorado, Downtown Development Authority

Action: Adopt Resolution No. 26-10

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Memorandum of Understanding for the 29 Road and I-70B Interchange

The 29 Road and I-70B Interchange will extend 29 Road across the railroad tracks and connect to I-70B. This is a joint project between the City of Grand Junction and Mesa County. The project consists of the design, right of way acquisition, construction management, inspection and construction of approximately 2 miles of new and reconstructed streets, a 779 foot long bridge over the Union Pacific Railroad tracks and a 320 foot long ramp bridge connecting to I-70B. The proposed Memorandum of Understanding (MOU) entitled 29 Road and I-70B Interchange May 2010 with Mesa County supersedes and updates a March 12, 2007 MOU. The 2007 agreement addressed the funding and project management of the 29 Rd Interchange at I-70B. For 2010 and 2011 this agreement commits the City to funding \$12,150,676 of the project in order to complete the project. The other 50% will be funded by the County.

City Manager Kadrich presented this item. She asked Council to consider authorizing a newer MOU with Mesa County relative to the 29 Road Project. This addresses the cost sharing with the County. The revised memorandum includes updated costs and also lays out the responsibilities of each entity. The revised MOU also commits the funding to the next phase of the project which will complete the viaduct. Both Public Works Directors of the City and the County do concur with the MOU. She referred the City Council to the Staff Report which includes a chart that outlines all the funding of the project. The costs are slightly higher than previously anticipated and the cost now includes all the Staff costs. The project does meet the goals of the Comprehensive Plan.

Councilmember Palmer lauded the fact the City and the County continue to work together on projects such as these which will make the project as cost efficient as possible.

City Manager Kadrich said the next item on the agenda will provide more details on the project.

Councilmember Kenyon moved to authorize the Mayor to sign a Memorandum of Understanding with Mesa County for the 29 Road and I-70B Interchange. Councilmember Pitts seconded the motion. Motion carried.

Construction Contract for the 29 Road and I-70B Interchange Phase

The 29 Road and I-70B Interchange Phase is the fourth and final phase that will extend 29 Road across the railroad tracks and connect to I-70B. This is a joint project between the City of Grand Junction and Mesa County, and consists of approximately 2 miles of new and reconstructed streets, a 779 foot long bridge over the Union Pacific Railroad tracks, and a 320 foot long ramp bridge connecting to I-70B.

Trent Prall, Engineering Manager, presented this item. This project is a major milestone in the valley's transportation system. The railroad has been a barrier for north-south movement even though it has brought economic development. This viaduct will cross over the railroad. It will be a major connector from Orchard Mesa to the east end of town. It will improve emergency response time and transportation efficiency. It will provide opportunity for economic development along the 29 Road corridor. He described the road design and said there will be construction of sewer and water lines included in the project.

Jay Valentine, Assistant Financial Operations Manager, described the bids. The low bid was received from Lawrence Construction. He described the qualifications of the company which is out of Littleton, Colorado. The County concurred with the recommendation to award the bid to Lawrence Construction. Over the three years, the 29 Road Project should be right on target budget-wise.

Councilmember Pitts asked if the numbers are in line and current. Mr. Valentine said that Carter Burgess had estimated the project cost to be \$21 million so the bid was favorable.

Councilmember Susuras asked if Lawrence Construction plans to use local workers for the projects. Mr. Valentine said yes as well as local suppliers.

Councilmember Palmer said this is a huge step but not the final step. The final step will be the connection of 29 Road to I-70. Although that is still in the future, it is nice to be at this stage.

Councilmember Palmer moved to authorize the City Purchasing Division to enter into a construction contract with Lawrence Construction Company, of Littleton, Colorado for the 29 Road and I-70B Interchange Phase in the amount of \$19,312,363.34. Councilmember Beckstein seconded the motion. Motion carried.

Public Hearing—Pepper Ridge Easement and Right-of-Way Vacations, Located at the South End of W. Indian Creek Drive [File #FP-2008-136]

Applicant is requesting to vacate a portion of an existing and improved right-of-way and a utility and drainage easement in order to facilitate a residential development.

The public hearing was opened at 8:09 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He asked that the Staff Report and attachments be entered into the record. The vacation request meets the criteria of the Zoning and Development Code. The Planning Commission forwarded a recommendation of approval from the March 23, 2010 meeting. The applicant was not present.

Councilmember Kenyon asked how this vacation will benefit the City. Mr. Rusche said the new dedication will allow access into a new development.

There were no public comments.

The public hearing was closed at 8:10 p.m.

Resolution No. 24-10—A Resolution Vacating a Utility and Drainage Easement Located within Lot 6 of Pepper Tree Filing No. 4 (Pepper Ridge Subdivision)

Ordinance No. 4422—An Ordinance Vacating Excess Right-of-Way for West Indian Creek Drive Located within Pepper Tree Filing No. 3 (Pepper Ridge Subdivision)

Councilmember Beckstein moved to adopt Resolution No. 24-10 and Ordinance No. 4422 and ordered it published. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

Public Hearing—American Furniture Warehouse Maldonado Street Easement and Right-of-Way Vacations, Located East of Base Rock Street and West of Highway 6 and 50 [File #VR-2010-019]

Request to vacate 29,400 square feet of the north end of Maldonado Street and 18,356 square feet of an unnamed right-of-way extending east to Highway 6 and 50, along with eight other adjoining and nearby easements. These vacations are the first step in assembling several different parcels and “clear the slate” for the new construction of American Furniture Warehouse. New right-of-way and easements will be provided on the future plat.

The public hearing was opened at 8:12 p.m.

Lori V. Bowers, Senior Planner, presented this item. She described the site, the location, and the request. The Comprehensive Plan shows this site to be developed as a commercial site. The Grand Valley Circulation Plan does support the vacation of the right-of-way when new right-of-way will be dedicated. The vacation provides a clean slate for the developer to design the site. She asked that the Staff Report and attachments be entered into the record. The vacation requests are consistent with the Comprehensive Plan, meeting goals #3 and #6, and meet the criteria of the Zoning and Development Code. The vacations are contingent on the new dedication of right-of-ways and easements. The Planning Commission forwarded a recommendation of approval from their April 13, 2010 meeting.

Councilmember Palmer asked who will have to construct the new right-of-way. Ms. Bowers said the developer will pay for that construction. Councilmember Palmer asked about the developers' requirement to pay TCP fees.

City Manager Kadrich said the developer will have to pay TCP fees which will help pay for the access off the highway.

Councilmember Pitts inquired about the access from the highway. Ms. Bowers showed where the proposed access will be, noting it will improve the area traffic circulation.

Councilmember Pitts asked if that will bottle up the highway. Ms. Bowers said Staff feels it will free up some of the congestion in the area.

Councilmember Susuras asked if relocation of the utilities is at the expense of the builder. Ms. Bowers said yes, they will be responsible for the cost.

Councilmember Kenyon asked when the application of the final plan will be forthcoming. Ms. Bowers said very soon.

There were no public comments.

The public hearing was closed at 8:19 p.m.

Resolution No. 25-10—A Resolution Vacating Easements Located East of Base Rock Street and West of Highway 6 and 50 for the Redevelopment of Properties Associated with American Furniture Warehouse

Ordinance No. 4423—An Ordinance Vacating Right-of-Way for Maldonado Street and an Un-Named Right-of-Way, East of Maldonado Street Located East of Base Rock Street (American Furniture Warehouse)

Councilmember Susuras moved to adopt Resolution No. 25-10 and Ordinance No. 4423 and ordered it published. Councilmember Kenyon seconded the motion. Motion carried by roll call vote with Councilmember Pitts voting NO.

Public Hearing—Amendments to the Code of Ordinances to Address Inconsistencies

The City Code of Ordinances (“Code”) has recently had a comprehensive review as part of a contract with Code Publishing Company. During that review a small number of inconsistencies in the Code were brought forward. The proposed ordinance will address those inconsistencies.

The public hearing was opened at 8:21 p.m.

John Shaver, City Attorney, presented this item. The matter is principally a housekeeping matter. He described the work done by the City Clerk Stephanie Tuin and her office to get the Code on-line. He urged City Council to take a look at the on-line Code. He described the specific housekeeping matters to be amended by the proposed ordinance.

Councilmember Kenyon thanked the City Attorney and the City Clerk for their work on this project and noted the importance of looking at all the details.

There were no public comments.

The public hearing was closed at 8:23 p.m.

Ordinance No. 4424—An Ordinance Making Certain Amendments to the City’s Code of Ordinances to Address Inconsistencies within the Code

Councilmember Kenyon moved to adopt Ordinance No. 4424 and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:24 p.m.

Stephanie Tuin, MMC
City Clerk