

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

December 19, 2011

The City Council of the City of Grand Junction convened into regular session on the 19th day of December, 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 Deputy City Manager Rich Englehart, 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 a moment of silence.

Certificates of Appointment

To the Grand Junction Housing Authority

Scott Aker was present to receive his certificate of appointment to the Grand Junction Housing Authority.

To the Visitor and Convention Bureau Board of Directors

Lon Carpenter and Michael Bell were present to receive their certificates of appointment to the Visitor and Convention Bureau Board of Directors.

Council Comments

Councilmember Luke welcomed the interim City Manager and noted it has been a challenging week.

Councilmember Doody thanked Rich Englehart for stepping up to the plate and that he looks forward to working with him in 2012.

Councilmember Pitts welcomed Rich Englehart to the position.

Councilmember Susuras also thanked Mr. Englehart for taking the position and said he looks forward to working with him.

Councilmember Boeschstein thanked City Manager Laurie Kadrich for her good work and he listed some her projects started or completed during her employment. He advised he has known Mr. Englehart for a long time and know that he will do a fine job.

Citizen Comments

Dennis Simpson, 2306 E. Piazza Place, said he thought the City Council deserved the criticism in the Daily Sentinel that the City Council terminated City Manager Laurie Kadrich in a closed door meeting. He listed a number of other examples including Wednesday night's discussion on the Airport to be held in the conference room upstairs instead of in the auditorium with minutes and cameras. He accused the City Council of making all of their decisions in the back room and violating the open meetings law. He said just because it has always been that way, it does not need to be kept being done that way. He urged the City Council not to select a new City Manager in that way.

Bob Richardson, 220 Walnut Avenue, addressed the City Council regarding an ongoing flooding issue on Walnut Court. The storm sewer cover blows off in that area and the water floods the area. There has been no flooding this year but last year they had the biggest flood ever. A swale was installed which has helped but the water still settles up against his foundation. The problem has persisted. He asked the Council to take some action.

There were no other citizen comments.

***** CONSENT CALENDAR ***®**

Councilmember Susuras moved to approve the Consent Calendar and then read items #1-7, substituting the words City Manager with Acting City Manager in each of the actions. Councilmember Pitts seconded. Motion carried by roll call vote.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the December 7, 2011 Regular Meeting and the Minutes of the December 14, 2011 Special Meeting

2. Setting a Hearing on an Ordinance Extending the DDA Tax Increment on Property and Sales Tax to Fund Capital and Operations

Extension of the DDA tax increment on property and sales tax is the final legislative action required of City Council pursuant to state enabling legislation to fully implement the previously approved 20-year extension of the DDA's charter. Extension of the tax increment secures the financial foundation for future DDA capital projects undertaken in pursuit and fulfillment of its statutory mission to "promote the health, safety, prosperity, security, and general welfare ...halt or prevent deterioration of property values or structures within (the) central business district...halt or prevent the growth of blighted areas, and... assist ...in the development and redevelopment of such districts..." (CRS Sect, 31-25-802).

Proposed Ordinance Extending the Period During Which the Grand Junction, Colorado Downtown Development Authority (DDA) May Allocate and Collect a Property and Sales Tax Increment to Fund the Capital and Operations of the DDA as Provided by Law

Action: Introduce a Proposed Ordinance and Set a Hearing for January 4, 2012

3. **2012 Mesa County Animal Control Services Agreement**

The City has an ongoing, annually renewable agreement with Mesa County for animal control services within the City limits. The City pays the County a percentage of the Mesa County Animal Services' budget based upon the City's percentage of total calls for service.

Action: Approve and Authorize the Mayor to Sign the 2012 Agreement between Mesa County and the City of Grand Junction Pertaining to Animal Services

4. **Grand Valley Transit Funding Resolution**

The City has an ongoing, annually renewable agreement with Grand Valley Transit for public transportation service within Grand Valley Transit boundaries. The City pays the Grand Valley Transit a percentage of the costs based on a formula established in an agreement that dates back to 2009. The Resolution authorizes the Mayor to sign the Resolution adopting the local match funding for the Grand Valley Transit Public Transit Services as approved in the 2012 budget.

Resolution No. 57-11—A Resolution Concerning the Adoption of the Local Match Funding for Grand Valley Transit Public Transit Services for FY2012

Action: Adopt Resolution No. 57-11

5. **Advertising Services Contract Renewal for Visitor and Convention Bureau**

This is the second year of a three-year contract originally approved by Council on September 13, 2010 that resulted from an RFQ/RFP issued in 2010. The contract for advertising services is renewed annually in conjunction with adoption of the City's annual budget and development of the VCB's Marketing Plan for the upcoming year. VCB staff is requesting approval by Council of the 2012 Contract with CCT Advertising for advertising services.

Action: Authorize the City Manager to Execute a Contract with CCT Advertising in the Amount of \$375,000 for Advertising Services for the Period January 1, 2012 – December 31, 2012

6. Website Services Contract Renewal for Visitor and Convention Bureau

This is the second year of a three-year contract originally approved by Council on September 13, 2010 that resulted from a Request for Qualifications (RFQ) issued in 2010. The contract for website services is renewed annually in conjunction with adoption of the City's annual budget and development of the VCB's Marketing Plan for the upcoming year. VCB staff is requesting approval by Council of the 2012 Contract with Miles Media Group for website services.

Action: Authorize the City Manager to Execute a Contract with Miles Media Group in the Amount of \$125,000 for Website Services for the Period January 1, 2012 – December 31, 2012

7. KnowMoore Revocable Permit, Located at 806 and 814 Winters Avenue [File #RVP-2011-1143]

KnowMoore LLC ("KM") is requesting a Revocable Permit for a fence in the right-of-way for their business located on two adjacent lots, addressed as 806 and 814 Winters Avenue. One side of the encroachment is approximately 5.50 feet in the future 8th Street ROW (west side of subject parcels) and 7.5 feet in the N/S alley ROW, on the east side of the subject parcels. There are no encroachments on the north side or the south side of the property. The front setback of 15' has been maintained. The lots are 125 feet deep.

Resolution No. 58-11—A Resolution Concerning the Issuance of a Revocable Permit to KnowMoore, LLC, Located at 806 and 814 Winters Avenue

Action: Adopt Resolution No. 58-11

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Rates and Fees for the Year 2012**

Proposed 2012 rate/fee increases for Planning, Golf, Forestry, Bookcliff Activity Center, and Plant Investment as presented and discussed during City Council budget workshops.

Jodi Romero, Financial Operations Manager, presented this item. She listed the areas proposed to be increased.

Councilmember Luke asked if the fee increases for golf are for just Lincoln Park or for both courses. Ms. Romero said it is for both golf courses.

Council President Kenyon asked if the Transportation Capacity Payment (TCP) fees were included in the resolution. Ms. Romero answered affirmatively.

Council President Kenyon said he received a letter from the Chamber of Commerce regarding the TCP fees. The increase basically doubles the fee and when multiplied for larger projects, this can be quite substantial. He asked for discussion.

Councilmember Pitts said he did not think that particular line item should go forward and suggested it be scratched from the resolution.

City Attorney Shaver confirmed that the Council could move forward with just that item deleted from the resolution.

Resolution No. 59-11—A Resolution Adopting Fees and Charges for Planning, Golf, Forestry, Bookcliff Activity Center, and Plant Investment

Councilmember Susuras moved to adopt Resolution No. 59-11 except with the transportation capacity fees being frozen. Councilmember Pitts seconded the motion.

Councilmember Boeschstein said the TCP is based on a scientific fee and that is done in conjunction with other local governments. If the fee is not increased, then the taxpayers will have to pay for it rather than the developer. That may be justified but, if so, they should be aware. He asked about the status with the Regional Transportation Group as it can be competitive.

Council President Kenyon directed Staff to bring this forward for future discussion and compare with the other local governments. He suggested there may be an incremental way to increase the fees. He noted Councilmember Boeschstein made a good point; the improvements will have to be paid for, however the City doesn't want to drive business away by increasing fees too fast.

Councilmember Doody agreed that Councilmember Boeschstein made a good point. As shown with the School Impact Fees, different entities charge different amounts.

Councilmember Coons said that this has been a long, ongoing discussion; it is hard to find the right balance but she did agree that perhaps now is not the right time. Residential development fee was increased a couple of years ago. The City wants to encourage commercial development. The cost of building construction has gone down so maybe the City can bear the cost of these a little while longer.

Councilmember Luke noted the proposed increase is more than double and right now the City is trying to encourage business in the community. It is a significant increase. They

need to make sure they do not swing the pendulum too far the other way. Increased fees will eventually be passed onto the consumers.

Councilmember Susuras noted there is no legislation that all entities must charge the same fee. Regardless of who pays, they do not want to discourage development.

Motion carried by roll call vote.

Public Hearing—2011 Supplemental Appropriation Ordinance and the 2012 Budget Appropriation Ordinance

This request is to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on the 2011 amended and 2012 proposed budgets.

The public hearing was opened at 7:28 p.m.

Rich Englehart, Acting City Manager, introduced this item. The first segment was on the supplemental appropriations for 2011 and the second part was on the proposed 2012 budget. Acting City Manager Englehart thanked the Council for their time on reviewing the budget as well as all the employee groups that reviewed the budget and proposals.

Acting City Manager Englehart reviewed the drop in revenues and some of the themes that were discussed in the City Council Retreat held June 3rd. He also reviewed the dates where the budget was reviewed and studied by the City Council getting to this point in the process.

Regarding a supplemental budget for 2011, he noted how dialed in the 2011 budget was in order to meet the reduced revenues. However, some projects and additional expenditures did come up through the year and many were brought to City Council for their approval. There were also many carryover projects.

Regarding the 2012 budget, the overall operating budget is showing a decrease. That does not include the labor and benefits, which for a couple of reasons, is being increased – a grant for the Street Crimes Unit and a ten percent increase in health insurance. Acting City Manager Englehart compared the percent proposed for 2012 as compared to projected 2011.

Acting City Manager Englehart then compared spending by type and spending by department as well as the break out for capital spending. He highlighted the capital projects for 2012, those being the public safety building, the stadium project, parks improvements, streets overlay, and other streets and bridges.

In conclusion, with the adoption of the proposed ordinances, the 2011 supplemental supports a \$145.7 million budget and the 2012 appropriation ordinance supports a \$154 million budget.

Council President Kenyon advised that the City Council went through the budget line item by line item and really closely reviewed the proposed budget. He asked about the remaining costs to be paid on the public safety building in 2012. Acting City Manager Englehart clarified that.

Council President Kenyon noted the Council asked for the budget to include funding to bring the parks rated as poor up to a higher standard and asked the Parks and Recreation Director to come up to explain.

Parks and Recreation Director Rob Schoeber explained what monies are proposed for parks improvements, much of which is going to Lincoln Park and some allocated to Canyon View Park and will continue into 2013.

Councilmember Pitts thanked Mr. Schoeber and his Staff for all the shift work and weekend hours put in to make sure everything is covered noting he isn't sure how much of this the public knows.

Councilmember Coons asked him to clarify that the Parks Improvement budget is not for any new construction. Mr. Schoeber agreed it is to restore and repair some areas that need attention.

Council President Kenyon asked if the Three Sisters property will become the Parks and Recreation Department's responsibility. Mr. Schoeber said that is true, the grant was approved, and things are moving forward. In 2012 they will bring a plan forward on maintenance.

Councilmember Boeschstein noted that the grant for Las Colonias was not approved but Las Colonias was included in a GOCO grant so they are hopeful to be successful.

Councilmember Luke asked how often the GOCO grants can be submitted. Mr. Schoeber said a new cycle will open in the spring.

Councilmember Coons asked about carry forwards for 2013. Acting City Manager Englehart said some of the public safety dollars and perhaps the fire administration remodel will be carried forward. They will look at grant opportunities as they come up and emergencies.

Councilmember Boeschstein asked why contributions to Grand Junction Economic Partnership, the Business Incubator, Grand Valley Transit, Mesa Land Trust, and Riverfront are showing as zero. Financial Operations Manager Jodi Romero explained that those contributions are in the General Fund now.

Councilmember Susuras said the detailed review that City Council took now has helped the City Council understand the budget throughout and thanked everyone involved.

Council President Kenyon added that Human Resources Manager Claudia Hazelhurst also helped them understand salaries and benefits.

Councilmember Susuras noted that \$4.5 million in capital is to be paid to contractors in the community.

Council President Kenyon agreed and noted they continue to put money that can be afforded into capital in order to help stimulate the economy locally.

Councilmember Boeschstein thanked the City Staff for emphasizing energy efficiency with the solar installation and the energy efficient vehicles.

Council President Kenyon asked for public comments.

Duncan McArthur, with the Grand Junction Realtors Association and representing the Western Colorado Contractors Association, 2470 F Road, Suite 14, illustrated the point that more funding should go to capital funds rather than to employee salaries.

He used graphs of building permits to compare Grand Junction with the other local governments in the valley. He then displayed trends with foreclosures. Lastly, he had graphs on employment from the Federal Reserve. He questioned the timing on increasing the City employees' salaries.

Dennis Simpson, 2306 Piazza Place, said he has been involved and attended every discussion as it relates to the budget. He believes he missed one. His concern is related to the capital budget. There is nothing in writing justifying the need of any of the projects. He complimented the Council in their time on the budget but he does not think the line item by line item review was necessary. There may have been discussions but nothing is written down. He thought there is a cavalier attitude on the capital budget. He has a lot of specific concerns but this is not the right time to lay them out. The agenda item following this is to approve \$800,000 for locker rooms when the community cannot properly fund the schools. He disagreed that the government spending money on things just to be spending money; it is not such a good idea. He thought the money should just be left with the taxpayers.

There were no other public comments.

The public hearing was closed at 8:10 p.m.

Ordinance No. 4491—An Ordinance Making Supplemental Appropriations to the 2011 Budget of the City of Grand Junction

Ordinance No. 4492—An Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, and the Ridges Metropolitan District for the Year Beginning January 1, 2012, and Ending December 31, 2012

Councilmember Susuras moved to adopt Ordinance Nos. 4491 and 4492 and ordered them published. Councilmember Pitts seconded the motion.

Councilmember Doody thanked Amy Hamilton from the Daily Sentinel for attending all of the City Council meetings and keeping the public informed.

Councilmember Boeschstein said the Council does have justification for the budget and that is the Comprehensive Plan and it is all in there.

Motion carried by roll call vote.

Council President Kenyon thanked the Council for all their work on the budget noting they will start all over again soon.

Council President Kenyon called a recess at 8:13 p.m.

The meeting reconvened at 8:19 p.m.

Lincoln Park Stadium Locker Room Addition

As part of the Lincoln Park Stadium Improvements Project, the Parks and Recreation Department is proposing to renovate the existing locker rooms and add office space that will facilitate the permanent Grand Junction Rockies minor league baseball staff.

Council President Kenyon introduced this topic and described how this project came forward as part of the negotiated contract with the Grand Junction Rockies. The Parks Improvement Advisory Board and the Rockies both contributed \$100,000 each for the project.

Rob Schoeber, Parks and Recreation Director, presented this item. He described the project, the location, and how negotiations took place. The proposal suits the

requirements of the Rockies and works for the other entities that use the facility. The change order is for \$800,000 for FCI Contractors and the timeline will be staying the same. The project is on time and on budget.

Council President Kenyon asked why the contract should go to FCI, although they are working on the current stadium improvements and knowing they are on site and there is no additional mobilization. Mr. Schoeber said those are the reasons, they are on site, and are managing the project. They will subcontract the work out but will be the managers on site and be able to coordinate the project so it will be beneficial to the City.

Council President Kenyon advised he has spent quite a bit of time at the stadium observing the work and complimented the work being done.

Councilmember Boeschstein asked about the estimated impact of the Grand Junction Rockies. Parks and Recreation Director Schoeber said there are projections based on 1500 fans in attendance but it is hard to project the economic benefit until the attendees are known to be either from out of town or locals.

Councilmember Boeschstein noted it is not just locker rooms being talked about, it is bringing the Rockies to Grand Junction, which will result in a huge economic benefit to the community.

Councilmember Susuras said he likes this project as it extends jobs in the community.

Councilmember Pitts moved to authorize the City Purchasing Division to amend the contract with FCI Constructors to renovate the locker room as part of the Lincoln Park Stadium Improvement Project, in the estimated amount of \$800,000. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing—Ordinance Repealing City Code Provisions Regarding Alarm System Installers

The City Council Legislative Committee has considered the Staff recommendation that Sections 5.08.010 through 5.08.050 and 5.08.080 of Article III, Chapter 5 of the Grand Junction Municipal Code regarding alarm system installers be repealed. Those provisions were adopted in 1975. City employees have no specific knowledge of the electrical, mechanical, and other functions of alarm systems which hinders efficient monitoring of the licensure, issuance, and investigation of alarm system installers.

The public hearing opened at 8:29 p.m.

John Shaver, City Attorney, presented this item and gave a background of this part of the Code being antiquated and the recommendation is due to the changes in the alarm

installer industry. Years ago dispatch worked for the private alarm companies. The repeal will result in alarm installers being treated as any other small businesses or installers in town. Staff recommends adoption of the ordinance.

Council President Kenyon said he is glad to see this ordinance come forward; it is eliminating an outdated provision of the Code.

There were no public comments as there was no public in attendance (except for one member of the press).

The public hearing was closed at 8:32 p.m.

Ordinance No. 4493—An Ordinance Repealing Sections 5.08.010 through 5.08.050 and 5.08.080 of Article III, Chapter 5, the City of Grand Junction Municipal Code Regarding Alarm System Installers

Councilmember Pitts moved to adopt Ordinance No. 4493 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Susuras noted that Rich Englehart has served as the Deputy City Manager since September 2007. Prior to his service for Grand Junction, Mr. Englehart was the Executive Director of the Delta Housing Authority and prior to that service, he was the City Manager of Delta, Colorado. Mr. Englehart began his public service with the City of Grand Junction in 1985 with the Parks and Recreation Department. He has a Bachelor of Arts (BA) degree in Parks and Recreation Management from Mesa College and a Masters in Public Administration from the University of Colorado – Denver.

Resolution No. 60-11—A Resolution to Appoint Rich Englehart as Acting City Manager

Councilmember Susuras moved to adopt Resolution No. 60-11 appointing Rich Englehart as Acting City Manager effective immediately; the appointment shall be for a term of six months subject to negotiations of mutually acceptable terms of employment. Councilmember Pitts seconded the motion.

Council President Kenyon noted that while the appointment is for six months it may be longer or shorter; the City Council has not discussed the selection of a new City Manager. In the meantime he feels it is appropriate to appoint Mr. Englehart. Negotiations in

regards to compensation have yet to be discussed for the additional duties and that will be discussed amongst the Council in the near future.

Motion carried by roll call vote.

Council President Kenyon thanked Mr. Englehart noting he is looking forward to working with him.

Adjournment

The meeting was adjourned at 8:37 p.m.

Stephanie Tuin, MMC
City Clerk