

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

October 17, 2011

The City Council of the City of Grand Junction convened into regular session on the 17th day of October, 2011 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. 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 an invocation by Steve Hagerman, Turkish World Outreach.

Presentations

Kami Long, Grand Junction Forestry Board Chair, presented Yard of the Month for September. She thanked the Council for their support and said this is the last award for the year. She announced the winner as Mark Cadez on Partridge Court, whose yard is maintained by Gary Wuster and Julie Kochevar. She presented them with the award. Mr. Wuster thanked Julie Kochevar, the Daily Sentinel, and the City for the award.

Appointment

Councilmember Susuras moved to appoint Les Miller for a partial term expiring June 2012 to the Downtown Development Authority/Downtown Grand Junction Business Improvement District. All members of Council voted in favor. Council President Kenyon asked if there are any objections and when there were none, he declared the appointment approved.

Council Comments

There were none.

Citizen Comments

There were none.

City Manager's Report

Laurie Kadrich, City Manager, presented this item. She said her report was a follow up from a workshop that occurred earlier that day. It was decided at the workshop that an open house on the proposal to refinance the Riverside Parkway bonds will be held on October 26 from 7:00 p.m. until 8:30 p.m. in the Hearing Room. There will be comment

sheets and then the City Council can decide whether to go forward and set a public hearing to consider the ordinance.

Councilmember Coons noted that this will be an informal open house. City Manager Kadrach concurred.

City Manager Kadrach reviewed the current Riverside Parkway debt and the effect of the refunding option. If the option is approved there would be no change to the money earned by the current bond holders. It would, however, lower the interest rate from 4.78% down to about 2.74%. This would push out any early repayment option of the bond but it would save more money, \$7.3 million.

Council President Kenyon clarified that the City has \$19 million in savings for the early pay-off and the early pay-off will be a little slower. Refunding the bond does change the terms but does save the City \$7.3 million. It also reduces the amount borrowed.

Councilmember Coons said this proposal is analogous to refinancing a home mortgage. The Council will be looking at getting feedback from the community at the Open House.

City Manager Kadrach agreed noting that the savings to the community will be millions of dollars.

Councilmember Luke pointed out that the cost of refinancing will be incorporated into the new bond at the 2.74%

That concluded the City Manager's Report.

CONSENT CALENDAR

Councilmember Coons read the Consent Calendar and then moved to approve Items #1 through #6. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the October 5, 2011, Special Session and the Minutes of the October 5, 2011 Regular Meeting

2. **Setting a Hearing on the Annexation of the Banner Enclave, Located at 2977 and 2979 Gunnison Avenue** [File #ANX-2011-1124]

A request to annex 1.674 acres of enclaved property, located at 2977 and 2979 Gunnison Avenue. The Banner Enclave consists of two (2) parcels and 128 square feet (0.003 acres) of public right-of-way.

a. Notice of Intent to Annex and Exercising Land Use Control

Resolution No. 48-11—A Resolution of the City of Grand Junction, Giving Notice that a Tract of Land known as the Banner Enclave, Located at 2977 and 2979 Gunnison Avenue and Including a Portion of the Gunnison Avenue Right-of-Way, Consisting of Approximately 1.674 Acres, Will be Considered for Annexation to the City of Grand Junction, Colorado and Exercising Land Use Control

Action: Adopt Resolution No. 48-11

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Banner Enclave Annexation, Located at 2977 and 2979 Gunnison Avenue and Including a Portion of the Gunnison Avenue Right-of-Way, Consisting of Approximately 1.64 Acres

Action: Introduction of a Proposed Ordinance and Set a Hearing for December 7, 2011

3. Setting a Hearing on Amending the Comprehensive Plan by Adopting the North Avenue West Corridor Plan, Located between I-70B (west side) to 12th Street (east side including both sides of North Avenue) [File #CPA-2011-966]

The Corridor Plan establishes four guiding principles, multiple plan elements, and a future street cross section for North Avenue to further revitalize and plan for the future growth of North Avenue. It also recommends that a future overlay district be created and established as the Plan is implemented. The Grand Junction Planning Commission and City Staff recommend the adoption of the North Avenue West Corridor Plan as an element of the Grand Junction Comprehensive Plan.

Proposed Ordinance Adopting the Grand Junction North Avenue West Corridor Plan as an Element of the Comprehensive Plan for the Area Generally Located Along North Avenue West of 12th Street

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 2, 2011

4. Setting a Hearing on an Ordinance Authorizing the Substitution of Collateral for the Sam Suplizio Field/Ralph Stocker Stadium Lease Purchase

In November 2010, the City Council approved an ordinance authorizing the lease of Sam Suplizio Field and Ralph Stocker Stadium in order to issue Certificates of

Participation to provide funding for improvements to the Field and Stadium. Those improvements are currently under construction. In October, 2011, the City Council determined that it is in the best interest of the City to substitute the collateral for that lease with the City Hall building. This ordinance will authorize the execution of the appropriate documents to allow for that substitution.

Proposed Ordinance Authorizing the Execution and Delivery of a First Amendment to Ground and Improvement Lease Agreement, a First Amendment to Lease Purchase Agreement, an Escrow Agreement, and Related Documents by the City; and Providing for Other Matters Relating Thereto

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 2, 2011

5. **Vacation of 15' Waterline Easement, Fuoco Motors, Located at 2582 Highway 6 and 50** [File #VAC-2011-1099]

The applicant is requesting to vacate a 15' waterline easement in order to construct a new building across the easement area. A new waterline and easement will be constructed at another location on the property that is not encumbered with existing or proposed structures.

Resolution No. 49-11—A Resolution Vacating a 15' Waterline Easement Located at 2582 Highway 6 and 50 (Fuoco)

Action: Adopt Resolution No. 49-11

6. **Master Plan 2011 for St. Mary's Hospital** [File #FMP-2011-977]

The applicant is requesting approval for Master Plan 2011 for St. Mary's Hospital with no major changes proposed for the hospital campus in the next few years. St. Mary's campus is zoned Planned Development. Over the years the PD ordinance has been amended with new Master Plans. In this case, however, because no major changes are proposed during the five (5) year term of the Plan, there is no need to modify the PD Ordinance. Therefore, Ordinance No. 3992, approved in 2006 with a default zoning district of B-1 (Neighborhood Business), is still valid. However, the Master Plan 2005/2006 expires in 2011 so approval for the next five (5) years is required.

Resolution No. 50-11—A Resolution Approving Master Plan 2011 for St. Mary's Hospital and Environs Located at 2635 North 7th Street

Action: Adopt Resolution No. 50-11

Councilmember Boeschstein thanked St. Mary's for doing their Master Plan. He favors long range planning.

Council President Kenyon recognized St. Mary's Executive Director Dan Prinster in the audience, noting that St. Mary's is one of the City's greatest partners in the community. Mr. Prinster declined to make any comments.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

2011 Department of Justice, Community Oriented Policing Services (COPS) Grant Award, for the Street Crimes Unit

The Department of Justice, Community Oriented Policing Services (COPS) has awarded a \$998,368 grant to the Grand Junction Police Department to hire 4 officers, specifically to reinstate the Street Crimes Unit (SCU). These funds will cover salaries and benefits for three years. The City Manager is required to sign the award letter in order for reimbursement to occur.

John Camper, Chief of Police, introduced this item. He noted that Deputy Chief Troy Smith and Police Financial Analyst Kimberly Swindle spent many hours putting the grant application together.

Deputy Chief Troy Smith presented the details of the grant award. It will pay for four officers for the Street Crimes Unit for three years. He commended the work of Ms. Swindle on this and many other grants.

Councilmember Coons noted that, as a member of the Meth Task Force, she argued very strongly for the formation of the Street Crimes Unit and was sad it had to go away due to budget cuts. She is pleased the Unit will be reinstated as they deal with a lot of related crimes.

Councilmember Susuras asked if the SCU was disbanded in 2009. Chief Camper said it was in 2010. Councilmember Susuras asked if the street crimes have increased without this Unit. Chief Camper said they have seen an increase without the Unit and they will be glad to have them back.

Councilmember Boeschstein asked if there will be a reinstatement of the bicycle patrol. Chief Camper said that is unrelated to this team but they are looking at ways to bring them back.

Council President Kenyon asked if the City still has all the vehicles and equipment for these officers. Deputy Chief Smith said that the vehicles that supported this Unit before are still in the Police Department Fleet, there is no request for additional vehicles. Their uniforms and specialty equipment will be absorbed through the Police Department budget.

Council President Kenyon asked if there are any other obligations when accepting this grant. Deputy Chief Smith said that the City would be required to continue the Street Crimes Unit for an additional year after the grant.

Councilmember Susuras moved to authorize the City Manager to accept and expend the grant funds in the amount of \$998,368 from the State of Colorado's Department of Justice Award. Councilmember Coons seconded the motion. Motion carried.

2011 Department of Justice, Justice Assistance Grant (JAG) Award, to Support the Homeless Outreach Team (HOT) of the Police Department

The Grand Junction Police Department applied for and has been awarded a \$50,629 grant from the State of Colorado. These funds will be used to support the Homeless Outreach Team (HOT) of the Police Department. The State has awarded GJPD funding to cover overtime for the three HOT officers, a Mobile Data Computer, and an 800 MHz Radio for their car, as well as incidental supplies and equipment.

John Camper, Chief of Police, introduced this item. He noted that the HOT Team was formed without any funding. Once again Deputy Chief Smith and Ms. Swindle were successful in applying for a grant to support this Team.

Deputy Chief Smith said the HOT Team has been working with standard issue uniforms and equipment and that is not really conducive for the work they do. They have also been using older retired police cars with no technology. Another piece of equipment will be Smart Phones. This grant is pass-through dollars from the State of Colorado.

Councilmember Boeschstein thanked the Police Department and the City Manager for solving the problem at Hawthorne Park. Chief Camper noted it is an ongoing effort.

Councilmember Coons noted this is a difficult issue and all the individuals working with the homeless have complimented the work of the HOT Team. Their work has been truly innovative.

Council President Kenyon said the HOT Team has done an outstanding job and their specialty has been to help with the homeless, identify issues, and reduce the number of repetitive calls. They have had success in improving people's lives and listening to what their problems might be and finding them some resources.

Councilmember Doody moved to authorize the City Manager to accept and expend grant funds in the amount of \$50,629 from the State of Colorado's Department of Justice Award. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Mesa Land Trust – Three Sisters Request

Mesa Land Trust is requesting that the City of Grand Junction convey approximately 3.5 acres located at 5th and Struthers to Conquest Developments, LLC as partial payment for the Three Sisters property located along Monument Road. Mesa Land Trust is also requesting that the City cover the transaction costs in connection with this conveyance, including title insurance, Phase I, and appraisal fees. These costs are estimated to be no more than \$7,500.

Laurie Kadrach, City Manager, presented this item noting this is the first presentation of this matter to the community. The purpose is to move an exchange of some property from the negotiations stage into the public and formal Council consideration.

Mesa Land Trust approached the City to ask if the City had property they could offer as partial payment to acquire the Three Sisters Property. The City searched its inventory and brought forward both a commercial piece and a residential piece. Those were then offered to the Mesa Land Trust to see if one of the parcels would work. One was agreeable, the commercial property at 5th and Struthers. The property was secured as part of the Riverside Parkway project. If Council approves, then the City Manager will offer that parcel for the Mesa Land Trust to use as an exchange. It will be contingent on Mesa Land Trust raising the remainder of the funds, about \$900,000. Once the trade takes place, the City will be deeded the Three Sisters property with a conservation easement placed on it. It will be able to be developed for trails and recreational purposes.

Councilmember Susuras asked if the Mesa Land Trust has received a commitment letter from the land owner. City Manager Kadrach said that is her understanding. Councilmember Susuras asked about the improvements. City Manager Kadrach said if the property is deeded back to the City, development plans will be prepared and brought forward which will include any maintenance costs.

Councilmember Boeschstein lauded this possibility, noting it is a beautiful piece of property. It is subject to flash floods, there are dinosaur digs, and this property also has archeological finds. He was concerned about the future use of the commercial piece being traded but was glad it was zoned commercial rather than industrial. Rob Bleiberg, Mesa Land Trust Director, thanked the City Council for their support noting the economic impact of mountain biking. Their plans are to work with other groups, specifically Colorado Plateau Mountain Bike Trail Association (COPMOBA), which has agreed to build trails on the property. Mr. Bleiberg acknowledged the presence of the Mesa Land Trust board in the audience. They are having success raising the funds from both the Quimby Foundation and the Riverfront Commission.

Council President Kenyon said he looks forward to bikers being able to make the connection from this property to Kokopelli Trails noting the City is seeing the benefits of that economic impact.

Councilmember Coons said she was excited that the Tabeguache Trail is well used and opening it up will alleviate some of the congestion; she also recalls when the Three Sisters Property issue came forward for development there was a lot of concern about the proposal for residential development.

Council President Kenyon lauded the work of the Mesa Land Trust, noting they have put almost 50,000 acres of land under protection and continue their work in the orchards and in the buffer zones. They are a huge contributor to the quality of life of the community.

Mr. Bleiberg said these projects take a lot of different partners and they are happy to be a partner in that effort.

Councilmember Doody recalled a discussion with Jane Quimby and remembers how the corridor to the National Monument was and how it has been cleaned up as well as other areas in the valley.

Councilmember Boeschstein said there will be a Master Plan before any development occurs.

City Manager Kadrach added that the value of the property the City is trading is \$550,000 and the authority to negotiate did not include any cash but the request does include a \$7,500 cash amount to cover closing costs.

Council President Kenyon noted the City will receive full value or more of their investment in this proposal thanks to the grant and the other donors.

Councilmember Susuras moved to convey a parcel of land as partial payment for the Three Sisters Property which will expand the Lunch Loop Trail system and connect the Riverfront Trail and authorize the cost of the fees up to \$7,500. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Lease Agreement for Professional Baseball

Ratifying a lease agreement for the use of the baseball stadium (Suplizio Field) by a Pioneer League Baseball team owned by GJR LLC.

Laurie Kadrach, City Manager, presented this item noting the City team working on this project: Deputy City Manager Rich Englehart, City Attorney John Shaver, and Parks and Recreation Director Rob Schoeber. The name of the company they have been working with is the Grand Junction Rockies LLC (GJR, LLC). The team will start playing in Grand

Junction in June 2012. As part of the agreement, offices and expanded locker rooms will need to be incorporated into the current renovations taking place. The north parking lot will not be available for public parking during their season and during the off season they would have five reserved spaces in those lots. The agreement will allow for advertising space at the stadium. The team will have five full-time employees. They will play 38 regular season home games and four more exhibition or pre-season games. During their season the GJR LLC will have full control over concessions and would have exclusive rights to the field. The contract will allow for the shared uses for other events not during the season. GJR, LLC is concerned about the field condition but the City is confident in ensuring good field conditions. The team's schedule would be adjusted so as not to conflict with JUCO, college, or high school games. The initial lease is for fifteen years, with three five year extensions that are nearly automatic. Rate increases can occur in the renewal periods.

Councilmember Susuras noted the resolution says thirty years. City Attorney Shaver clarified that the resolution says up to thirty years.

City Manager Kadrach identified the renovations required and the costs. Parks Improvement Advisory Board (PIAB) has agreed to fund \$100,000 and the minor league will also contribute \$100,000 toward the improvements. The improvements can be made in conjunction with the current renovations and the work will come forward as a change order. There is a penalty clause for each game missed of \$500 per day. The negotiation team ensured there would be no conflict with the longstanding agreement with JUCO. There is an advertising agreement in place between JUCO and the minor league.

City Manager Kadrach listed the revenues the City will receive from this arrangement. There is a fee per seat and a \$25,000 payment plus rental fees for each game and that will increase in the renewal periods as well as the per seat fee.

The City will need to secure \$600,000 over two years to cover the renovations. She then presented the estimated total revenues per year of \$80,000 the first five years and \$96,000 the next five years.

Councilmember Susuras asked what the players' seasonal payroll will be. City Manager Kadrach said she did not know.

Councilmember Boeschstein asked about parking and the conflict with pool attendees. He asked about encouraging people to take the bus or bike to the ball game. City Manager Kadrach said that might be able to be incorporated into the marketing campaign.

Councilmember Doody asked about the outfield fence and its inadequacy. City Manager Kadrach said there have been discussions regarding that. It is believed that there will be

enough money set aside to cover a new fence and furniture in the hospitality suite. JUCO is also committed to raising dollars for those two items.

Council President Kenyon noted that with the new materials used for advertising, the banners can be changed out but will require different types of attachments to the fence and possibly some padding for the players. He said there is money for the fence. Next City Manager Kadrach addressed the management agreement. Prior to this proposal, events to be held in the new hospitality suite and a liquor license had been discussed. For the minor league, it is required that a liquor license is obtained. The agreement would allow the minor league to manage the license for the City during the season and the City would manage it the rest of the year. The City will receive 1% of the liquor sales.

Resolution No. 51-11—A Resolution Ratifying a Lease Agreement Between GJR LLC and the City for Use of Suplizio Field for Pioneer League Baseball in the City of Grand Junction, Colorado

Councilmember Susuras moved to adopt Resolution No. 51-11. Councilmember Pitts seconded the motion.

Councilmember Doody thanked JUCO and Alpine Bank for their support on the renovations and that they laid the groundwork for this opportunity.

Council President Kenyon thanked the negotiation team for their work on the contract as well as JUCO.

Motion carried by roll call vote.

Council President Kenyon called a recess at 8:25 p.m.
The meeting reconvened at 8:36 p.m.

Public Hearing—Grand Junction Comprehensive Plan Text Amendments [File #CPA-2011-994]

The proposed Grand Junction Comprehensive Plan text amendments serve to correct Chapter One, “Land Use Designations,” by (1) including all of the City zone districts that implement the various Comprehensive Plan designations and eliminating those that do not, (2) removing all Mesa County zone districts from each Comprehensive Plan land use designation, (3) adding a footnote reference directing readers to the Mesa County Land Development Code for a description of which County zone districts implement which Future Land Use designation, and (4) renaming the “Agriculture” land use designation “Large Lot 35+”.

The public hearing was opened at 8:37 p.m.

Tim Moore, Public Works and Planning Director, introduced this item. He noted that the City adopted the Comprehensive Plan and then amended the Zoning and Development Code. However, there are some inconsistencies, and those have been identified and presented to the Planning Commission.

Lisa Cox, Planning Manager, then presented this item which is the proposed text amendments to the Comprehensive Plan that will eliminate the zone districts that do not implement the Comprehensive Plan, eliminate the County zone districts, and add a footnote that for the zoning of those areas, the readers need to contact the Mesa County Planning Department. Inconsistencies will lead to confusion for the customers so they would like to make adjustments to eliminate those inconsistencies.

The Comprehensive Plan was adopted by both the City and the County. Ms. Cox displayed the review criteria for Plan amendments. The last criterion has been met by the current proposal, that is, the community will benefit by the changes.

She reviewed the number and type of comments that were received during the open house held. Based on the action the City Council takes, the Mesa County Planning Commission will hold a public hearing on October 27th to take formal action.

Ms. Cox then reviewed the specific changes by categories. First, open space and conservation zones. Then she addressed the blended residential categories and the blended residential map, which is unique to Grand Junction.

Councilmember Susuras asked if the proposal is to rezone some properties, specifically Horizon Towers. Ms. Cox said the proposal does not rezone any property; the pictures used, like Horizon Towers, are just examples.

The last category is the commercial land use designations. This includes the form based districts. The number of building stories is set forth in the land use designation. This category also includes commercial, commercial/industrial, and industrial land use designations.

Ted Ciavonne, 222 N. 7th Street, Ciavonne and Associates, who has served on many of the committees that developed these plans, said he represents a property owner of the "salt flats", north of Business Loop 70 and east of 28 Road. He was concerned about the removal of the mixed use (MU) in the RHMU district. It removes a tool that may be useful in developing this property. He concurred that the Plan and the Code are in conflict but removing that MU use will make that conflict worse. He believes that middle ground can be found. The property in question is 40 acres of vacant property in the middle of town. It is surrounded by industrial and commercial uses but is designated as residential. He

thinks it will be difficult to place residential there. He admitted that this property will actually not be discussed until they get to the “red” group in the future. He asked that it be placed in a separate group for special consideration.

Councilmember Boeschstein asked if Mr. Ciavonne is thinking of a Planned Development for the property. Mr. Ciavonne said possibly but that may be difficult with two owners. He thinks there are a number of overlay zones that would help them accomplish what they would like to see there.

Council President Kenyon asked Public Works and Planning Director Tim Moore on how this and other properties in the “red” zone will be addressed. Mr. Moore concurred that this is a unique property; he appreciates the heads up and they are willing to discuss it with the developers. There is time to work with them. Both the “red” and the “black” areas will take a lot more discussion.

Councilmember Coons asked if the approval of the proposal before them will negate further discussions with Mr. Ciavonne. Mr. Moore said there are a number of tools still available to get their goals met.

City Attorney Shaver added that a street plan for this property could help in its development.

There were no additional public comments.

The public hearing was closed at 9:10 p.m.

Ordinance No. 4484—An Ordinance Amending the Grand Junction Comprehensive Plan, Title 31, of the Grand Junction Municipal Code, to Clarify which Zone Districts Implement Each Land Use Designation of the Comprehensive Plan
Councilmember Coons moved to adopt Ordinance No. 4484 and ordered it published.
Councilmember Doody seconded the motion.

Councilmember Boeschstein inquired about area 4A, which is primarily single family houses along Gunnison Avenue, and asked what kind of zoning is being proposed for this area? City Attorney Shaver said Councilmember Boeschstein may be referring to the next item. Council President Kenyon concurred and asked Councilmember Boeschstein to hold his question.

Motion carried by roll call vote.

Public Hearing—Grand Junction Comprehensive Plan Future Land Use Map Amendments [File #CPA-2011-1064]

Proposed amendments to the Grand Junction Comprehensive Plan Future Land Use Map will eliminate the conflict between the land use designation and the current zoning of certain properties in the urban areas of Grand Junction.

The public hearing was opened at 9:12 p.m.

Tim Moore, Public Works and Planning Director, introduced this item. He advised that the Staff and the City Council have spent many hours plowing through the Plan and Map and there are still properties to be addressed. The proposal before them is the “green” area which includes 1,211 properties. Council President Kenyon said these 1,211 properties are the easy ones to reconcile and the City Council has studied this thoroughly.

There were no public comments.

The public hearing was closed at 9:15 p.m.

Ordinance No. 4485—An Ordinance Amending the Grand Junction Comprehensive Plan Future Land Use Map

Councilmember Doody moved to adopt Ordinance No. 4485 and ordered it published. Councilmember Coons seconded the motion.

Councilmember Boeschstein asked about the area south of Lincoln Park that is already built out.

David Thornton, Principal Planner, said the change will make that area conforming to the Comprehensive Plan. Councilmember Boeschstein noted these changes will help streamline the development process.

Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

City Manager Kadrich mentioned the shadows on the presentation and that it is due to the aging equipment not being compatible with the new technology.

Adjournment

The meeting was adjourned at 9:19 p.m.

Stephanie Tuin, MMC
City Clerk