

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

**October 7, 2015**

The City Council of the City of Grand Junction convened into regular session on the 7<sup>th</sup> day of October, 2015 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Barbara Traylor Smith, Rick Taggart, and Council President Pro Tem Marty Chazen. Council President Phyllis Norris was absent. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Chazen called the meeting to order. The audience stood for the Pledge of Allegiance led by Councilmember Kennedy followed by an invocation by Bishop Fred Jarvis, Lands End Ward, The Church of Jesus Christ of Latter-Day Saints.

**Presentation**

**Presentation of the NGV (Natural Gas Vehicle) Achievement Award**

Greg Lanning, Public Works Director, gave a presentation on the Natural Gas Vehicle Achievement Award the City received. Mr. Lanning explained the award and why the City was awarded the certificate. The City's Compressed Natural Gas (CNG) fleet is now has 32 vehicles plus 9 Grand Valley Transit buses. This has saved 600,000 gallons of fuel. He then described the Persigo CNG Project and how it adds 400 gallons each day to the CNG fueling station. He presented the award to the City Council.

**Proclamations**

**Proclaiming October 4-10, 2015 as "Fire Prevention Week" in the City of Grand Junction**

Councilmember Taggart read the Proclamation. Steven Kollar, Acting Fire Marshal, and Shawn Montgomery, Fire Information/Education Coordinator, were present to accept the proclamation. Mr. Kollar thanked the Council and explained the importance of smoke detectors in the home. Construction and furniture in homes has changed making fires burn hotter and faster; those in the fire can be overtaken quickly. Three out of five fire related deaths occur in structures that have no or non-functioning smoke detectors. He thanked the City Council for their support.

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**Proclaiming October 10, 2015 as “National Train Day” in the City of Grand Junction**

Councilmember Boeschstein read the Proclamation. Paul Brown, Barbara Bowman, and Annie Ledoux were present to accept the proclamation. Ms. Ledoux explained that National Train Day is usually in May, but on October 9<sup>th</sup> and 10<sup>th</sup> an exhibit train will be open to the public for tours and an exhibit. There will also be a drawing for two round trip tickets to Denver and those in attendance will also get a discount into the Air Show. Mr. Brown thanked the City Council and lauded them for their efforts in making this a livable community. He reviewed the history of the Avalon Theatre and the Depot. He encouraged the City Council to support restoration of the Depot.

**Proclaiming October 19-23, 2015 as “Irlen Syndrome Awareness Week” in the City of Grand Junction**

Councilmember Traylor Smith read the Proclamation. Jeannie Dunn, Irlen Clinic Director at Learning Associates of the Grand Valley, was present to accept the proclamation. She thanked the City Council and introduced two colleagues in attendance. She then provided additional information about the syndrome and said it affects 15 to 20% of the population. There is a simple screening and treatment is easy and effective.

**Proclaiming October 29, 2015 as “Museum of Western Colorado Day” in the City of Grand Junction**

Councilmember Boeschstein read the Proclamation. Peter Booth, Executive Director of Museum of Western Colorado, and Curtis Martin, Museum Board member, were present to accept the proclamation. Mr. Booth thanked the City Council and recognized Councilmember Boeschstein as being a board member for the Museum. He reviewed the history of the Museum; they are one of only 13 accredited museums in the State of Colorado. They plan to continue to grow and be a part of the Grand Valley.

**Proclaiming October 2015 as “Conflict Resolution Month” in the City of Grand Junction**

Councilmember McArthur read the Proclamation. Annette Ferriole of Peacemaking Resource, and Laurel Jones, local mediator also from Peacemaking Resource, were present to accept the proclamation. Ms. Ferriole thanked the City Council and announced that the City joins Governor Hickenlooper in recognizing Conflict Resolution Awareness Month. She invited the public to some of the activities they are hosting.

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## **Proclaiming October 2015 as “Walk to School Month” in the City of Grand Junction**

Councilmember Kennedy read the Proclamation. Elizabeth "Biz" Collins, Mesa County Transportation Planner and who also works with the Safe Routes to School Program and Co-chair of the Urban Trails Committee, was present to accept the proclamation. Ms. Collins thanked the City Council for the proclamation and described how walking or riding (rolling) to school benefits children. October 14, 2015 is Walk to School Day and there will be lots of people on the road so she encouraged everyone to share the road.

### **Appointments**

#### **To the Grand Junction Housing Authority**

Councilmember Traylor Smith made a motion to appoint Tim Hudner for a five year term expiring October 2020 to the Grand Junction Housing Authority. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

#### **To the Planning Commission/Zoning Board of Appeals**

Councilmember Boeschstein made a motion to move First Alternate Keith Ehlers to the vacancy on the Planning Commission to fill an unexpired term until October 2016, move Second Alternate George Gatseos to First Alternate on the Planning Commission until October 2018, appoint Aaron Miller as Second Alternate on the Planning Commission and to the Zoning Board of Appeals for concurrent terms expiring October 2018, reappoint Joe Carter and appoint Scott Wolford to the Zoning Board of Appeals for terms expiring October 2019. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

### **Citizens Comments**

Ed Kowalski, 2871 Orchard Avenue, said he was present to represent people who don't always have a voice. He attended the open house on Horizon Drive on the new roundabout and he thinks it is wonderful; he also lauded the planned sculptures. He addressed public safety issues in that area. He asked if the City and Mesa County could work together in the same way. He does not think so, in his neighborhood the sidewalk is not complete because part of it is in the County and the street is a foot higher than the sidewalks. He then addressed the noise in the area which Commissioner John Justman said was just street noise. The dispatcher told him the police will not give a ticket for noise. Also the judge does not recognize noise violations. Squealing tires and drag racing is also an issue.

Richard Swingle, 443 Mediterranean Way, was present to talk about SB 05-152 which was recently overturned by City voters. He read the introduction of the bill and explained its meaning. It precludes local communities from getting involved in the Broadband issue without an exemption. The providers drove the implementation of the bill. The State never acted on the bill. He reviewed the history of exemptions in the State and listed the communities that have passed exemptions.

### **Council Comments**

Councilmember Taggart said the last couple of weeks have been busy. On September 24<sup>th</sup> he went to the Municipalities Dinner and listened to a new approach for School District 51, and also met with Colorado Plateau Mountain Bike Trail Association (COPMOBA) folks about the Governor's approach to 16 trails and the Palisade Plunge. October 1<sup>st</sup> he went to a dedication at Colorado Mesa University (CMU) for the Hutchins Water Center, October 2<sup>nd</sup> he worked with the committee for Economic Development (ED) and looked at new strategies, later that evening he was at City Hall to honor students in District 51, and listened to their creative writing stories.

Councilmember Traylor Smith went to the groundbreaking on Horizon Drive project, she warned drivers to be careful in that area and noted that businesses are open.

Councilmember Kennedy noted an email that Council received and wanted to report the City has a forward looking Police Department, the challenges they face, and how they think outside the box. The email was from Chief Camper about rolling out a new service providing a neutral location for Craigslist exchanges and internet sales transactions; the police station is available for this purpose during normal business hours. No advance notice or appointment is needed, citizens can use the well-lit lobby and this will deter a buyer or seller that has less than honorable intentions. Officers will be called to assist if needed. The program begins tomorrow for "Safe to Trade Zones". Last week there was another senseless mass shooting at a community college and his thoughts and prayers are with the families that were affected by this senseless gun violence; it's time to take a deep look inside about what can be done.

Councilmember Boeschstein said he and his wife attended cultural activities, October 3<sup>rd</sup> they attended the symphony at the Avalon Theatre, October 2<sup>nd</sup> they attended the CMU play "Nine", and also the Hutchins Water Center inauguration and the Horizon Drive groundbreaking. He also attended the Regional Transportation Meeting on September 28<sup>th</sup> in Denver, the Municipalities Dinner with Chabin and Associates for the final strategy report and was told there is a ¾ % City sales tax dedicated partly to Economic Development and on September 22<sup>nd</sup>, he attended the Museum of Western Colorado's Board meeting.

Councilmember McArthur also attended the Municipalities Dinner, it was a great job by Chez Lena at Western Colorado Community College (WCCC), October 2<sup>nd</sup> he met with Boy Scouts in the Auditorium so they could interview a Councilperson to earn their badge, today the Associated Members of Growth and Development (AMGD) had a presentation by Mesa County Planning Director Danneberger, they are looking at a number of text amendments like the City to easing the process of development, they did a great job looking at the issues.

Council President Pro Tem Chazen on September 22<sup>nd</sup> attended Building a Better Colorado meeting and participated in the finance committee which focused on the hospital provider fee and exclusion from TABOR; it was a spirited conversation. On September 23<sup>rd</sup> he attended the final presentation from Chabin and Associates, he is very gratified that the partners have segmented their roles on who will do what and gratified they are serious about this. It's been budget, budget, and budget for Staff and Council. He attended the Downtown Development Authority (DDA) meeting on September 24<sup>th</sup> and budget was the topic. Moving forward on the City Manager (CM) recruitment, a very positive document has been put together by the consultant.

Council President Pro Tem Chazen recognized several CMU students in the audience and welcomed them.

### **Consent Agenda**

Councilmember McArthur read Consent Calendar items #1 through #5 and then moved to adopt the Consent Calendar. Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

*Action: Approve the Summaries of the August 31 and September 14, 2015 Workshops and the Minutes of the September 16, 2015 Regular Meeting*

2. **Setting a Hearing on Zoning the Morse Annexation, Located at 2997 B ½ Road**

A request to zone 39.77 acres from a County RSF-R (Residential Single-Family Rural) to a City R-4 (Residential 4 du/ac) zone district.

Proposed Ordinance Zoning the Morse Annexation to R-4 (Residential 4 du/ac), Located at 2997 B ½ Road

*Action: Introduce a Proposed Zoning Ordinance and Set a Public Hearing for October 21, 2015*

3. **Setting a Hearing on Park Mesa Subdivision, Outline Development Plan, Located at 323 Little Park Road**

The applicant, Ken Scissors, requests approval of an Outline Development Plan (ODP) for Park Mesa Subdivision as a Planned Development (PD) zone district with a default zone of R-2 (Residential - 2 du/ac) to develop an eight lot, single-family detached subdivision on 12.1 +/- acres.

Proposed Ordinance Approving the Outline Development Plan as a Planned Development with a Default R-2 (Residential - 2 du/ac) Zone District for the Development of 8 Single-Family Detached Dwelling Units to be Known as Park Mesa Subdivision, Located at 323 Little Park Road

*Action: Introduce a Proposed Ordinance and Set a Public Hearing for October 21, 2015*

4. **Contract for the Primary Clarifier Rehabilitation Project**

This request is to award a construction contract for the rehabilitation of the mechanical components of the primary clarifiers at the Persigo Wastewater Treatment Plant.

*Action: Authorize the City Purchasing Division to Enter into a Contract with Elite Protective Coatings of Loma Colorado for the Primary Clarifier Rehabilitation Project for the Bid Amount of \$158,530*

5. **2015 Fourth Supplemental 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 2015 budget amendments for establishment of an Employee Retiree Health Trust.

Proposed Ordinance Making Supplemental Appropriations to the 2015 Budget of the City of Grand Junction

*Action: Staff is pulling this item so no public hearing will be held*

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**ITEMS FOR INDIVIDUAL CONSIDERATION****Support of Colorado Riverfront Trail and Palisade Plunge as Priorities for the “Colorado Beautiful 16 Trails in 2016” Initiative**

A request from local partners to support the Colorado Riverfront Trail and Palisade Plunge as regional priorities for the State’s “Colorado Beautiful 16 Trails in 2016” initiative.

Brad Taylor, Co-Chair, Colorado Riverfront Commission, introduced this item and said that he and Scott Winans are looking for support of the Riverfront Trail and the Palisade Plunge hoping that some funding can come this way. He gave a background of the program which Great Outdoors Colorado (GOCO) and Department of Natural Resources gave them a few weeks ago. They also recognized the Riverfront Trail some years ago.

Scott Winans, President of Colorado Plateau Mountain Bike Association (COPMOBA), was also present and he explained what COPMOBA is and their focus. He said the trails around here are world renown and it generates a lot of visitation to the community. The Palisade Plunge intends to capitalize on some unique elements and link the top elevation with the valley floor. He lauded the growth in the number of visitors; the trail base serves as an economic driver in the community, and capitalizes on the existing infrastructure.

Councilmember Traylor Smith asked if there are multiple local groups applying and if so are they being competitive or collaborative. Mr. Winans said COPMOBA works with a number of other organizations and much of this trail is not accessible to motorized use.

Councilmember Kennedy asked if diversifying the support would diminish consideration for these and other trails. Mr. Taylor said with only 16 trails statewide there will be a lot of competition; the goal is to just get a seat at the table. They are all great projects. Mr. Taylor said there are several gaps in the Riverfront Trail and to apply as the Riverfront Project; it is not a bad thing to have both projects supported.

Mr. Winans said the Plunge would be an economic driver; the Riverfront Trail is more of a quality of life project in the valley.

Councilmember Boeschstein expressed it is great to have this project on the forefront and to complete the project will be great. The Three Sisters Trail is also part of the Riverfront Trail. Libby Collins, Co-chair of the Urban Trails Committee, was also present and agreed saying the part of the trail which connects to Lunch Loop is an important piece. She said she hopes that shovel ready projects will be considered, this part of the trail is very close to being ready.

Councilmember Boeschstein asked if the Plunge involves other government land, such as Forest Service and Bureau of Land Management (BLM). Mr. Winans said yes, along with City and Palisade watershed property. New construction permits will be required as well as National Environmental Policy Act (NEPA) studies. However it is a goal of the BLM to create this trail connection.

Councilmember McArthur asked what the cost estimates are to complete these. Mr. Winans said the Plunge estimate, which is not firm, is around \$300,000 to \$350,000 and includes the environmental studies, parking lot, and the upper trailhead. Mr. Taylor said he did not have estimates for the Riverfront Trail since land acquisition is still needed. Councilmember McArthur asked Mr. Winans what the acronym COPMOBA stands for. Mr. Winans stated Colorado Plateau Mountain Bike Trail Association. Councilmember McArthur stated bicycling is becoming more a part of the economic development in this area and as a community we need to continue to support it and he applauds the efforts.

Councilmember Taggart commended both Mr. Taylor and Mr. Winans for bringing this together in one action; it shows a spirit of cooperation, which he believes is important to show the Governor's office. The 16 trails are not in concrete as of yet, but it is interesting to see the criteria. Regarding the Plunge, Councilmember Taggart rode the Tour of the Moon with about 2,000 other riders and the Palisade Plunge ride is on a lot of people's bucket list.

Council President Pro Tem Chazen asked if this resolution does not obligate the City financially at this time. City Attorney Shaver said that is correct. Council President Pro Tem Chazen said he is in favor of this project; it will be a great economic driver.

Resolution No. 42-15—A Resolution Supporting the Colorado Riverfront Trail and Palisade Plunge as Priorities for the Colorado Beautiful 16 Trails in 2016

Councilmember Taggart moved to adopt Resolution No. 42-15. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

**Public Hearing—1800 Main Street Apartments Right-of-Way Vacation, Located East of 1800 Main Street**

The applicant, Gemini Capital of Grand Junction LLC, requests approval from the City of Grand Junction to vacate an excess 15' wide north/south right-of-way located east of 1800 Main Street. The right-of-way was dedicated with the filing of the East Main Street Addition subdivision in 1947 and is no longer needed.

The public hearing was opened at 8:35 p.m.

Scott D. Peterson, Senior Planner, introduced this item. This is a request to vacate excess right-of-way of approximately 0.09 acres. The Planning Commission



recommended conditional approval of the right-of-way vacation at their September 8, 2015 meeting. He described the location, the history, and the reason for the request. The area has never been used for the intended purpose. The applicant is requesting to vacate the existing right-of-way in order to construct a new 18,360 sq. ft. 3-story, 27 unit multi-family residential apartment building as close to their east property line as possible. The existing use is three apartment buildings. He stated the current zoning and the conditions for approval are being proposed. All of the required review criteria has been met and a utility easement will be retained.

Councilmember Kennedy mentioned he had difficulty picturing a building fitting into that space. Mr. Peterson said it will be a three story building, with an access off of Rood Avenue. Councilmember Kennedy asked if it will be similar to the existing units. Mr. Peterson answered affirmatively.

Councilmember Boeschstein asked if underground utilities will be located in the utility easement and will they build over and around it. Mr. Peterson noted they will retain the easement so no building or structures will be on the easement, the building will abut the set back. Both the City Engineering and Utilities departments have reviewed it.

Councilmember McArthur asked if fencing is allowed on that area. Mr. Peterson said fencing is allowed as well as landscaping, just not structures.

There were no public comments. The public hearing was closed at 8:42 p.m.

Ordinance No. 4677—An Ordinance Vacating Excess Right-of-Way for the Proposed 1800 Main Street Multi-Family Residential Apartment Building Expansion Application, Located at 1800 Main Street

Councilmember Kennedy moved to adopt Ordinance No. 4677 on final passage and ordered final publication of the Ordinance in pamphlet form. Councilmember Boeschstein seconded the motion.

Councilmember McArthur is concerned about planting trees over a pipeline, Staff should consider that impact. Mr. Peterson said the site plan is still under review, he is not sure about the plantings, but will note not to allow a tree.

Councilmember Boeschstein agreed and requested it be left open for future maintenance. Mr. Peterson said he will take that into consideration.

Council President Pro Tem Chazen asked about the Planning Commission's recommended conditional approval, if utility and storm water easements were the conditions. Mr. Peterson said the condition was to retain the easement. City Attorney Shaver said line 2 of the ordinance describes the conditions.

Motion carried by roll call vote.

**Public Hearing—Community Hospital Alley Vacation—Vacating the Remaining North/South and East/West Alleys, Located between N. 11th Street, N. 12th Street, Orchard Avenue, and Walnut Avenue**

Request to vacate a non-constructed alley right-of-way located between N. 11<sup>th</sup> Street, N. 12<sup>th</sup> Street, Orchard Avenue, and Walnut Avenue. The right-of-way was originally dedicated in anticipation of alley construction and is no longer needed.

The public hearing was opened at 8:45 p.m.

Senta Costello, Senior Planner, presented this item and provided background on this vacation. She described the request, the location, the history of the alley, the lack of documentation on earlier vacations, and stated that the reason for the request is to clean up these right-of-ways. There is a sewer line in one of the right-of-ways but that will be taken over by the property owner. She described the uses and zoning of the property. The Planning Commission recommended approval to City Council for the request at its September 8, 2015 public hearing.

There were no public comments. The public hearing was closed at 8:49 p.m.

Ordinance No. 4678—An Ordinance Vacating Alley Right-of-Way, Located between N. 11<sup>th</sup> Street, N. 12<sup>th</sup> Street, Orchard Avenue, and Walnut Avenue

Councilmember Traylor Smith moved to adopt Ordinance No. 4678 on final passage and ordered final publication of the Ordinance in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

**CDBG Subrecipient Contracts with Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster, Grandparent Programs, Housing Resources of Western Colorado, and Partners for Previously Allocated Funds within the 2015, Community Development Block Grant (CDBG) Program Year**

The Subrecipient Contract formalizes the City's award of a total of \$77,808 to Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster Grandparent Programs, Housing Resources of Western Colorado, and Partners allocated from the City's 2015 Community Development Block Grant (CDBG) Program as previously approved by Council. The grant funds will be used for human services and facility improvements.

Kristen Ashbeck, Senior Planner/CDBG Administrator presented these items. These agencies are considered "subrecipients" to the City. The City will "pass through" a portion of its 2015 Program Year CDBG funds to the agencies but the City remains responsible for the use of these funds. She reviewed each of the projects:

Western Colorado Suicide Prevention Bridges Program - The Bridges program provides emergency counseling for children, teens, and young adults at risk for suicide who do not have financial resources to obtain assistance. School counselors refer potential students to the program. CDBG funds in the amount of \$8,860 will be used to offset costs of counseling sessions. Additional funds in the amount of \$6,500 have been leveraged from other sources for this program.

St. Mary's Foundation Gray Gourmet Program - The Gray Gourmet program prepares, serves, and delivers a hot and nutritious lunchtime meal for Mesa County seniors ages 60 and older. The program fosters health, independence, and wellbeing. Volunteers deliver meals to homebound seniors; frail and recovering elderly that do not have the means to travel to one of the serving locations. CDBG funds would fund three more volunteers delivering approximately 500 more meals on selected routes within the City limits. CDBG funds in the amount of \$9,950 will be used to reimburse program volunteers for gas and mileage for travel to and from delivery locations. Additional funding in the amount of \$19,880 has been leveraged from other sources for this program.

St. Mary's Foundation Foster Grandparent Program - This program places low income senior volunteers in school, day care, Head Start, preschool, and safe house facilities to help children with special needs. Funding would allow for the addition of 6 volunteers to serve 66 more students. CDBG funds in the amount of \$8,998 will be used to reimburse program volunteers for gas and mileage for travel to and from service locations. Additional funding in the amount of \$330,195 has been leveraged from other sources for this program.

Housing Resources of Western Colorado Emergency Repair Program - Housing Resources provides low income residents with 24-hour emergency repair including roof repair, furnace repair, carbon monoxide issues, frozen pipes, water heaters, electrical problems, and evaporative coolers. CDBG funding in the amount of \$22,500 will be used to help pay for materials and labor for the program. Housing Resources expects to serve 75 City residents through the program. Additional funding in the amount of \$7,500 has been leveraged from other sources for this program.

Partners Program Office Safety Improvements - The main program office for Partners at 1169 Colorado Avenue is in need of safety improvements. Partners provides programs for substance abuse prevention, victim empathy, and life skills educational classes in their second floor meeting room. Currently there is only one exit from the second to the first level. In an emergency, if that egress is unusable, up to 25 people could be trapped. CDBG funds in the amount of \$27,500 will be used to add a second stairwell at the west end of the building for a secondary escape. Additional funding in the amount of \$23,500 has been leveraged from other sources for this project.

Councilmember Kennedy moved to authorize the Interim City Manager to sign the Subrecipient Contracts with Western Colorado Suicide Prevention, St. Mary's Foundation Gray Gourmet and Foster Grandparent Programs, Housing Resources of Western Colorado, and Partners for total grant funds of \$77,808 of the City's 2015 Program Year funds. Councilmember McArthur seconded the motion. Motion carried by roll call vote.

Councilmember Boeschstein inquired why Housing Resources got their United Way funding denied. Katie Bowman with Housing Resources said the United Way committee expressed that their demographic needed to be more specific.

Councilmember Kennedy stated the amounts and the awards were discussed in great detail and the recipients were well deserving. He wished there was more to allocate.

### **Non-Scheduled Citizens & Visitors**

There were none.

### **Other Business**

There was none.

### **Adjournment**

The meeting adjourned at 9:00 p.m.

Stephanie Tuin, MMC  
City Clerk