

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

April 18, 2012

The City Council of the City of Grand Junction convened into regular session on the 18th day of April, 2012 at 7:02 p.m. in the Mesa County Public Hearing Room. Those present were Councilmembers Bennett Boeschstein, Jim Doody, Laura Luke, Bill Pitts, Sam Susuras, and Council President Tom Kenyon. Absent was Councilmember Teresa Coons. Also present were Acting City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Kenyon called the meeting to order. He asked Troops # 385 and 386 to come forward and lead the Pledge of Allegiance. That was followed by an invocation by Chaplain Mary Ellen Ireland, St. Mary's Pastoral Care.

Proclamations/Presentations/Recognitions

Proclaiming April 21, 2012 as "Arbor Day" in the City of Grand Junction, Recognitions of CPC Solutions Sponsorship and Arbor Day Work, and Presentation of Gold Leaf Award

Tom Ziola, Forestry Supervisor, expressed appreciation for the support of the Forestry Program. He introduced Kamie Long, Chair of the Forestry Board. She recognized CPC Solutions with a certificate of appreciation for donating funds to purchase trees to give out at the Southwest Arbor Fest and printing out drawing pads for the poster contest.

Dean Rickman, CPC Solutions, formerly Colorado Printing, said that they turned their actions towards trees to give back for all they use in their industry and they produced something for Arbor Day (the drawing pads).

Council President Kenyon said he visited Nebraska City, Nebraska which is known as the home for Arbor Day and took note the impact trees make on the environment. He expressed appreciation for CPC's contributions.

Forestry Board Chair Long then introduced other Forestry Board members and along with them recognized the work of Administrative Assistant Jessica Dennison with a certificate of appreciation for her above and beyond contributions to the 2012 Arbor Day program.

Tom Ziola then introduced Vince Urbina of the State Forestry Division who was present to present the Gold Leaf Award to City Council. The City won the award for the Rocky Mountain Region for outstanding landscaping beautification for 2012.

Proclaiming the Week of April 22 through 28, 2012 as “Administrative Professionals Week” and Wednesday, April 25, 2012 as “Administrative Professionals Day” in the City of Grand Junction

Karen Loughman of the Administrative Professionals, was present to receive the proclamation. She thanked the City Council and recognized the Administrative Assistant (Jessica Dennison) that just won the award.

Proclaiming 2012 as "The Year of Water" in the City of Grand Junction

Terry Franklin, Deputy Director of the Utilities, Streets and Facilities Department was present to receive the proclamation. He thanked the City Council for the recognition and their support.

Financial Report – Jodi Romero, Financial Operations Director

Jodi Romero, Financial Operations Director, gave a brief financial report starting with how the year 2011 ended and also current economic trends. She advised that 2011 ended well with significant savings and revenues were up. It is anticipated that the City will end 2012 with about \$24 million in fund balance. She recognized that Councilmembers Luke and Susuras have been attending the quarterly budget reviews and all departments are within the 25% for the first quarter of 2012.

She then reviewed some of the trends. Natural gas prices are down which negatively impacts the industry. This will result in the cutting back of rigs. There are Grand Junction residents working in the oil and gas industry on the Front Range. There are liquids that come from the processing and those liquids are marketable which help keep the industry going.

Drilling rigs in the Denver area have doubled in the last two years, whereas drilling rigs in Piceance Creek have decreased.

Other trends include foreclosure activity and Mesa County has the highest foreclosure rate in the State. There was a decline in early 2011, but that increased again in the later part of 2011. The result is the decrease of the median home price. Regarding construction activity, it has increased over the first quarter of 2011. Part of that increase is remodeling of commercial and industrial enterprises.

Another trend, employment (that is unemployment) has decreased over 2011. Sales and Use tax is improving but the projection was budgeted flat for 2012. She displayed a graph that broke out the allocation of sales tax for each category of businesses. Every category is showing improvement. Retail activity is compared to the national trend (even

includes areas where no tax is charged) and the area showed a larger amount of growth but the area previously had dropped lower than the nation.

The last table showed year to date collections in sales tax which showed an increase in first quarter.

Councilmember Boeschstein asked if the manufacturing sector graph and the natural gas price chart that she showed as part of her presentation are for the United States. Ms. Romero said they are both for the United States.

That concluded the Financial Report.

Certificates of Appointment

To the Horizon Drive Association Business Improvement District

Bill Milius and Jay Moss were present to receive their certificates of appointment. Chuck Keller was unable to attend. Victoria Patsanranas was present and offered to accept his certificate. She also announced the upcoming open house for their street designs in the Horizon Drive Business Improvement District.

To the Commission on Arts and Culture

Judy Dyrud and Elizabeth Nelson were present to receive their certificates of appointment.

Council Comments

Councilmember Boeschstein advised that he attended the Grand Valley Bikes at Rocky Mountain Elementary where hundreds of kids got lessons on how to safely ride their bikes to school.

Citizen Comments

Council President Kenyon explained the Citizen Comments section. He said that many are present to speak about the Housing Authority's Village Park Subdivision. He noted that the development application has not been submitted, therefore concerns should be directed to Jody Kole with the Housing Authority and he provided her contact information. He advised that there are handouts summarizing the project available in the back of the room. The project is being resurrected after five years; it was shelved due to the economic downturn. That is the reason it is surprising some. The Housing Authority acquired the property for affordable housing. In order to move forward, the Housing

Authority must submit a site plan and a planning clearance must be issued. A notice will be posted when the application is submitted and the site plan application will be reviewed administratively. If approved, it can be appealed to the Planning Commission.

Phyllis Hunsinger, 661 Tamarron Drive, spoke in opposition to the 28 ¼ Road and Patterson Road development. She wanted to bring to the City Council the opposition that the City Council waived over \$300,000 in fees for this project. She felt the City Council was not informed. Jody Kole said several open houses were held and the project was received favorably. Ms. Hunsinger said that was not true. She identified traffic impacts and impacts to overcrowded schools. Many tried to email the City Council but could not get their emails to go through. She said she had a petition with over 100 signatures opposing the development. She noted the statement in the paper that the housing would house teachers, firemen, and nurses. She disagreed with that statement. She submitted her petitions to the City Council.

Dora Gail Schultz, 414 Willow Ridge Court, spoke on the article that was in the Daily Sentinel regarding the responsibility to provide housing to low income people. She said the statement that the Grand Junction Housing Authority is responsible for providing housing is a socialist mindset. She disagreed the government should be responsible for needs such as housing and other needs. She felt that was the problem with the nation.

Jim Pommier, 663 Tamarron Drive, also spoke in opposition to the 28 ¼ Road and Patterson Road development. He referred to a letter he emailed to all of City Council. He echoed what the two others said. He said the development was slipped under the rug. The neighborhood is concerned.

There were no others signed up to speak.

CONSENT CALENDAR

Councilmember Luke read the Consent Calendar and then moved to approve the Consent Calendar items #1-15. Councilmember Doody seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meeting

Action: Approve the Minutes of the April 4, 2012 Regular Meeting

2. **Setting a Hearing on Zoning the Hernandez Enclave Annexation, Located at 2956 D Road** [File #ANX-2012-188]

A request to zone the Hernandez Enclave Annexation, located at 2956 D Road, which consists of one parcel, to an R-8 (Residential 8 du/ac) zone district.

Proposed Ordinance Zoning the Hernandez Enclave Annexation to R-8 (Residential 8 DU/Ac), Located at 2956 D Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 2, 2012

3. **Setting a Hearing on Rezoning 42 Parcels Located East of N. 1st Street, South of Patterson Road, North and West of Park Drive** [File #RZN-2012-24]

A City initiated request to rezone 42 parcels from an R-24 (Residential 24 du/ac) to an R-16 (Residential 16 du/ac) zone district.

Proposed Ordinance Rezoning 42 Parcels Located Generally Between North 1st Street on the West, Patterson Road on the North, and Park Drive on the South and East from an R-24 (Residential 24 DU/Ac) to an R-16 (Residential 16 DU/Ac) Zone District

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 20, 2012

4. **Setting a Hearing on Rezoning Two Parcels Located at 2173 and 2175 River Road** [File #RZN-2012-11]

A City initiated request to rezone two parcels totaling 11.515 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district.

Proposed Ordinance Rezoning Properties at 2173 and 2175 River Road from a C-2 (General Commercial) to an I-1 (Light Industrial) Zone District

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

5. **Setting a Hearing on Rezoning Property Located at 763 23 ½ Road** [File #RZN-2012-28]

A City initiated request to rezone one property totaling 1.89 +/- acres located at 763 23 ½ Road from R-E (Residential-Estate) to R-O (Residential Office).

Proposed Ordinance Rezoning One Property from R-E (Residential - Estate) to R-O (Residential Office) Located at 763 23 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

6. **Setting a Hearing on Rezoning Property Located at 483 30 Road** [File #RZN-2012-29]

A City initiated request to rezone one property totaling 6.22 +/- acres located at 483 30 Road from C-1 (Light Commercial) to C-2 (General Commercial).

Proposed Ordinance Rezoning One Property from C-1 (Light Commercial) to C-2 (General Commercial) Located at 483 30 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

7. **Setting a Hearing on Rezoning One Property, Located at 510 29 ½ Road** [File #RZN-2012-8]

A City initiated request to rezone one property totaling 6.36 +/- acres, located at 510 29 ½ Road, from C-2 (General Commercial) to C-1 (Light Commercial) zone district. This property is currently the Mesa County Community Services site.

Proposed Ordinance Rezoning One Property from C-2 (General Commercial) to C-1 (Light Commercial) Located at 510 29 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 16, 2012

8. **Setting a Hearing on Vacating Alley Right-of-Way for St. Joseph Church, Located in the 300 Block of White Avenue** [File #VAC-2012-203]

This is a request by St. Joseph Catholic Church to vacate the remaining alley right-of-way in the 300 Block of White Avenue for the proposed new chapel, parish hall, and future ancillary additions.

Proposed Ordinance Vacating Right-of-Way for St. Joseph Church Located in the 300 Block of White Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 2, 2012

9. **Setting a Hearing on Rezoning Three Properties, Located at 1801 and 1815 Bass Street and 1810 Minnow Drive** [File #RZN-2012-32]

A City initiated request to rezone three properties totaling approximately 0.66 acres, located at 1801 and 1815 Bass Street and 1810 Minnow Drive, from C-1 (Light Commercial) zone district to R-5 (Residential – 5 dwelling units per acre) zone district, referred to as the Area 7 Rezone.

Proposed Ordinance Rezoning Three Parcels from C-1 (Light Commercial) to R-5 (Residential – 5 Units Per Acre) Located at 1801 and 1815 Bass Street and 1810 Minnow Drive

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 20, 2012

10. **Setting a Hearing on Rezoning Two Properties Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection** [File #RZN-2012-26]

A City initiated request to rezone 4.18 acres from R-12 (Residential 12 du/ac) to CSR (Community Services and Recreation) and 1.87 acres from CSR (Community Services and Recreation) to R-4 (Residential 4 du/ac), located east of the Monument Little League ball fields, southeast of the 25 ½ Road and Patterson Road intersection.

Proposed Ordinance Rezoning 4.18 Acres from R-12 (Residential 12 DU/Ac) to CSR (Community Services and Recreation) and 1.87 Acres from CSR (Community Services and Recreation) to R-4 (Residential 4 DU/Ac), Located East of the Monument Little League Ball Fields, Southeast of the 25 ½ Road and Patterson Road Intersection

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

11. **Setting a Hearing on Rezoning One Property Located on the West Side of Bass Street between W. Hall Avenue and W. Mesa Avenue** [File #RZN-2012-27]

A City initiated request to rezone 0.275 acres, located on the west side of Bass Street between W. Hall Avenue and W. Mesa Avenue from R-8 (Residential 8 du/ac) to CSR (Community Services and Recreation).

Proposed Ordinance Rezoning 0.275 Acres from R-8 (Residential 8 DU/Ac) to

CSR (Community Services and Recreation), Located on the West Side of Bass Street between W. Hall Avenue and W. Mesa Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 6, 2012

12. **Purchase of On-Site Sodium Hypochlorite Generation System-Liquid Chlorine Disinfectant Equipment for the Water Treatment Plant**

This request is for the purchase of equipment and the installation of an On-Site Sodium Hypochlorite Generation System at the City of Grand Junction Water Treatment Plant (WTP). Staff has identified the need to move from the use of chlorine gas to the on-site generation of low concentration bleach (sodium hypochlorite) to improve the safety at the WTP and the surrounding area. This change will eliminate the handling and storage of chlorine gas and provide a system that is more reliable and will serve the WTP well into the future.

Action: Authorize the Purchasing Division to Enter into a Contract with Severn Trent to Purchase and Install an On-site Sodium Hypochlorite Generation System in the Amount of \$400,000

13. **Purchase Two 2012 Rubber Tire Backhoes for Storm Water and Water Services Divisions**

This request is for the purchase of a scheduled equipment replacement of two Rubber Tire Backhoes for the Storm Water and Water Services Divisions.

Action: Authorize the City Purchasing Division to Purchase two Volvo BI-70B Rubber Tire Backhoes from Power Equipment Company in an Amount of \$146,310

14. **Purchase Extended Cab Utility Truck for the Water Division**

This purchase request is for one 2012 Ford F450 Extended Cab utility truck to replace one utility truck currently in the City's fleet.

Action: Authorize the City Purchasing Division to Purchase a Utility Truck from Western Slope Auto in the Amount of \$58,337

15. **Contract for Lincoln Park Renovation Project – Restroom Construction**

In 2011, the Parks and Recreation Department completed a Park Inventory and Future Needs Assessment, which is an evaluation program of all park facilities for

safety, accessibility, and cost of maintenance. Findings of this study determined the public restroom facilities at Lincoln Park are sorely inadequate and at the top of the list for replacement.

Action: Authorize the Purchasing Division to Enter into a Contract with Emery Welsh Construction for the Construction and Installation of Public Restrooms and a Public Restrooms / Shelter at Lincoln Park, in Conjunction with the Lincoln Park Renovation Project in the Amount of \$277,770.93

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Application for US Department of Justice Annual Justice Assistance Grant for Audio/Video Equipment for Training

The Grand Junction Police Department has been solicited by the Bureau of Justice Assistance (BJA) program of the US Department of Justice to apply for an annual grant in the amount of \$25,239. If awarded, these funds will be used in combination with other funding sources to purchase audio/video equipment for the training room of the new Police building.

The Bureau of Justice Assistance requires City Council review and to provide an opportunity for public comment, as part of the application process. Therefore, a public comment opportunity is requested for the purpose of satisfying this requirement.

John Camper, Police Chief, introduced this item. Each year the Bureau of Justice Administration offers the opportunity to apply for a Justice Assistance Grant. This year the award offered is \$25,239. The plan is to use the grant funds for audio and video equipment in the training room in the new Public Safety Building. Prior to application the Agency requires City Council approval and they also require an opportunity for public comment.

Council President Kenyon opened it up for public comment. There were no public comments.

Councilmember Susuras moved to authorize the Acting City Manager to apply for these funds, and if awarded, to manage \$25,239 in grant funding. Councilmember Pitts seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning 92 Properties Located Between 12th Street and 17th Street along Main Street and the North Side of Colorado Avenue [File # RZN-2011-1221]

A City initiated request to rezone approximately 13 acres, located between 12th Street and 17th Street along Main Street and the north side of Colorado Avenue, from R-8 (Residential 8 du/ac) to an R-O (Residential Office) zone district.

The public hearing was opened at 8:14 p.m.

Tim Moore, Public Works and Planning Director, introduced this item and the following two items on the agenda. These three items deal with City initiated rezonings to bring the zoning and the Comprehensive Plan in harmony with each other. They all come forward with a recommendation for approval from the Planning Commission.

Councilmember Doody expressed that he likes this format with the Director introducing first.

Lori V. Bowers, Senior Planner, presented this item. She described the sites, the locations, and the request which is City initiated. The area is totally built out, there are no vacant lots. The Future Land Use Map designated the area as Mixed Use which does not allow R-8. This is why RO makes sense and will protect the aesthetic character of the area; it only allows non-retail. It will serve as a buffer to the south and the residential to the north. The property owners were notified by mail and an open house was held. Three comments were received back and are included in the record. Ms. Bowers displayed examples of uses in the RO zoning.

The proposal meets Goals 6 and 7 of the Comprehensive Plan. The request will bring the zoning into conformance with the zoning and the Future Land Use designation. Property owners were notified. The Planning Commission forwarded a recommendation of approval. The requested zone is consistent with the goals and policies of the Comprehensive Plan and it meets the criteria of the Grand Junction Municipal Code. Ms. Bowers entered her Staff Report and attachments into the record.

Councilmember Luke asked if all properties have alley access. Ms. Bowers said they do.

Councilmember Boeschstein asked if home occupations are allowed in the existing zoning. Ms. Bowers said yes. Councilmember Boeschstein asked what the difference would be then with the existing zoning and RO. Ms. Bowers said a small sign would be allowed to advertise a business (she gave an example of a seamstress).

Councilmember Luke asked if the rezone will make the area compatible with the Comprehensive Plan. Ms. Bowers said that is correct.

There were no public comments.

The public hearing was closed at 8:22 p.m.

Ordinance No. 4520—An Ordinance Rezoning 92 Properties from R-8 (Residential DU/Ac) to an R-O (Residential Office) Zone District, Located between 12th Street and 17th Street Along Main Street and the North Side of Colorado Avenue

Councilmember Pitts moved to adopt Ordinance No, 4520 and ordered it published in pamphlet form. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning Four Properties Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road [File #RZN-2011-1215]

A City initiated request to rezone four properties located at 2202, 2202 ½, 2204 H Road, and 824 22 Road from M-U (Mixed Use) to MXG-3 (Mixed Use General) zone district.

The public hearing was opened at 8:24 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request which is a request from the City. Notification of owners and surrounding property owners were accomplished but only about ten people attended the open house. He only heard one comment from the public and they were supportive of the change. The request will bring the zoning into conformance with the Zoning Code and the Future Land Use designation. Mr. Peterson described why the current zoning is incompatible. The Mixed Use General – 3 will allow buildings up to three stories. It allows Neighborhood Center, Village Center, Downtown Mixed Use, and the Mixed Use Opportunity Corridors. The form based zone districts were added in the last Code update. It is intended to provide higher density use areas and mixed use centers which serve as transitions. This change will buffer the residential to the east from the industrial properties to the west. It will bring the current uses into conformity. The requested rezone meets goals 3, 5, 7, and 12 of the Comprehensive Plan and the review criteria of the Grand Junction Municipal Code.

Council President Kenyon asked about the Village Center and how this property is in proximity to that Center. Mr. Peterson said the Center can move within the designated area.

Councilmember Pitts asked if MXG is a new zoning designation. Mr. Peterson said yes, the Mixed Use zone district was removed from the Code.

Councilmember Boeschstein asked about the availability of water and sewer. Mr. Peterson said that sewer is not currently available. Ute Water and Grand Valley Power relocated to this vicinity and are sewered from the north. Water is available with a sufficient size water line for fire flow. Sewer would have to be extended prior to any development.

There were no public comments.

The public hearing was closed at 8:34 p.m.

Ordinance No. 4521—An Ordinance Rezoning Four Properties from M-U (Mixed Use) to MXG-3 (Mixed Use General), Located at 2202, 2202 ½, 2204 H Road, and 824 22 Road

Councilmember Pitts moved to adopt Ordinance No. 4521 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Public Hearing—Rezoning One Parcel Located at 2170 Broadway [File RZN-2011-1152]

A City initiated request to rezone approximately 4.846 acres, located at 2170 Broadway, from an R-2 (Residential 2 dwelling units/acre) to an R-8 (Residential 8 dwelling units/acre) zone district.

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

Brian Rusche, Senior Planner, presented this item. He described the site, the location, and the request. He also described the current use and ownership. Mr. Rusche described the surrounding uses and zone districts. The Comprehensive Plan designated this area as a Village Center selected because of its established commercial uses and the availability of existing services. A residential zoning will allow the existing religious assembly use. The property owner did not submit any comments. Adjacent owners did call to ask about the proposal. One gentleman asked about commercial encroachment; that would require review by the City Council due to the annexation and zoning that would be required. The Planning Commission forwarded a recommendation of approval. The request does meet the criteria of the Grand Junction Municipal Code and the goals and policies of the Comprehensive Plan.

There were no public comments.

The public hearing was closed at 8:40 p.m.

Ordinance No. 4522—An Ordinance Rezoning Property Located at 2170 Broadway from an R-2 (Residential 2 Dwelling Units/Acre) to an R-8 (Residential 8 Dwelling Units/Acre) Zone District

Councilmember Pitts moved to adopt Ordinance No. 4522 and ordered it published in pamphlet form. Councilmember Luke seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Chris Chambers, 2808 Day Break Avenue, current Dawn Homeowners Association (HOA) President, said he believes the Housing Authority has been very deceptive saying there was approval from the surrounding neighborhoods regarding the proposed development at 28 ¼ Road and Patterson. The Housing Authority did not attempt to get his HOA's approval. The area does not offer any services for this type of development. It was mentioned the previous owner sold the property specifically for low income housing. Unless that was in the contract, he said it was rumor.

Carol Ruland, 633 E. Pagosa Drive, relative to that same development, noted the traffic conditions would be pretty bad. Currently one can hardly make a left hand turn. She asked that the congestion be looked at. She asked for consideration for the amount of traffic already there. They have seen an escalation of traffic in that area. The development is just not in the right place.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:46 p.m.

Stephanie Tuin, MMC
City Clerk