

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

February 28, 2011

The City Council of the City of Grand Junction convened into regular session on the 28th day of February 2011 at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Bruce Hill, Tom Kenyon, Gregg Palmer, Bill Pitts, Sam Susuras and Council President Teresa Coons. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Coons called the meeting to order. Councilmember Pitts led the Pledge of Allegiance followed by a moment of silence.

Presentations

Boy Scout Council Commissioner Bruce Ricks presenting a National Certificate of Merit Award to Boy Scout Ian Hegstrom

There were a number of boy scouts from Troop 303 in the audience. Ian Hegstrom's Scoutmaster John Sites described the incident leading up to the recognition of Ian. Boy Scout Commissioner Bruce Ricks then described the qualities it takes for such an act and how this young man made the right decision. There are four citizenship merit badge honors in Boy Scouts: citizenship in the home, community, nation, and world. Upon recommendation of the National Court of Honor, Ian Hegstrom was given the merit badge for Significant Act of Service.

Certificates of Appointments

Randall Cupp and Lancer Livermont were present to receive their Certificates of Re-Appointment to the Commission on Arts and Culture. Charity Finnigsmier, and Diane Kress Hower were present to receive their Certificates of Appointment to the Commission on Arts and Culture.

Lynne Sorlye was present to receive her Certificate of Appointment to the Visitor and Convention Bureau Board of Directors.

Proclamations/Recognitions

Proclaiming the Week of March 6 through March 12, 2011 as "Women in Construction Week" in the City of Grand Junction

Council Comments

Councilmember Kenyon said he was in Denver at Colorado Municipal League (CML) meetings including with the Governor. The big buzz in the Capital is the budget. There are a lot of bills dying due to budget constraints. The Governor's budget proposal is pretty challenging. There will be some hard choices.

Councilmember Susuras said he went to the 2011 Realtors Day at the Capital in Denver. There were two hundred realtors, representing the 21,000 member Colorado Association of Realtors, in attendance stating their support or objections to the various bills. The common thread in their comments were the subjects of jobs, economic development, and the State budget.

Councilmember Hill said he and Council President Coons, along with City Clerk Stephanie Tuin, attended the Kids Voting banquet. He said there was a record turnout and he was pleased to have his six year old daughter as his date. It was great to see youth engaged in the community. He also recognized the Boy Scouts and their community involvement.

Council President Coons also recognized the Kids Voting program. She also went to an open house at Homeward Bound. They displayed unique art that was produced by volunteer Steven Maxwell who has taken pictures of guests and families of the clients of the facility and recorded their stories. Some of their situations are due to substance addiction or mental illness but many were taxpaying citizens until recently and due to some event they found themselves homeless.

Citizen Comments

Ron Wriston, 180 Dike Road, living in a fifth wheel, addressed the City Council regarding a property dispute. He is being kicked off 8 acres of property that he purchased about four years ago. He was told it is in the floodplain and it has been rezoned. He was not notified of the change. If he leaves, the transients will make it a tent city.

Dave Ferguson, 125 Franklin Avenue, addressed the City Council on behalf of the Alamo Club, 404 Glenwood Avenue, regarding a need for additional handicapped parking. There are three on-site handicapped parking spaces and he would like to have two spots on the street.

City Manager's Report

Laurie Kadrich, City Manager, presented this item. She gave an update on the Public Safety Project, noting that some utility work has been started and some rights-of-way

have been vacated. The first slide she showed was the first floor plan and she noted it meets the goal of what was heard from the citizens which was “build what can be built with the available funding.” She then displayed the second story floor plan. The floor plans were shaded to depict existing space versus the new space (size comparison). The total size is 62,000 square feet on two floors. The groundbreaking event will be April 4th, starting at 11:00 a.m., with the actual groundbreaking at 11:30 a.m.

There was a follow-up to an earlier workshop held that day on the ambulance services. The workshop was held because there was a five year time frame for the ambulance services to be reviewed after the contract was awarded to the City Fire Department. She reviewed the history of the service leading up to the contract in 2006. City Manager Kadrich read the language in the contract that relates to the contract term, “The performance for work under this contract shall be for a period of five (5) years or until the City determines that termination is in the City’s best interest.” City Manager Kadrich reviewed the financial investment the City has made into ambulance transport and how the financial impact is more on the EMS service with only 15% of the Fire Department expenses being related to fire response. She then discussed the integration between the EMS and the fire protection services. The inter-facility service helps reduce the cost of emergency calls and to take out the non-emergent transport service would cost the City significantly, roughly \$623,000.

Councilmember Beckstein said she expected to hear some information from the private sector at the workshop. City Manager Kadrich said that her understanding was that purpose of the workshop was an accounting of the City service.

Council President Coons concurred with City Manager Kadrich but she can also understand the desire to have that private sector information.

Councilmember Beckstein said she was speaking more of national surveys or other areas where there is private sector involvement.

Councilmember Palmer said he understands but the City has experienced both. In looking at what the experts say, specifically the Medical Director, who has said the service has been better with the City service and there has been better patient care. Community Hospital emergency medical care director also had similar comments.

Councilmember Hill thought they wanted to look at the option of slicing that portion off to see how that will affect service. He thinks the opportunity still exists for the private sector to provide that service. That is what the Staff brought forward. He thinks the City is doing a good job.

Fire Chief Ken Watkins recounted how the County and the City leaders developed one of the most progressive and integrated emergency services program. He is proud of what

his Department has done. It is an integrated system which he then detailed. The emergency transports and the inter-facility transports can handle either type of call. About three calls per day change from emergent to non-emergent or vice versa. Chief Watkins frequently hears questions as to why a fire engine responds to an EMS call. He said the 911 dispatch triages (assesses) the call and there are certain triggers that would require sending an engine.

Councilmember Palmer clarified that a dedicated ambulance at an event calls another ambulance to transport unless the situation is critical because at events where an ambulance is dedicated, the ambulance leaving ends the event.

Chief Watkins reviewed the ambulance compliance rates for response in all areas. They have exceeded the response rate every month since taking over the ambulance service. By providing the service to the community there have been a number of improvements including: advanced life support on all ambulances, fire engines and trucks, six additional firefighters every day for all calls, two additional EMS personnel every day for auxiliary duties on all calls, and the licensee is accountable and responsible for the service. The County resolution holds the City responsible for the service regardless of who is providing the actual service.

Council President Coons asked if the private company had the advanced life support on all ambulances and if the City were to go back to a private provider, should they require that? Fire Chief Watkins said he was not with the City at the time, but it is his understanding that, under the contract, they only had to have one ambulance staffed with advanced life support personnel. He agreed it would be reasonable to require. He does know that there were times that the City's advanced support personnel would accompany the patient in the private ambulance.

Councilmember Palmer noted that in County regulations, a paramedic cannot hand off a patient to an EMT. Fire Chief Watkins concurred that in the case of an advanced life support situation; the paramedic would have to stay with and assist an EMT.

Councilmember Hill agreed and stated that is because some of the regulations have changed in the last five years.

Councilmember Susuras asked if the current contract is ongoing. City Attorney Shaver said yes, it will continue until there is reason to terminate. The five year term was in the original RFP, additional terms could be offered. Councilmember Susuras said it is important to clarify that the Council agreed five years ago that they would review the contract to make sure it was being performed satisfactorily and not that it would be opened up for bid again. City Attorney Shaver concurred.

Councilmember Kenyon noted that some of the members of the public have an issue with the City entering into a contract with itself and to rate itself. In this review, he does not see that there is a piece of the service that can be carved off for the private sector. It is easy to see why the City has been successful. There have been no complaints from the medical community, only praise. This is not the time to delve into changes. They are doing a good job. The City Council always reserves the right to look at changes in the future.

Councilmember Beckstein said her concerns have nothing to do with the performance of the Fire Department; it was her understanding that there would be a review in five years and possibly take a look at taking the non-emergent care to see if it would be feasible to put out to bid. It may be that the County requirements may be so stringent that it couldn't happen. The two tier system in place five years ago is not what she wanted to review; she did not want patients traded to a private ambulance service in emergencies. Her thought was to review the non-emergent transport in order to allow the Fire Department to focus on the more critical incidents.

Councilmember Pitts noted that after hearing the presentation at the workshop, there were no complaints; he only heard praise. That integration provides better service and, he thought the City could best perform the service to the public by continuing the contract.

Councilmember Palmer said the purpose of this discussion is to let the community know how the decision was reached. The Fire Department has historically done emergency transport until the bust in the 1980's and there was a hiring freeze and the City did not have the resources. That was when the decision was made to bring in another ambulance service. The non-emergent piece is a small portion of what they do. The conclusion is that the system has greater strengths with both emergent and non-emergent provided by one entity. Looking at all the factors, it was hard to make sense of carving that piece out. The system is working well and the advice is to not change it.

Councilmember Susuras noted that this discussion does not end any future discussions, as this can be brought back up at any time. The medical community also praised the non-emergent care.

Councilmember Hill agreed and noted that 15% of non-emergent calls turn into emergent calls, and he was opposed to the City contract at the time due to the financial impact. The investment has now been made. The non-emergent is the highest financial recovery. The overlay between the two types of care provides better coverage. In looking at the current data, he is extremely comfortable with the service being provided and at the best cost to the community.

Council President Coons said she too was concerned about the City taking over the service even though there were some problems with the two tiered system. Looking at it

today, if the City were to cut off the non-emergent transport, would that serve the citizens better? Standards have changes and the City is in a different place as well as the Fire Department; many efficiencies and improvements have been accomplished. The medical community and others are seeing better outcomes. The integration is partly the reason for that. Five years ago she was concerned about the loss of jobs, a switch now would have that same kind of effect on the City employees. There is could be a loss of local control. There is cost of the equipment and training and how much of that would be lost. She feels continuing the ambulance service with the City is appropriate for this community.

That concluded the discussion. Council President Coons called a recess at 8:44 p.m.

The meeting reconvened at 8:50 p.m.

CONSENT CALENDAR

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

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the February 14, 2011 Regular Meeting

2. **Setting on Hearing on the Columbine Caregivers Rezone, Located at 602 26 ½ Road** [File # RZN-2011-483]

Request to rezone 0.43 +/- acres located at 602 26 ½ Road from R-4, (Residential – 4 du/ac) to R-O, (Residential Office) zone district in anticipation of future office development.

Proposed Ordinance Rezoning the Columbine Caregivers Rezone, Located at 602 26 ½ Road, from R-4, (Residential – 4 Du/Ac) to R-O (Residential Office)

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 14, 2011

3. **Setting a Hearing on the Western Trends Annexation, Located at 507 and 512 Fruitvale Court** [File # ANX-2011-467]

Request to annex 5.019 acres, located at 507 and 512 Fruitvale Court. The Western Trends Annexation consists of three (3) parcels. There are 3.882 acres of public right-of-way contained within this annexation area.

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

Resolution No. 13-11—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, Western Trends Annexation, Located at 507 and 512 Fruitvale Court and Including a Portion of the I-70B and Fruitvale Court Rights-of-Way

Action: Adopt Resolution No. 13-11

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Western Trends Annexation, Approximately 5.019 Acres, Located at 507 and 512 Fruitvale Court and Including a Portion of the I-70B and Fruitvale Court Rights-of-Way

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 4, 2011

**4. Spendrup Revocable Permit, Located within South 7th Street Right-of-Way
[File #RVP-2011-536]**

Applicant is requesting approval of a Revocable Permit for an existing structure, originally designed for lumber storage, within the South 7th Street right-of-way. The encroachment has existed since before 1954.

Applicant is also requesting the revocation of an existing Revocable Permit for a structure that no longer exists.

Resolution No. 14-11—A Resolution Concerning the Issuance of a Revocable Permit to John O. Spendrup LLC

Action: Adopt Resolution No. 14-11

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Public Hearing—Right-of-Way Vacations, Adjacent to 515 S. 7th Street** [File # VAC-2010-388]

A request to vacate a north-south alley in Block 160 of the original City of Grand Junction; a boundary "gap" oriented east-west between the south boundary of Block 160 and the north boundary of Lot 1 of Second Amended Plat of D&RGW Railroad Subdivision; approximately 5 feet of 6th Court adjacent to Lot 1, Block 160; and an irregular portion of South Avenue adjacent to Block 160, all public right-of-way that is no longer needed.

The public hearing was opened at 8:54 p.m.

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He described the specific right-of-ways including a gap portion to be vacated.

Councilmember Hill asked for an explanation of the gap property. Mr. Rusche explained how that occurred when the original town site was platted and then the property to the south was added, the legal descriptions did not match up. This occurred all along the town's boundary.

Councilmember Susuras asked about the utilities. Mr. Rusche said the utilities and the easement will remain.

Councilmember Palmer asked about the alley as it was chained off. Mr. Rusche said it is platted as an alley but is not used.

There were no public comments.

The public hearing was closed at 8:57 p.m.

Ordinance No. 4456—An Ordinance Vacating a North-South Alley in Block 160 Original Plat of the Town of Grand Junction and Replatted in Grand Junction Plat of Part of Second Division Resurvey as Amended; an Area Oriented East-West Between the South Boundary of Block 160 and the North Boundary of Lot 1 of Second Amended Plat of D&RGW Railroad Subdivision; Approximately 5 Feet of 6th Court Adjacent to Lot 1, Block 160; and an Irregular Portion of South Avenue Adjacent to Block 160 (Spendrup Vacations)

Councilmember Palmer moved to approve Ordinance No. 4456 and ordered it published in pamphlet form. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

Public Hearing—Affidavit Qualifying Write-in Candidates for Municipal Office

In order to ensure that the votes cast for a write-in candidate(s) may be counted, the City Clerk and City Attorney have proposed that the Council adopt an ordinance requiring that any such candidate file an affidavit of intent and statement of qualifications 20 days prior to the municipal election.

The public hearing was opened at 8:58 p.m.

John Shaver, City Attorney, presented this item. He explained the purpose of the ordinance and how in the City Charter there is a provision that requires that City ballots must include a blank line for write-in candidates but it does not require that those write-in candidates be qualified for the office. This ordinance will require that for a write-in vote to count, the candidate must file an affidavit twenty days prior to the election qualifying for the seat.

Councilmember Palmer inquired if this ordinance will be in effect for this election. He wondered if it should be adopted as an emergency.

City Attorney Shaver said for purposes of this election, he feels it will for all purposes be in effect for all future candidates.

Councilmember Hill noted that it this would clarify the qualifications needed to be a write in candidate.

There were no public comments.

The public hearing was closed at 9:04 p.m.

Ordinance No. 4457—An Ordinance Amending the Colorado Municipal Election Code of 1965, in the City of Grand Junction Concerning Write-in Candidate Affidavits

Councilmember Susuras moved to approved Ordinance No. 4457 and ordered it published in pamphlet form. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:07 p.m.

Stephanie Tuin, MMC
City Clerk