

**GRAND JUNCTION
CITY COUNCIL WORKSHOP SUMMARY AND
SPECIAL MEETING MINUTES**

AUGUST 16, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, August 16, 2004 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Councilmember Cindy Enos-Martinez entered the meeting at 7:29 p.m.

Summaries and action on the following topics:

1. **DISCUSS CITY OWNED PROPERTIES:** City Council reviewed with Staff their options on utilizing some city-owned properties. City Manager Kelly Arnold referred to a report the City Council had previously received in July on some City properties. Three properties were identified in the report as properties appropriate for discussion. He also asked for Council's input on utilizing the Bluffs West property and initiating its development into a park site.

Council President Hill noted that the three properties under discussion are not deed-restricted. To clarify, City Attorney Shaver said none of the deeds specified the properties are to be used for park purposes; however, the City Charter provides that property "held for park purposes" must be voted on by the electors before sold. The report identifies the properties are being held for park purposes. He recommended that if they were identified as a future park, any proposal to sell the properties be first submitted to the voters.

Councilmember Spehar said in some cases it may have been a staff designation that it is to be a future park. Mr. Shaver concurred noting that research for that determination has not been done yet.

Councilmember Spehar noted that the Saccomanno property was clearly designated as a park. Councilmember Butler agreed noting that the purchase contract agreed to name the property "Saccomanno Park" upon development into a park. Councilmember Spehar said this a rapidly growing area and is absent a park.

A discussion ensued on selling city-owned property in order to obtain funds to develop other parks.

Councilmember Enos-Martinez agreed that the Saccomanno property should remain as park property and that is what the previous owners

wanted. Councilmember Kirtland agreed noting that it is a sizeable piece and would be hard to replace in that area.

Council President Hill agreed it should remain in the City's possession for future park development. It is a very visible 30 acres.

Next the Council discussed Horizon Park property. Council President Hill said he would support taking this property to a vote of the citizens for authorization to sell. He is concerned that the hill approaching the site combined with traffic could be dangerous to children playing in the park.

Councilmember Spehar agreed, adding that this property may be a good candidate for another use. Also, it is near the Saccomanno property, it is small in size, and monitoring activities on this site would be difficult. He stated the Council is not bound by the recommendation of the Parks & Recreation Advisory Board, especially when there are other needs in other areas of town. Councilmember Kirtland agreed and although there are funds set aside for this location, it would be a difficult site to develop. The Horizon property location would be a good place for an infill project and a sale would provide additional funds to be used for a better public use. He suggested they have a hearing and then take it to a vote. Councilmember Enos-Martinez agreed, as did Councilmembers McCurry and Butler.

City Manager Arnold advised that a Growth Plan Amendment will be needed for the property to have other uses.

Regarding the Ridges School Site, Councilmember Spehar thought it would be folly to get rid of it since there is so little land available in this area. Parks and Recreation Director Joe Stevens advised that the equipment there belongs to the School District and the City maintains it. Councilmember Spehar said if there are other areas available in that part of town that could benefit from the sale of this site, he might change his mind. Mr. Stevens replied that is the reason Bluffs West is to be discussed.

Council President Hill inquired about the budget for neighborhood park improvements. Mr. Stevens answered that is about \$120,000.

Councilmember Spehar asked if that site is suitable for park development. Councilmember Kirtland asked if there is water to the site. Mr. Stevens answered affirmatively for both questions.

Council President Hill said he could go either way on this property. On the one hand, it is open space, yet it could lend itself for housing and there is an abundance of open space in that area already. City Manager Arnold

advised that from a park perspective, it does not meet any criteria. Mr. Stevens added that the original Master Plan for the Ridges called for 8 parks but did not identify this site. The property was acquired as result of purchases from the BLM. Councilmember Spehar asked Mr. Stevens to identify the other park improvements in the Ridges. Mr. Stevens said there is Duck Pond Park, Hidden Valley Park, two tot lots, pathways; all total about 85 acres of pathways and open space.

Councilmember Spehar suggested they do something else with the site and use the proceeds in the Ridges. Mr. Stevens added that there is also Shadow Lake and the Painted Bowl area for future utilization. Councilmember Kirtland liked the idea of using the proceeds for that area. Councilmember Spehar noted that the zoning is PD so City Council could look at marketing this property.

City Manager Arnold suggested that he and Staff identify such options, with a goal to have any needed questions on sales on the April 2005 election ballot. Council President Hill urged they take one step at a time. First get more information. City Manager Arnold said he would come back to Council in 30 days with options.

Councilmember Enos-Martinez suggested some mixed housing with affordable housing included.

Councilmember Spehar clarified that Council is not looking to generate general fund money by considering these sales but rather looking at what is the highest and best use of these parcels. City Manager Arnold noted it is part of Council's responsibility to look at the inventory of land owned by the City for that purpose. Councilmember Butler agreed that housing is an issue and affordable housing needs to go in different areas.

City Manager Arnold advised that the Bluffs West HOA is interested in proceeding with partnering with the City Council to develop the old sewer plant property. Although Mr. Arnold said he can move forward on that, it probably won't proceed fast enough to build until next year. Therefore, he suggested Council give direction to move forward with Bluffs West property and also to identify another area for improvements this year. Councilmember Enos-Martinez suggested Burkey Park be considered for development in conjunction with the County. Councilmember Spehar countered that having money budgeted might spur the Bluffs West neighborhood to get something done and if necessary, the budget can always be carried over. Council President Hill concurred but agreed there is a need in the east for Burkey Park. City Manager Arnold said he would start talking to the County regarding Burkey Park, as well as Bluffs West HOA.

Action summary: No decisions were made but two properties were identified that may be looked at for a different purpose. One property discussed, the Saccomanno parcel, will stay as is. The City Manager will bring options back to Council in 30 days.

2. **NEW LIQUOR TASTING LEGISLATION OPTIONS:** City Attorney John Shaver and City Clerk Stephanie Tuin presented the options available to the City Council on whether or not to consider an ordinance to allow tastings in retail liquor stores as authorized by the State Legislature via HB 04-1021. Examples of what other municipalities are doing were provided as well as a recommendation if Council were to consider such an ordinance.

Councilmember Enos-Martinez thought the recommendation of a \$100 permit fee to be excessive. Staff countered that not only is there the administrative issues, the enforcement issues should be considered. Councilmember Palmer added that there is also the Server Responsibility training required. He voiced concern that if more than one liquor store conducted tastings at the same time, there may be consumers "double-dipping". He mentioned some other concerns voiced by another police department. Councilmember Enos-Martinez questioned the City's responsibility of enforcement. It was stated that the law is written to place the burden on the local authority unless the violation is serving to a minor or to a visibly intoxicated person.

Councilmember Spehar said he would like to see more than one request before Council considers the proposal. He noted that no details on administrative and enforcement costs have been provided. There is possibly a cumulative affect. He felt consideration would be premature at this point.

Gerry and Eleni Sica, owners of Crossroads Wine and Spirits, and the proprietors that requested Council consider enacting such an ordinance, were present. Gerry Sica addressed the Council. He stated that the Crossroads facility will carry over 1400 wines and 200 beers, an enormous selection, and the purpose of conducting tastings is to make customers' choice easier and enhance the shopping experience. The service is not meant to be a public safety hazard to the community but rather to acquaint consumers with the selection available. He felt that there are probably only two stores that would have the ability and the selection to warrant tastings.

Councilmember Palmer asked Police Chief Morrison about consumption versus intoxication and concerns about multiple tastings. Chief Morrison stated that generally an average person can consume one ounce of alcohol per hour and not become intoxicated. After more discussion,

Chief Morrison added that he can keep tabs on the issues with other police departments and report back to Council.

Councilmember Butler expressed concern that transients would take advantage of tastings. Chief Morrison noted that it would be a violation to serve any intoxicated person.

Councilmember Kirtland inquired about the Server Responsibility training and further details on that. City Attorney Shaver noted that there are programs available and there is the program that is put on by the City Clerk's Office. City Clerk Tuin advised that recently the State set standards for the curriculum and although the current training does not meet the standards, it would mean only a minor modification to the program in order to meet the standards. The standards would be the same as far as responsibility for serving alcohol. Anyone conducting the tasting is required to have the training.

Councilmember Kirtland thought the option is too new and would not want the City to rush into it. He would rather wait and see if there is truly a demand for such an option, get some community feedback and see how it develops in other communities. Councilmembers Palmer, Spehar and McCurry agreed and suggested they wait until they receive more feedback from both Staff and other communities. Councilmember Butler was against tastings. Councilmember Enos-Martinez said she was willing to wait, although she did not think there would be a big demand for it. Council President Hill said he felt that those that would use the State legislation would take measures to ensure it is conducted in an appropriate manner but since Council is not comfortable going forward at this time, perhaps it can be revisited at a later time.

Action summary: The City Council will not move forward on this item at this time. City Clerk Tuin will track the development of this option statewide via the City Clerk's Listserve. Chief Morrison will track enforcement issues. Both will keep the City Council updated. The information will be available to Sicas through the City Clerk's Office.

CONVENE INTO SPECIAL SESSION

Councilmember Butler moved to go into executive session relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e), relative to Riverside Parkway right-of-way and will not be returning to open session. Councilmember Enos-Martinez seconded. Motion carried.

The City Council adjourned into executive session at 9:03 p.m.