

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

**April 6, 2011**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of April 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers 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.

**Call to Order**

Council President Coons called the meeting to order. Council President Coons asked Boy Scout Troop 365, which was in attendance, to lead in the Pledge of Allegiance.

**Presentation**

The Fruita Monument High School Civics Task Force gave a presentation on Kids Voting. Austin Douglas, Josh Elsworth, and Tyler Saylor from Fruita Monument High School Civics Task Force introduced themselves and their teacher/mentor Dr. Sherri Arosteguy.

Mr. Douglas passed out their Constitution and then presented. He first explained the mission of Kids Voting. The Civics Task Force was founded in March 2010 with Dr. Arosteguy and Chris Wehner. The mission of the Task Force is to encourage civics, leadership, and voting in elementary through high school. There is a membership of seven students in this Task Force and they meet one to two times per week. The Task Force statement was shared and it was pointed out that it reflects a non-partisan group that allows each student who is a member to share their thoughts and opinions. The Task Force is there to provide the tools to make an informed decision. His passion is to get people his age to care about what is going on in the world. He described what they did during the last General Election to get informed and how they shared that information and encouraged fellow students to conduct further research on the candidates and their platforms. When presenting information on the ballot issues, they present both sides so others can have all the information needed to make an informed decision. They also provide information on what the political positions and responsibilities are as well as background on individual candidates. They used situational context for people to consider in relation to the issues. They gave about one hundred presentations among the seven students. Although they raised the Kids Voting percentage by 6%, they raised the percent of informed students by much more than that. Mr. Douglas then talked about what they see as the future of their organization. The Task Force goes beyond just politics, it includes gaining experience in research and public speaking.

Council President Coons thanked Mr. Douglas for the presentation and said she had the privilege of buying lunch for some of the members of the Task Force and was able to learn more about the Task Force.

### **Canvass Results of Downtown Development Authority Special Election**

City Clerk Stephanie Tuin reviewed the election returns. She displayed a Power Point presentation outlining the results of the election. The election was a single question to have the ability to increase the debt in the downtown area.

Councilmember Susuras asked if the election is decided by a simple majority. Ms. Tuin confirmed that it is.

She advised that 289 ballots were cast, 177 in favor of the question and 110 against. The voter turnout was 30.3%.

After review of the election returns, the canvassing board executed the Certificate of Election (attached).

### **Canvass Results of City of Grand Junction Regular Election**

City Clerk Stephanie Tuin reviewed the election returns. She displayed a Power Point presentation outlining the results of the election which included the number of votes that were received for each candidate and each Referred Measure for each District.

She advised that 13,786 ballots were cast, for a 57.61% turnout. The turnout was a record number.

After review of the election returns, the canvassing board executed the Certificate of Election (attached).

City Clerk Stephanie Tuin presented newly elected Councilmembers Sam Susuras and Bennett Boeschenstein, who were in attendance, their Certificates of Election. Ms. Tuin indicated she will mail Jim Doody's certificate as he was not in attendance.

### **City Manager's Report**

City Manager Laurie Kadrich presented this item. She first spoke regarding the Crown Point Cemetery and what has occurred with the water and improvements. There has been an anonymous donor who provided a number of improvements which then placed an urgency to obtain legal water rights to provide proper irrigation to the site. This has been accomplished and the project is complete.

City Manager Kadrich gave a presentation on recycling. This is another public-private partnership, and grant funds were sponsored towards a new building and equipment for the recycling center. This increased the capacity to 9 million pounds per year, and has also increased the types of materials that can be recycled. Ms. Kadrich expressed her appreciation for the Foss' who operate the facility.

The Downtown Uplift Project was then addressed. The City is assisting the Downtown Development Authority in this project. The project is on schedule and should be open the first week in June. There are mid block crossings to provide better access to alley sides of businesses. In regards to the tree canopy on the streetscape, the solution was to relocate some of the trees from other areas of the City to the Downtown area in order to have a more mature tree canopy.

Regarding the medical marijuana dispensaries, there have been a variety of questions. Specifically regarding sales tax, last year the collection was \$134,000, this year was \$20,500. The impact would have been 1/3 of 1% of the sales tax collections for these businesses but those numbers were not included in the budgeted revenues.

City Attorney Shaver relayed what City Staff has done that day to get the businesses informed. The ordinance was not in effect until the election results were certified at this meeting. The Police Department has begun making contact with the businesses. The Sales Tax Auditor will also be sending a letter asking for surrender of their sales tax licenses as well as following up on sales tax due. There is an expectation that there will be no further sales of marijuana. There may be enforcement action by the State. The dispensaries were put aside pending the outcome of the election and the expiration of the City moratorium. Any business will be given a reasonable time to wind up operations, but it will be sooner rather than later.

Council President Coons asked if other products mentioned under the sales tax licenses would include marijuana-infused products. City Attorney Shaver said any marijuana products would now be illegal. He encouraged any constituents with questions to contact the City Attorney's office.

### **Adjournment**

The meeting was adjourned at 7:45 p.m.

Stephanie Tuin, MMC  
City Clerk

**CITY OF GRAND JUNCTION, COLORADO****CERTIFICATE OF ELECTION****APRIL 5, 2011**

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Downtown Development Authority Special Election held in the City on Tuesday, April 5, 2011, were as follows:

**TOTAL BALLOTS CAST                      289**

**DOWNTOWN DEVELOPMENT AUTHORITY REFERRED MEASURE C**

“SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED NOT TO EXCEED \$65,000,000 WITH A REPAYMENT COST OF \$72,000,000, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW?”

Yes	177
No	110

We, the undersigned Canvassing Board, have reviewed the results of the Downtown Development Authority Special Election held April 5, 2011, and do hereby conclude:

That Referred Measure C passed by the greater number of votes.

Certified this 6<sup>th</sup> day of April, 2011.



**CITY OF GRAND JUNCTION, COLORADO****CERTIFICATE OF ELECTION****APRIL 5, 2011**

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 5, 2011, were as follows:

Total Ballots Cast in District A	3021
Total Ballots Cast in District B	3516
Total Ballots Cast in District C	1719
Total Ballots Cast in District D	3535
Total Ballots Cast in District E	1995
<b>TOTAL BALLOTS CAST</b>	<b>13786</b>

**FOR COUNCILPERSON – DISTRICT "B" – FOUR-YEAR TERM**

Candidate	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Sam Susuras	1746	2121	989	2219	1141	8216

**FOR COUNCILPERSON – DISTRICT "C" – FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Bennett Boeschstein	1777	2070	1022	2167	1209	8245

**FOR COUNCILPERSON – “CITY AT LARGE” – FOUR-YEAR TERM**

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
John L. Ballagh	398	619	169	638	188	2012
Jim Doody	925	1141	489	1171	585	4311
Aaron Garth Norris	364	413	203	450	196	1626
Jacob N. Richards	563	466	484	429	528	2470
Joshua Wussick	260	229	100	250	139	978

**CITY OF GRAND JUNCTION REFERRED MEASURE A**

Shall the City of Grand Junction prohibit the operation of medical marijuana businesses and amend the Grand Junction Municipal Code by the addition of a new section prohibiting certain uses relating to marijuana by Ordinance No. 4437, the title to which shall read:

*AN ORDINANCE PROHIBITING THE OPERATION OF MEDICAL MARIJUANA BUSINESSES AND AMENDING THE GRAND JUNCTION MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION PROHIBITING CERTAIN USES RELATING TO MARIJUANA*

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the Ordinance	1665	2238	767	2248	884	7802
Against the Ordinance	1296	1216	916	1208	1067	5703

**CITY OF GRAND JUNCTION REFERRED MEASURE B**

Shall the City of Grand Junction grant franchises to Public Service Company of Colorado, d/b/a Xcel Energy and to Grand Valley Rural Power Lines, Inc. by People’s Ordinance No. 37?

*AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO PUBLIC SERVICE COMPANY OF COLORADO, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO FURNISH, SELL AND DISTRIBUTE GAS AND ELECTRICITY TO THE CITY AND TO ALL PERSONS, BUSINESSES, AND INDUSTRY WITHIN THE CITY AND THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID CITY ALL FACILITIES REASONABLY NECESSARY TO FURNISH, SELL AND DISTRIBUTE GAS AND ELECTRICITY WITHIN THE CITY AND THE RIGHT TO MAKE REASONABLE USE OF ALL STREETS AND OTHER PUBLIC PLACES AND PUBLIC EASEMENTS AS HEREIN DEFINED AS MAY BE NECESSARY; AND FIXING THE TERMS AND CONDITIONS THEREOF; AND*

*AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO GRAND VALLEY RURAL POWER LINES, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY TO THE CITY AND TO ALL PERSONS, BUSINESSES, AND INDUSTRY WITHIN THE CITY AND THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID CITY ALL FACILITIES REASONABLY NECESSARY TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY WITHIN THE CITY AND THE RIGHT TO MAKE REASONABLE USE OF ALL STREETS AND OTHER PUBLIC PLACES AND PUBLIC EASEMENTS AS HEREIN DEFINED AS MAY BE NECESSARY; AND FIXING THE TERMS AND CONDITIONS THEREOF.*

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the Ordinance	2048	2700	1081	2654	1239	9722
Against the Ordinance	627	544	462	595	588	2816



We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 5, 2011, and do hereby conclude:

That Sam Susuras has been duly elected as Councilperson for District "B" by the greater number of votes.

That Bennett Boeschenstein has been duly elected as Councilperson for District "C" by the greater number of votes.

That Jim Doody has been duly elected as Councilperson for "City at Large" by the greater number of votes.

Further we, the undersigned Canvassing Board, do hereby conclude that for the City of Grand Junction Referred Measure A, the ordinance was upheld by the greater number of votes; and that for the City of Grand Junction Referred Measure B, the ordinance was adopted by the greater number of votes.

Certified this 6<sup>th</sup> day of April, 2011.

/s/ Stephanie Tuin  
Stephanie Tuin, MMC  
City Clerk

Dated this 6<sup>th</sup> day of April, 2011.

/s/ Teresa Coons  
Teresa Coons  
Councilmember, District E

/s/ Bruce Hill  
Bruce Hill  
Councilmember, At Large

/s/ Thomas Kenyon  
Thomas Kenyon  
Councilmember, District A

/s/ Gregg Palmer  
Gregg Palmer  
Councilmember, District C

