

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

February 18, 2015

The City Council of the City of Grand Junction convened into regular session on the 18th day of February, 2015 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Martin Chazen, Duncan McArthur, Sam Susuras, Barbara Traylor Smith, and Council President Phyllis Norris. Absent were Councilmembers Bennett Boeschstein and Jim Doody. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember McArthur followed by the invocation given by Father Shane Carr, Christ Church Anglican.

Council President Norris welcomed Colorado Mesa University Public Administration students to the meeting.

Proclamation

Councilmember Chazen read the proclamation for American Red Cross Month in the City of Grand Junction. Eric Myers, Executive Director of Western and Southwestern Colorado for the Red Cross, was present to receive the proclamation. He thanked the City Council for the proclamation and noted that it says a lot about what they do. He described how the American Red Cross helps with a myriad of disasters that occur all the time. In western Colorado last year they responded to 75 disasters. They also provide health and safety trainings and provide emergency communication. This year they are focusing on the community becoming more prepared for disasters.

Appointments

Councilmember Susuras made a motion to ratify the reappointments of David Reinersten, Ray Rickard, and Thomas Cronk to the Mesa County Building Code Board of Appeals for terms ending July 2017. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

Citizens Comments

Bruce Lohmiller, 445 Chipeta Avenue, #25, addressed the City Council regarding funding for the homeless complex. He then told a story about a disaster and a concert that was held to raise funds for the victims.

Council Comments

Councilmember McArthur attended a meeting hosted by CDOT (Colorado Department of Transportation) on February 7th to introduce their new Director. There was a presentation about the disaster relief efforts, impacts, and costs of repairing the roads after last year's rainstorms on the Front Range; they also provided information on disaster preparedness. He mentioned to CDOT that Mesa County and the City are eager to see the 29 Road interchange completed.

Councilmember Chazen attended a Grand Junction Chamber of Commerce (GJCC) Leadership luncheon on February 5th; four other Councilmembers also attended. This luncheon was designed to teach local citizens about local government. On February 9th he went to a Joint City and County meeting; the discussion was on the broadband bill and an update from the County was provided on who is doing the Environmental Impact Statement for the 29 Road interchange project. February 11th was National 211 Day; he, along with County Commissioner John Justman, went to the County's Health and Human Services (MCHHS) building and looked at the 211 System. He mentioned the type of information provided and remarked it is an interesting operation. Councilmember Chazen also attended the Downtown Development Authority/Business Improvement District (DDA/BID) meetings; Deputy Police Chief John Zen gave a presentation on the frequency of calls from downtown, most of which deal with bar patrons. Associated Governments of Northwest Colorado held a meeting on February 18th and had a presentation by the City's Management and Legislative Liaison Elizabeth Tice on Economic Development (ED) with a focus on Foreign Trade Zones.

Councilmember Traylor Smith also attended the GJCC Leadership luncheon and was encouraged by the number of citizens interested in serving on committees. She attended the Joint City and County meeting on February 9th and noted how important it is for the City to keep apprised of what is going on at the County. On February 11th she spent the morning and had lunch with José de Jesús Legaspi, owner and President of the Legaspi Company in California and VIP Guest Speaker for the Western Colorado Latino Chamber of Commerce's Two Year Anniversary Celebration. He specializes in building Hispanic malls and toured North Avenue to see what ideas he had for the corridor. Councilmember Traylor Smith said it was good to be able to build a relationship with him and she hoped the City would be able to reach out to him in the future. On February 13th she attended the Community Services Block Grant (CSBG)

Advisory Committee meeting which is run through MCHHS. The committee is reevaluating how best to use their funds and they are working on how to increase reading levels above the third grade. On February 17th she went to the group meeting with North Star, the strategic plan consultant for ED implementation. The meeting started with discussions on how to implement the ED plan; they will be in Grand Junction for a week to gather information from around the community.

Councilmember Susuras went to Houston on Valentine's Day. On February 17th he attended the 2015 Realtor Day held at the State Capital building; one of the main issues realtors have on their agenda this year is to pass Colorado Senate Bill 15-177 (SB-177). This would stop the current practice of allowing a small number of homeowners to enter into legal action against another homeowner without their knowledge. There is a large amount of support for this bill and he would like the City and County to consider supporting this too.

Council President Norris attended the Colorado Municipalities League (CML) legislative committee meeting with City Manager Rich Englehart and Management and Legislative Liaison Elizabeth Tice; they were able to persuade CML to support a bill to help small Western Slope communities who are still suffering effects from the economic downturn.

Councilmember McArthur said there are not a lot of class action lawsuits over construction defects on the Western Slope, but this issue still impacts local home builders and contractors and adds to the cost of their insurance. SB-177 is an important bill and he echoed the consideration of support.

CONSENT CALENDAR

Councilmember McArthur read Consent Calendar items #1 through #6 and then moved to adopt the Consent Calendar. Councilmember Susuras seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the January 19, 2015 Workshop, the Minutes of the February 4, 2015 Special Session, and the Minutes of the February 4, 2015 Regular Meeting

2. **Setting a Hearing on the 2872 Patterson Rezone, Located at 2872 Patterson Road** [File # RZN-2014-493]

The applicant requests that the City rezone the property at 2872 Patterson Road from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors). The applicant is in the process of creating a site plan for the 1.415 acres in anticipation of future commercial development.

Proposed Ordinance Rezoning Property from R-O (Residential Office) to MXOC (Mixed Use Opportunity Corridors), located at 2872 Patterson Road

Action: Introduce Proposed Ordinance and Set a Public Hearing for March 4, 2015

3. **Setting a Hearing on the Hoffman Rezone, Located at 1410 and 1400 North 7th Street** [File #RZN-2015-18]

The applicant, on behalf of Rocky Mountain TMS, requests that the City rezone the property at 1410 N. 7th Street from R-8 (Residential 8 du/ac) to R-O (Residential Office). The applicant is in the process of purchasing the single-family residence in order to expand the medical practice, known as Mesa Behavioral Medicine, located next door at 1400 N. 7th Street and zoned PD (Planned Development). In order to maintain consistency of zoning, Staff recommended and the applicant has agreed to include this property in the request to rezone to R-O (Residential Office).

Proposed Ordinance Rezoning Property from R-8 (Residential 8 DU/Ac) and PD (Planned Development) to R-O (Residential Office), located at 1410 N. 7th Street and 1400 N. 7th Street

Action: Introduce Proposed Ordinance and Set a Public Hearing for March 4, 2015

4. **Election Notice for the Regular Election April 7, 2015**

Both the Charter and the Municipal Election Code have specific content and publication requirements for the election notice. The proposed notice contained within the resolution being presented meets those requirements.

Resolution No. 10-15 — A Resolution Setting Forth the Notice of Election for the Regular Municipal Election to be held on April 7, 2015 in the City of Grand Junction

Action: Adopt Resolution No. 10-15

5. **Lewis Wash GRJ-F.5-30.8 Bridge Replacement Intergovernmental Agreement**

In July of 2012, the City was awarded a Colorado Off-System Bridge Program grant in the amount of \$578,400 for the replacement of the Lewis Wash Bridge GRJ-F.5-30.8 in 2015. This intergovernmental agreement establishes the relationship between Colorado Department of Transportation (CDOT), acting on behalf of Federal Highway Administration (FHWA), and the City of Grand Junction.

Resolution No. 11-15 — A Resolution Accepting Federal Aid Funds for the Replacement of the Lewis Wash Bridge GRJ-F.5-30.8, Authorizing City Matching Funds and Authorizing the City Manager to Sign an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT)

Action: Adopt Resolution No. 11-15

6. **Purchase Four Utility Vehicles**

This request is for the purchase of a scheduled equipment replacement for the Parks and Waste Water Treatment Departments.

Action: Authorize the City Purchasing Division to Purchase Four Utility Vehicles from US Tractor and Harvest Inc. in the Amount of \$52,000

ITEMS FOR INDIVIDUAL CONSIDERATION

Public Hearing – Amending Sections of the Zoning and Development Code to Allow Permanent Outdoor Display within the Front Yard in B-1, C-1, and C-2 Zone Districts, Including Seasonal Sales and Exempting Certain Display Areas

The proposed amendment to the Zoning and Development Code clarifies outside storage and display in the B-1 zone district, allows permanent display areas within the front yard in the C-1 zone district without approval of a Conditional Use Permit, and clarifies where and how permanent outdoor display is allowed in the C-2 zone district. The proposed amendments do not change the outdoor storage restrictions along commercial corridors, but allow outdoor display of merchandise, such as automobiles, along street frontages. In addition, the amendment would allow display areas under eaves, canopies, or other storefront features immediately connected to the building; because these are discreet and commonly accepted as simply an extension of the indoor display, Staff has determined that they should not be treated as “outdoor display.”

The public hearing was opened at 7:27 p.m.

Lori V. Bowers, Senior Planner, introduced this item and described what the changes in the Code would affect, pointing out the difference between outdoor display and outdoor storage. Currently outdoor display requires a Conditional Use Permit and the planners feel that is an unnecessary step. There are also some contradictions in the Code. Lastly, displays in doorway areas and immediately adjacent to the store (Redbox, propane bottles, etc.) should be considered an extension of the indoor sales. Those should not be subject to regulation.

Councilmember Traylor Smith asked how businesses will know whether the merchandise is considered storage or display; is the Code clear? Ms. Bowers said the Code is clear, but questions are welcomed. Councilmember Traylor Smith asked how infractions are enforced. Ms. Bowers said complaints are forwarded to the City's Code Compliance Officer.

Councilmember Susuras said this is a good change and he will support it.

Council President Norris noted Council requested all City Codes to be reviewed and then asked if this is part of that process. Ms. Bowers answered yes. Council President Norris explained Council had asked for this review to be done to have City Codes friendlier to businesses while ensuring the City remains looking nice. She thanked Ms. Bowers for her work.

There were no public comments. The public hearing was closed at 7:36 p.m.

Ordinance No. 4655 — An Ordinance Amending Sections 21.03.070 (b), (d), and (e), and 21.04040 (h)(3) of the Grand Junction Municipal Code Regarding Outdoor Display and Outdoor Storage

Councilmember Susuras moved to adopt Ordinance No. 4655 on final passage and ordered it published in pamphlet form. Councilmember Traylor Smith seconded the motion.

Councilmember McArthur said he has been involved in looking at the land development code and noted this request was submitted on the initiative of Staff. He appreciated Staff looking at things like this to make the City more business friendly.

Motion carried by roll call vote.

North Avenue Catalyst Grant Application for 2865 North Avenue, Grand Valley Power Sports

Grand Valley Power Sports located at 2865 North Avenue has submitted an application for consideration of a \$10,000 of the North Avenue Catalyst Grant Program. This is the first application for this program to come before the City Council.

Lori V. Bowers, Senior Planner, introduced this item and gave a background on the North Avenue Catalyst Grant Application program; this is the first applicant requesting a grant. She introduced the property owner Bob Greenlee. The North Avenue Owners Association (NAOA) reviewed this request and forwarded a recommendation of approval.

Councilmember Traylor Smith said this is a great way to help businesses and she thanked the Planning Division and the NAOA for this creative solution.

Councilmember Chazen said the Downtown Development Authority has a similar program. He saw the drawings for this improvement and thinks it will look really nice; he is glad the City can participate and that there are financial controls in place with several levels of approval. He asked if there are any other projects being considered. Ms. Bowers said they have met with 20 possible applicants and several are strong possibilities; this initial application will set the tone for others. Councilmember Chazen said he is very encouraged.

Councilmember McArthur said he is glad to see the grant program starting and he is eager to see improvements. He recently toured North Avenue and he feels uniform signage in the monument style would be a nice improvement; he asked Staff to mention this to NAOA.

Council President Norris said Poppy Woody, President of the NAOA, was not able to attend this meeting, but is thankful for the consideration of this grant.

Councilmember Chazen moved to approve the North Avenue Catalyst Grant Application for Grand Valley Power Sports. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Purchase of Crack-Fill Material

This request is for the purchase of up to 200,000 pounds of crack-fill material to be used in this year's preventive street maintenance program.

Greg Lanning, Public Works Director, introduced this item. He pointed out the area that will be worked on and described the program and the purpose. This is the least expensive way of preserving the pavement and protecting streets from further degradation. Three companies bid on the material and the low bid is well below budget. The price of the material has been going down.

Councilmember Traylor Smith asked if the material is petroleum based and if the price decrease is due to the lower cost of oil. Mr. Lanning said it is.

Councilmember McArthur asked if the area of service should be increased to take advantage of the lower price. Mr. Lanning said the estimate took into account the capacity of the two crews and weather conditions. Also, the City would not want to store a large amount of material over the winter.

Councilmember Susuras clarified that the City received three bids and Staff will apply the material.

Councilmember Traylor Smith moved to authorize the Purchasing Division to enter into a contract with Crafcro, Inc. to provide approximately 200,000 pounds of Deery 103 Plexi

Melt Fully Meltable Crack-Fill Material, for an estimated total amount of \$88,200. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Contract for the 2015 Asphalt Overlay Project

This request is to award a construction contract for the annual asphalt resurfacing project along arterial road classifications throughout the City of Grand Junction. In all, a total of six locations were selected.

Greg Lanning, Public Works Director, introduced this item and noted it is related to the next item and he will explain them together; he referred to the summary and map in the Staff report. Approximately 11.5 lane miles will be treated. The roads being addressed by this contract were shown to be the highest priority from the pavement condition index study that was completed in 2014; due to the lower oil prices two more roads have been added to this year's project. Also, in conjunction with the sewer line replacements, the streets for those lines are being included as well. \$424,928 of the budgeted amount will be put toward the sewer line replacement project and the remaining amount in the budget will go toward other pavement preservation projects.

Councilmember McArthur asked when 1st Street is scheduled to be done. Mr. Lanning said 1st Street, 7th Street, and Orchard Avenue are considered reconstruction projects since more extensive repairs are required than just the overlay. The design and right-of-way for 1st Street are in the 2015 budget and it is hoped some of the concrete work can also be done in 2015. The rest of the project will be budgeted for 2016.

Council President Norris commented that it is great prices are down allowing more projects to be scheduled. This will help the City to catch up and possibly get ahead; great job.

Councilmember Chazen moved to authorize the City Purchasing Division to enter into a contract with Oldcastle SW Group Inc., dba United Companies of Mesa County of Grand Junction, CO for the 2015 Asphalt Overlay Project in the amount of \$1,426,768. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Contract for the 2015 Sewer Line Replacement Project

This request is to award a construction contract for the sewer line replacement project at various locations within the 201 Persigo boundaries to replace 7,100 lineal feet of aging or deteriorated sewer lines. This project is combined with the street overlay program and includes full width asphalt resurfacing in the Hillcrest Manor, Bookcliff Park, and Bookcliff Heights subdivisions.

Greg Lanning, Public Works Director, introduced this item and referred to the summary and map in the Staff report. The project is consistent with the annual program. The lines will be cambered as well as replaced. There are 7,100 feet of line to be replaced. These are open cut replacements and the overlay will be done following these replacements. There were two competitive bids; the low bid was within budget and \$424,928 is from the overlay budget.

Councilmember Chazen asked what the life span of the PVC (polyvinyl chloride) pipe is. Mr. Lanning said, conservatively, it is 50 years; the PVC is inert and structurally sound.

Councilmember Susuras commented that it is great the City is able to use local contractors for these over \$1 million projects.

Council President Norris noted there is \$1,171,752.75 remaining in the 912 Fund. She asked if additional money will be added to this fund allowing it to grow so more projects can be done. Mr. Lanning said more money will be added; it is built into the rate structure. Council President Norris asked if the amount currently in the fund is kept for an emergency. Mr. Lanning said annually \$2.5 million is planned for sewer line replacements. Also maintained in the account are three months' worth of operating expenses.

Councilmember Traylor Smith moved to authorize the City Purchasing Division to enter into a contract with M.A. Concrete Construction, Inc. of Grand Junction, CO for the 2015 Sewer Line Replacement Project for the bid amount of \$1,705,344.25. Councilmember Susuras 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 8:02 p.m.

Stephanie Tuin, MMC
City Clerk