

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

August 3, 2011

The City Council of the City of Grand Junction convened into regular session on the 3rd day of August, 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras and Council President Tom Kenyon. Councilmember Teresa Coons was absent. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. Councilmember Luke led the Pledge of Allegiance, followed by invocation by Reverend Blaine Scott, First United Methodist Church.

Proclamations

Proclaiming August 12, 2011 as "Grand Valley Power Day" in the City of Grand Junction

Appointments

Councilmember Pitts moved to ratify the re-appointment of Ray Rickard, David Reinertsen, and Tom Cronk to the Mesa County Building Code Board of Appeals for three year terms expiring July 1, 2014. Councilmember Susuras seconded the motion. Motion carried.

Council Comments

Councilmember Boeschstein said he attended the gathering at Hawthorne Park and there were a number of families with their children. He also attended the Industrial Developments, Inc. meeting and the Economic Development Forum that was held at Mesa State College.

Citizen Comments

Amy Lentz, who lives near Hawthorne Park, said she would rather not state her address as she has been harassed. She grew up in Grand Junction, is the mother of two small children, and is now raising her family here. There is a problem with lawless individuals who refuse to follow the rules, eroding the core of Grand Junction, in the parks, on trails and on the corner. She would like the public places made safe again. She has been accosted by intoxicated individuals while with her children and she no longer feels safe. The increasing frequency of this problem has become the topic of many conversations with others who feel the same and has prompted action through a website called

ReclaimGrandJunction.com which has been created as a communication tool. There has been an overwhelming positive response from those who feel the same. She clarified that there is a difference between the homeless who are trying to reclaim their lives and should be treated with compassion and the transient population who have little to no regard for the law. This complicated problem must be addressed with urgency.

Christi Reece, 419 Montero Court, is a previous downtown resident, and works downtown as a realtor. She said a fellow realtor had a contract canceled near Hawthorne Park due to this issue. She thinks that property values in the downtown area will be affected if they have not already been because of this problem. There are no longer families enjoying the parks in those areas. She said she has also talked to many people in the community who are very concerned about this problem.

Nora Wedemeyer, a downtown homeowner and architect who works on Main Street, said she organizes a monthly cruiser bike ride known as the Junk Ride. She is also involved with the Grand Junction Main Street Community Garden and they work closely with another organization called Grow Another Row who donates hundreds of produce to local emergency food agencies in order to create fresh nutritious meals to those in need. She is very concerned about trends in the City with the parks and areas surrounding the Riverfront Trail. When the Junk Ride group rides the Riverfront Trail, they are safe in numbers. She would never consider walking or biking alone in these areas. The Community Garden at Tenth and Main Streets is used for working together as a community for the common goal of learning how to grow their own food and sharing with those who are less fortunate. She feels there must be parameters for giving to those who are not contributing to this community. The community cannot continue to allow public spaces to be overtaken by drunk, high, and violent individuals. People want to go to these public places without being afraid. Although each person deserves individual consideration, no group of people should impose an unsafe, threatening presence on others in these public places. She feels confident that everyone can work together to come to a resolution.

Jeffrey Cooper, 425 Gunnison Avenue, has a front row seat to Hawthorne Park, and knows what bad looks like from living in a big City. He has witnessed, while at his current address, drug deals, use of alcohol, knife fights, and prostitution. He had two City officials tell him that they will not bring their families to Hawthorne Park because of this issue. He feels he has three choices, 1) do nothing 2) do something about it, or 3) fight the people who are trying to do something about the problem. In the last two weeks, the police have made a concerted effort to clean up the park, and there is already a huge difference from two weeks ago. He has been told to move and hide in his house. He is not afraid of being harassed, he will not back down. This issue needs cooperation from everyone.

Linde Marshall, no address given, is the mother of three daughters. She is a native, and moved back to Grand Junction three years ago. The transient population creating unsafe places is becoming an issue. There are three issues she would like to address: safety, compassion, and balance. She does not feel safe on the Riverfront Trail and has been surrounded by transients in a threatening situation, and has not been back to the Riverfront Trail since. She feels, on the issue of compassion, she has personally given to outreach organizations, and she has personally witnessed that some people don't want help. In regards to balance, she encouraged the City to build on the good work the HOT Team is doing, but at the same time, keeping in mind that enforcement in laws and ordinances must play a role, otherwise lawless behavior becomes acceptable. She invited Council and has invited others in the community to the Blue Heron Trail on Friday, August 5, 2011, as they will have a community play date for their children.

Tim Fenwick, 638 Panorama, has been a resident for 35 years. He said there is a difference between the homeless and transients. The homeless can't handle a rent payment and need help. He knows personally of this transient population as he has had family and friends go through homelessness and it is a serious problem. He asked what role the Police, Police Chief, and City Council play in the transient problem. The City has a Charter and laws, and he has witnessed a lack of action being taken when laws are broken by the transients. He asked what resources are being provided? He has personally given handouts to some of the transient population, and never gotten a thank you or repayment. What resources are being used in order to fund the help for some of these transients? He asked what the cost is to the citizen, about the loss of facilities, emotional distress, and what are the future costs going to be?

Sara Beth, part of the homeless community, said they use the parks during the day, as there are not many options in the daytime for those with children. They cannot go to the day center with children. Her friends do not bother people at the park. There is no money, and no jobs, but they are trying. She suggested other options such as using the vacant City Market building on North Avenue to house those with children. She doesn't stay by the river because of safety issues, although she feels the park is safe for her children.

Trina Johnson, 1306 N. 25th Street, was homeless for five months, and has never felt threatened in the parks. On Sunday, there is no public transportation. She feels more threatened by going to local restaurants like Taco Bell.

Jacob Richards, 629 Ouray Avenue, said there are rising numbers of homeless and there is a negative impact on the broader community because of it. Knee jerk reactions will further criminalize the homeless and will move the City further away from solving the problem. The committee, Housing First, thinks this will cost the City more taxpayer dollars. Housing-based strategies save money, it costs less to do the right thing. He said the community is failing to realize how much is being spent on the homeless with

little to no positive results. There are 220 beds available in the winter months to the homeless and roughly 800 homeless people needing those beds. It is unconstitutional to run people out of town. The homeless do not have any private space to exist, therefore they exist in public space. Where will these people go? One out of every four of the homeless population have shelter at night and eat at the Soup Kitchen. He believes this is a reflection of our community, suffering from loss of employment. The only option to reduce the number of homeless in the park is to reduce the number of homeless people in the community. If people are reclaimed instead of parks, the park issue will evaporate.

Rhoda Cain, 1734 N. 21st Street, said she cares about all members in the community and she understands the mothers that feel fear in the City community parks. She said people need to act in a positive way, and not fearful reaction. The community needs to educate themselves and their children, and work to find real permanent solutions. There are many cities working on these same issues and housing has been the only real solution. This City should be a community of love and tolerance that stands up for all of its citizens. Residents must all be an example of love and compassion.

Richard Garnett, 3273 Pheasant Place, Clifton, said for the last three years he has been helping feed the homeless in Whitman Park on Sundays. His group usually feeds 125 to 130 people. For the last three years, there are a group of about twenty people that cause problems. There have been about 547 families in the community that have been impacted by the economy and are homeless. His daughter, who is six years old, helps hand out the flatware and the plates. He believes it is only by God's grace he is feeding rather than one that needs to be fed. He cooks the meal and his fellow church goers help serve it.

There were no further citizen comments.

CONSENT CALENDAR

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

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the July 20, 2011 Special Meeting and the July 20, 2011 Regular Meeting

2. **Setting a Hearing Zoning the Ashley Annexation, Located at 2808 C ¾ Road**
[File # ANX-2011-856]

A request to zone the Ashley Annexation, located at 2808 C ¾ Road, which consists of one (1) parcel, to an I-2 (General Industrial) zone district.

Proposed Ordinance Zoning the Ashley Annexation to I-2 (General Industrial),
Located at 2808 C ¾ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for August 15, 2011

3. **Mesa Management LLC Revocable Permit, Located at 602 26 ½ Road** [File #
SPN-2011-783]

Mesa Management LLC is requesting a Revocable Permit to allow the existing detached garage, stone BBQ, 6' tall solid wood fence and landscaping (both existing and proposed) to remain in the recently dedicated street right-of-way for Patterson Road located at 602 26 ½ Road. The property owner dedicated this additional right-of-way as part of their site development plan.

Resolution No. 41-11—A Resolution Concerning the Issuance of a Revocable Permit to Mesa Management LLC, Located at 602 26 ½ Road

Action: Adopt Resolution No. 41-11

4. **Persigo Wastewater Treatment Plant Sludge Processing Building Improvements Project (Dissolved Air Floatation) Construction Contract**

This request is for the construction of the Sludge Processing Building Improvements Project at the Persigo Wastewater Treatment Plant (WWTP). Based on previous process improvement evaluation studies at the WWTP, Staff has identified the need to improve the plant system for solids handling. Installation of Dissolved Air Floatation (DAF) equipment will allow Operators at the WWTP to optimize solids handling throughout the WWTP, and during winter months when current plant processes are reaching design capacity.

Action: Authorize the Purchasing Division to Execute a Construction Contract with RN Civil Constructors, LLC. for the Construction of the Sludge Processing Building Improvements Project at the Persigo WWTP in the Amount of \$317,000

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Annual Justice Assistance Grant for Police Mobile Technology Upgrades**

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice to apply for an annual grant in the amount of \$56,384. These funds are allocated evenly between Grand Junction Police Department and Mesa County Sheriff's Office and will be used in combination with other funding sources to complete mobile technology upgrades in each agencies police cars.

The Bureau of Justice Assistance requests the City Council provide an opportunity for public comment, as part of the application process.

John Camper, Chief of Police, presented this item. Every year the City of Grand Junction Police Department is solicited to apply for their Justice Department grant. This year they have the opportunity to apply for \$56,384 and that funding will be split with Mesa County. The funds will be used for mobile technology. He asked the Council to authorize the application and, if awarded, to expend the funds.

Council President Kenyon asked if anyone wished to comment. There were no public comments.

Councilmember Doody asked about reporting requirements for this grant. Chief Camper said the City has been fortunate to receive this grant several years in the past. They do report how the funds are expended.

Councilmember Doody noted he read an article about a thousand communities in 2008-2009 not being eligible for this funding due to reporting requirements.

City Manager Laurie Kadrich said the City dedicates resources to tracking and auditing all federal grants to ensure compliance and the City has never been deemed non-compliant.

Councilmember Susuras moved to authorize the City Manager to apply for the Bureau of Justice Assistance Annual Formula Grant, and if awarded, to authorize the City's Purchasing Division to purchase new mobile technology for the Police Department Patrol Vehicles in the amount of \$56,384. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Public Hearing—Amending the Grand Junction Municipal Code to Authorize the Issuance of Special Events Permits by the Local Licensing Authority

A new State law allows a local jurisdiction to consider and issue Special Events Permits. The law allows non-profits and political candidates that receive a Special Event Permit to serve alcoholic beverages on non-licensed premises for up to fifteen events per year providing all requirements are met. Under the prior law the Local Licensing Authority reviewed and approved a Special Event Permit application but the State issued the license.

The public hearing was opened at 7:52 p.m.

John Shaver, City Attorney, presented this item. This past legislative session passed SB-066 which pertains to the service of alcoholic beverages at Special Events. These permits are usually issued for a community festival. This bill changes the way such permits are issued. Prior to the law, there was a two step process, approval at the local level followed by approval at the State Level. This ordinance will allow the permit to be approved and issued at the local level. The law also increased the number of permits per applicant from ten to fifteen.

Councilmember Doody asked if the applicant will still have to post the premises. City Attorney Shaver said that will stay in place. It will also eliminate the need to prove that no other licensed premises are available or adequate to hold the event. It makes it more just a matter of local review.

Councilmember Luke asked if the State elimination adds liability to the City. City Attorney Shaver said all the same things will still be in place.

Council President Kenyon said there is an event organizer and they still must abide by the law. Many are fundraisers and community events. Government efficiency is improved, as the State process was just one more step and this will improve efficiency. City Attorney Shaver said the City has a good relationship with the State but change is prudent anytime there is an opportunity to increase efficiency.

There were no public comments.

The public hearing was closed at 7:59 p.m.

Councilmember Susuras said anytime the State can be removed from the local process, it is a good thing.

Ordinance No. 4478—An Ordinance Amending the Grand Junction Municipal Code Section 5.12.240 to Authorize the Issuance of Special Event Permits by and Through the Local Authority

Councilmember Pitts moved to approve Ordinance No. 4478, and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Milton “Tony” Long, 237 White Ave, Apt. B, noted that it has been mentioned that a big solution to help the homeless is to get them a place to live. He has had that experience and it makes a big difference. He is opposed to the abuse of drugs. He passed out information on an organization that can help with drug abuse.

Stephanie Goode, lives on Sharptail Street, has been homeless for six months this year. She currently lives in transitional housing thanks to Catholic Outreach. She has read the newspaper article about neighbors in the community resenting the homeless in the parks. Her transitional housing is temporary and she may become homeless again. The last six months she has had an uncomfortable time being in the shelter but still has made friends there. She is afraid for her friends as parks are safe for them, she is afraid her community which has been so generous would ban homeless from parks.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:06 p.m.

Stephanie Tuin, MMC
City Clerk