

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

May 4, 2016

The City Council of the City of Grand Junction convened into regular session on the 4th day of May, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Rick Taggart, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Also present were Interim City Manager Tim Moore, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Kennedy led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming May 9th through May 23rd, 2016 as “Paint the Town Purple Days” in the City of Grand Junction”

Councilmember Chazen read the proclamation. Terri Wannamaker, American Cancer Society (ACS) Committee Member for Mesa County Relay for Life, was present to receive the proclamation. Ms. Wannamaker provided statistics on cancer in the United States. She and another representative for Mesa County Relay for Life thanked the Council and advised the date and time of the Relay for Life event.

Proclaiming May 2nd through May 8th, 2016 as “Grand Junction Pride Fest Week” in the City of Grand Junction

Councilmember Kennedy read the proclamation. Heidi Hess and Jesse Daniels were present to receive the proclamation. Councilmember Kennedy said almost 26 years ago he and his wife both knew their son at the age of three was gay and his loving family supported him as he grew up and realized himself that he was gay. It is a highlight for him to read this proclamation and he recognized the people in attendance representing a cross section of the community. Ms. Hess thanked the City Council and especially Councilmember Kennedy. She noted that it is good for young people who struggle to see the support. She encouraged everyone to attend the upcoming events that will be held.

Appointments

To the Urban Trails Committee

Councilmember Boeschstein moved to appoint Shana Wade and Orin Zyvan to the Urban Trails Committee for three year terms expiring June 2019. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

To the Horizon Drive Association Business Improvement District

Councilmember Traylor Smith moved to reappoint Chuck Keller and Bill Milius to the Horizon Drive Association Business Improvement District for four year terms expiring April 2020. Councilmember Chazen seconded the motion. Motion carried by roll call vote.

Certificate of Appointment

To the Commission on Arts and Culture

Darcy Johnson was not present to receive her certification of reappointment to the Commission on Arts and Culture. Councilmember Kennedy read the appointment.

He also advised that those present were not required to remain for the entire meeting.

Citizens Comments

Bruce Lohmiller, 536 29 Road, addressed the City Council regarding equal justice for all people. He suggested night patrols for Whitman Park because a gentleman recently drowned after leaving Whitman Park. He also suggested that the vacated building where the Work Force Program operated would be a great place for a new Rescue Mission. He filed a motion to compel against Mr. Rubenstein. He spoke with President Foster about campaign events at Colorado Mesa University and having the candidates visit.

Danny Bohrer, 2255 Texas Avenue, said he has lived in his house since 1992 and said elm trees are a huge problem. He would like them to be eradicated. The seeds are a mess. He explained a plan where the City pays for a portion of removing the trees throughout the City.

Steven Johnson, 494 Anjou Drive, addressed the City Council regarding the need for Grand Valley Transit to operate on Sundays; it is needed for those that work on Sundays and there are many that need it to go to church or the store. It would benefit disabled people. He suggested shorter hours on Sunday.

Council Comments

Councilmember McArthur attended the Senior Beacon Festival which was a very successful event. He also attended the dedication of the donor wall at the Avalon Theatre.

Councilmember Boeschstein went to a Business Incubator meeting that morning and then the Riverview Technology Corporation (RTC) meeting after that. On May 3rd he attended the Historic Preservation Meeting and the World Affairs Council. He attended the Family Health West fundraising event at the Avalon on April 30th. On April 28th the State Demographer gave a presentation, he attended a Downtown Development Authority (DDA) meeting. On the 27th he attended the Arts and Culture Commission meeting and the Urban Trails Committee meeting. He met with April Gill with the Department of Energy (DOE) and Recreation Superintendent Tracy Wieland on April 25th to discuss ways the DOE could assist with Las Colonias funding. He also attended the City Council Workshop on April 25th.

Councilmember Chazen went to the April 21st Special Olympics kickoff at CMU and he thanked law enforcement agencies for supporting the event. On April 27th he attended the Associated Governments for Northwest Colorado (AGNC) meeting in Palisade and he was reelected as vice chair. A detailed presentation was given by Parks and Wildlife Representative J. T. Romanski on the Cameo shooting range and Councilmember Chazen said he would like someone from the Visitors and Convention Bureau (VCB) to get in touch with Mr. Romanski. There was also an update from John Stulp, Advisor to the Governor on water policy. On April 28th he attended the DDA meeting and the board supported the sale or leasing for the development of the end cap on the parking garage. A committee was formed to study downtown parking ownership. There was an update by a consultant on the monitoring systems for the old gas tanks in the downtown area where a legacy effort has been ongoing for years. The qualifications for a new DDA Director were discussed. On April 29th he attended the CMU student showcase.

Councilmember Kennedy was also at the CMU Special Olympics kickoff. The Broadband committee reviewed Request for Proposals (RFPs) responses and are working on information to bring back to Council regarding financial options.

Councilmember Traylor Smith focused on the State Demographer's presentation and noted that the efforts of previous Councils to focus on Grand Junction being a retirement community worked. It is now realized that the City needs more businesses and jobs for the younger people. She reminded everyone about the construction project on Horizon Drive and asked people to slow down and be very cautious.

Councilmember Taggart went to the CMU entrepreneur's day and George Gillette who used to own Vail was the keynote speaker and delivered a wonderful speech. The

event was a “Shark Tank” situation with three teams of students presenting their concepts and he described the concept of the winners. An offer was made to Kip Turner for the Airport Manager position and he accepted. He will join the Airport in early July.

Council President Norris met with representatives from different communities to talk about 911 services and public safety in the valley and they are working diligently on a solution. She went to the Food Bank’s new facility and someone donated the first year of rent. The State Demographer gave a good presentation and was very open for input. Broadband is one of the main issues which holds the community back.

Consent Agenda

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

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the April 18, 2016 Workshop and the Minutes of the April 20, 2016 Regular Meeting

2. **Setting a Hearing on the PIA Annexation, Located at 2757 Highway 50**

This is a request to annex 3.954 acres, located at 2757 Highway 50. The PIA Annexation consists of 1 parcel.

Resolution No. 16-16 - A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation, and Exercising Land Use Control, PIA Annexation, Located at 2757 Highway 50

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, PIA Annexation, Approximately 3.954 Acres, Located at 2757 Highway 50

Action: Adopt Resolution No. 16-16, Introduce a Proposed Annexation Ordinance, and Set a Hearing for June 15, 2016

3. **Setting a Hearing on the Landmark Baptist Church Rezone, Located at 2711 Unawep Avenue**

The applicants are requesting to rezone the property from R-8 (Residential 8 du/ac) to R-O (Residential - Office).

Proposed Ordinance Rezoning Landmark Baptist Church from R-8 (Residential 8 Du/Ac) to R-O (Residential - Office), Located at 2711 UnawEEP Avenue

Action: Introduce a Proposed Zoning Ordinance and Set a Hearing for May 18, 2016

4. **Purchase a Service Truck with Crane for the Waste Water Services Division**

The Crane Truck is part of the resources needed to provide ongoing operation and maintenance in the Waste Water Services Division. This equipment is used for the repair and installation of the Waste Water Lift Station pumps and facilities.

Action: Authorize the City Purchasing Division to Purchase a Service Truck with Crane for \$134,812 from Transwest Truck Trailer RV

5. **Application for Local Government Marijuana Impact Grant Program**

In November 2015, Colorado voters approved a ballot measure that allows taxes collected from the sale of recreational marijuana to be used to fund several statewide programs, including a Local Government Marijuana Impact Grant Program. This grant is available to local governments who do not allow the sale of retail marijuana. If awarded, the grant will fund two Detectives on the Western Colorado Joint Drug Task Force for a three year period.

Action: Authorize the Police Department to Apply for Funding from the State's Local Government Marijuana Impact Grant Program in the Amount of \$186,914 per Year for Three Years

6. **Contract to Sell Commercial Property at 2887 North Avenue**

As a result of the dissolution of the Fruitvale Sanitation District, the Persigo Joint Sewer System was conveyed ownership of the property at 2887 North Avenue. This property was formally utilized for the operations of the Fruitvale Sanitation District; however it is no longer needed for the operations of the Joint Sewer System. Because of this, a real estate agent was acquired to list and negotiate the sale of the property.

Resolution No. 20-16 - A Resolution Authorizing the Sale of Certain Real Property and Ratifying Actions Heretofore Taken in Connection Therewith

Action: Adopt Resolution No. 20-16

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Public Hearing – Marquis Annexation, Zoning, and Comprehensive Plan Future Land Use Map Amendment, Located at 2245 ½ Broadway**

A request to annex and zone 0.54 acres from County RSF-4 (Residential Single-Family - 4 du/ac) to a City B-1 (Neighborhood Business) zone district along with a Comprehensive Plan Amendment to change the Future Land Use Map designation from “Residential Low” (0.5 - 2 du/ac) to “Neighborhood Center”.

The public hearing was opened at 7:45 p.m.

Scott D. Peterson presented this item. He described the site, the location, and the request. A Comprehensive Plan Amendment is required to change the Future Land Use Map designation from Residential Low to Neighborhood Center. A neighborhood meeting was held on January 11, 2016 and there were no objections expressed for the request. The Planning Commission recommended approval of the application at their April 12, 2016 meeting. The applicant is requesting annexation into the City and a zone district of B-1 for a building expansion and additional off-street parking for Tiara Rado Animal Hospital. Mr. Peterson described the surrounding zoning and uses. The proposed use is an allowed use in the requested zone district. The requested Comprehensive Plan Future Land Use Map Amendment and Zone of Annexation is consistent with the goals and policies of the Comprehensive Plan and the review criteria of the Grand Junction Zoning and Development Code have been met or addressed.

Councilmember Boeschstein noted the location is on a dangerous highway and asked if the veterinary clinic will have new curb cuts. Mr. Peterson said that will be looked at during the site plan review and Colorado Department of Transportation (CDOT) will weigh in heavily and make a recommendation.

Councilmember Kennedy asked about the future plans of the lot adjacent to the site. Mr. Peterson said it is not in the City limits, the north half is vacant, and he has not heard about any development. It has access off Iris Court so it could be developed as residential or it could also be rezoned to a B-1 category. Councilmember Kennedy asked if there was any feedback from adjacent property owners. Mr. Peterson said only three people came to the neighborhood meeting but no one came to the Planning Commission public hearing. He has not heard anything since the neighborhood meeting.

Councilmember Chazen asked if the property owners to the south were notified. Mr. Peterson said yes. Councilmember Chazen asked if they were at the neighborhood meeting. Mr. Peterson said one of the adjacent property owners attended. Councilmember Chazen asked where the road is to the adjacent properties. Mr. Peterson said there is access off of Blevins Road. Councilmember Chazen asked if

there are any special requirements for boarding animals. Mr. Peterson said that the animals must be indoors.

Council President Norris noted that they currently board animals and no issues have been expressed.

There were no public comments.

The public hearing was closed at 7:55 p.m.

Resolution No. 17-16 – A Resolution Accepting a Petition for the Annexation of Lands to the City of Grand Junction, Colorado, Making Certain Findings, and Determining that Property Known as the Marquis Annexation, Located at 2245 ½ Broadway, is Eligible for Annexation

Resolution No. 18-16 – A Resolution Amending the Comprehensive Plan Future Land Use Map of the City of Grand Junction from Residential Low (0.5 - 2 Du/Ac) to Neighborhood Center for the Marquis Annexation, Located at 2245 ½ Broadway

Ordinance No. 4695 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Marquis Annexation, Consisting of One Parcel of 0.54 Acres, Located at 2245 ½ Broadway

Ordinance No. 4696 – An Ordinance Zoning the Marquis Annexation to B-1 (Neighborhood Business), Located at 2245 ½ Broadway

Councilmember Kennedy moved to adopt Resolution Nos 17-16 and 18-16, adopt Annexation Ordinance No. 4695 and Zoning Ordinance No. 4696 on final passage and ordered publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Colorado Mesa University (CMU) Alley Right-of-Way Vacation, Located within the CMU Area between Elm and Kennedy Avenues

The applicant, CMU, requests approval to vacate a portion of public alley right-of-way between Elm and Kennedy Avenues. This right-of-way is adjacent to properties owned by CMU or currently under contract with CMU. The vacation will facilitate the construction of a new engineering building on campus.

The public hearing was opened at 7:55 p.m.

Councilmember Taggart said he teaches part-time at CMU and will recuse himself if necessary. Councilmember Chazen advised that he also teaches at Western Colorado Community College (WCCC). Councilmembers Kennedy, Traylor Smith, and Boeschstein saw no reason for recusal. Councilmember McArthur asked Mr.

Peterson if he sees a problem. Mr. Peterson said he does not see a problem. Council McArthur said he also has no issues with Councilmember Taggart and Chazen voting on the request.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. The vacation request facilitates the construction of a new engineering building on campus. A neighborhood meeting was held on March 23, 2016 with over thirty people in attendance. One email was received concerning the proposed vacation request. The Planning Commission recommended conditional approval of the vacation application at their April 12, 2016 meeting. He described the location for the request, the size, and the reason for the request. All of the properties abutting the area are owned by CMU except one, which is under contract. There is no need for retaining a utility easement. The current utilities will be relocated and a new easement dedicated at that time. He described the existing and surrounding zoning. They will need to comply with Fire Department requirements. CMU will also need to provide a recorded easement for the other properties rear access. Mr. Peterson advised that with these conditions, the vacation for the easement will not create any issues. The request meets review criteria. He listed the findings and conditions from the Planning Commission. He noted the applicant is in attendance.

Councilmember Boeschstein asked if this is part of the Master Plan for the campus expansion and said it would be good if that were included in the presentation each time.

Tim Foster, President of CMU, gave a presentation of their request. He said they will be building an engineering building which will include a new Math and Science Center. They are also going to start a civil engineering program and a computer science engineering program in the future. Currently the mechanical engineering students commute from WCCC. He described the location of the new building and the electronic telescope that will be in the building.

Councilmember Kennedy asked about the number of current enrollees and expectations for future. Mr. Foster said the highest grade score student of engineering across the State came from CMU. The students tend to come in at a slightly lower overall score, but they finish with higher scores than the Boulder students do. The numbers realized overshot what was expected. Councilmember Kennedy said that when the students graduate, it is important that there are jobs in this community to keep them here. He questioned if the building will be big enough. Mr. Foster said the architects have scoped it very carefully and they anticipate it will last through 2030. It will be designed to be easily expanded.

Councilmember Traylor Smith asked about funding for the building. Mr. Foster said they are getting the funds for the health sciences building (the old Community Hospital) and that will be ready in January 2017. This project is number five on the Statewide list

and it is doubtful they will have the funds so CMU is looking for cash in any way they can. They plan to break ground in July 2016 and the building should be completed by December 2017 or January 2018.

Councilmember Taggart asked what will happen to the construction management curriculum. Mr. Foster said that construction management will stay at the Archuleta building (WCCC) for now.

Councilmember Traylor Smith asked how many engineering students are local and how many are from elsewhere. Mr. Foster said it is a mix and he guessed that 60% are from western Colorado and 40% from out of state. He noted that the out of state draw is increasing.

Councilmember Boeschstein asked if this request fits within the Master Plan. Mr. Foster indicated future plans for the area on a displayed map which included two parking structures.

There were no public comments.

Mr. Foster advised that they are in the process of acquiring other properties and there will be other alleys that they will be asking to be vacated in the future.

Councilmember McArthur inquired about the location of the engineering building. Mr. Foster said they hope to move the engineering building closer to 7th Street but they need to purchase several properties first.

Andy Ford, 860 Kennedy Avenue, spoke on behalf of his wife and an adjacent neighbor. He said there are two of the three properties mentioned in the conditions to have access to their rear access. He asked for notice if the plans change regarding their access to their homes. He heard that the University wants a separate agreement to acquire access instead of a recorded document. He, his wife, and his neighbor are opposed to that and want the City to follow its normal process with a recorded easement.

Councilmember Chazen asked City Attorney Shaver about this comment because, even though he is supportive of the project, he wants to make sure that the property owners as well as CMU are protected. City Attorney Shaver said that the Planning Commission recommendation to Council was that an access easement be granted as a condition of approval. He has received for review a proposed license agreement instead of an easement. The agreement mentioned is a license which is a form of a contract and an easement is in the form of a property right. The Zoning and Development Code, Section 21.02.100 (c)(3) provides that access to any parcels shall not be restricted to the point where access is not reasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation. He said that the City will be

in touch with property owners and will protect the public interest as it is expressed by the individual users of the alley. If the owners of the properties are objecting, than the conditions recommended by the Planning Commission and are listed in the proposed ordinance are not being met.

Councilmember Boeschstein asked if Council needs to make a motion to include the Planning Commission's recommendations. City Attorney Shaver said that the ordinance incorporates the recommendation from the Planning Commission and the proposed ordinance is specifically conditioned upon the easement being granted.

The public hearing was closed at 8:29 p.m.

Council President Norris asked about the conditions listed in the ordinance. City Attorney Shaver read the items reflected in the proposed ordinance: 1) Applicant shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents; 2) Applicant shall dedicate and record a "Private Easement" across CMU property(s) for the benefit of the remaining property owners located at 830, 850, and 860 Kennedy Avenue; 3) Applicant shall coordinate relocation of utilities upon construction of the new engineering building and dedicate applicable utility easements to Xcel Energy as necessary in order to continue to provide utility services to the current residential properties within this block; and 4) Applicant will need to meet all Grand Junction Fire Department requirements for construction of the engineering building.

Mr. Foster said he believes he heard that the property owners want three different easements. He said one access point would be reasonable but all three would be burdensome.

Councilmember Kennedy said he believes that he heard any one of the three accesses would be acceptable.

Ordinance No. 4697 – An Ordinance Vacating a Portion of Alley Right-of-Way Located Between Elm and Kennedy Avenues, Located in the Colorado Mesa University Area

Councilmember Boeschstein moved to adopt Ordinance No. 4697 on final passage and ordered it published in pamphlet form. Councilmember Traylor Smith seconded the motion.

Councilmember McArthur commented that he was glad that the access was addressed before it came before Council. He supported the request.

Motion carried by roll call vote.

Grant and Loan Contracts with the Colorado Water Conservation Board for the Hallenbeck No.1 Downstream Slope Repair

The City Water Department has applied for a grant and a loan from the Colorado Water Conservation Board to facilitate repair of the Hallenbeck No. 1 Dam (Purdy Mesa). The dam experienced a structural failure in June of 2014 and has been drained since that time. City Council approved debt funding this project during the 2016 budget review process.

Greg Lanning, Public Works Director, presented this item. He described the request and the reason for the request. He reviewed the previous discussions on the funding options. He described the sources and the uses of the funds, both loan and grant, along with the schedule. He expects repairs to happen in mid-June or July.

Councilmember Chazen asked what the terms of the loan will be. Mr. Lanning said it will be a 20 year term at 2.65% interest with a loan initiation fee of \$10,000.

Councilmember Chazen asked what the Annual Percentage Rate (APR) is on that. Jay Valentine, Internal Services Manager, said 2.65% would be the percentage rate on \$1 million balance of the loan. If the project is completed at a lower amount than anticipated, the amount borrowed would be less, the payment will remain the same and the loan will be re-amortized.

Councilmember Chazen asked about TABOR implications since this is within an enterprise fund. City Attorney Shaver said that under the Constitutional Amendment, there is an exception for enterprise funds incurring debt; the request is not a general obligation of the City, it is a function of the "business", and therefore there is no TABOR implication.

Councilmember Taggart asked if there is a window where the terms could be renegotiated. Mr. Valentine said that the term will begin when the first draw on the proceeds is made. Councilmember Taggart asked if there is a window with the locked rate as to when a commitment is made. Mr. Valentine said that the rate is locked and the project has to be started within three years.

City Attorney Shaver clarified that the loan documents will not be closed until completion of the project based on actual expenditures. Councilmember Taggart asked if it remains locked for the entire term. City Attorney Shaver replied affirmatively.

Councilmember Kennedy asked if the reservoir on Purdy Mesa is currently drained. Mr. Lanning said yes since the damaged was determined. Councilmember Kennedy asked if this request will take care of all necessary repairs. Mr. Lanning said that this repair is a comprehensive repair to the dam and is a permanent fix to the dam.

Councilmember Chazen asked how long the repair will last. Mr. Lanning said that the State Engineer conducts inspections of this high risk reservoir due to the height of the dam. Annual inspections are required.

Councilmember McArthur asked if there are any corrosive pipes or lead poisoning involved. Mr. Lanning said no.

Resolution No. 19-16 – A Resolution Authorizing the Interim City Manager to Enter Into a Contract for Grant and Loan Funding from the Colorado Water Conservation Board for Construction Work on the Hallenbeck Number One Downstream Slope Improvements Project

Councilmember Chazen moved to adopt Resolution No. 19-16. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Council President Norris called a five minute break at 8:46 p.m.

The meeting reconvened at 8:52 p.m.

Election of Mayor and Mayor Pro Tem/Administer Oaths of Office

Council President Norris asked for nominations for Mayor.

Councilmember Traylor Smith nominated Councilmember McArthur. She said she believes Councilmember McArthur understands the role of the Mayor to facilitate and keep Council on track as well as including all of Council. The Mayor also represents City Council in the community and presents the Council's will. She feels that two terms for a Mayor keeps the representation diverse for the community. Councilmember McArthur seconded the nomination.

Councilmember Kennedy moved to nominate Councilmember Taggart for Mayor because he is one of the most reasonable and engaging in the dialogue of items presented to Council. He has the ability to listen to the concerns of every constituent regardless if he supports the measure or not. He could represent the entire community as items are dealt with on a day in and day out basis.

Councilmember Boeschstein described the City's accomplishments during the last five years while he has been on Council and since Mayor Norris has been Mayor. He nominated Council President Norris for Mayor because there is no rule that says a Mayor cannot serve three terms.

Councilmember Taggart seconded the nomination made by Councilmember Kennedy.

Councilmember Chazen seconded the nomination for Mayor Norris.

Councilmember Kennedy said he would like to hear comments from the nominees.

Councilmember McArthur said one runs for office to be something or to do something and being Mayor or President of the Council is different than being President of a Corporation. It is sharing a meeting of peers to facilitate the meetings and finding out Council's input. He has experience with directing and running meetings and he thinks the meetings could be more efficient. He has no agenda to push any particular item or to direct Staff in a direction that is inappropriate. He would look forward to working with the new City Manager and to facilitate the City issues and representation in other areas including legislation at the State level. For those reasons, he felt that he was the best suited for Mayor for the ensuing year.

Councilmember Taggart said that this Council has been through a difficult time and that will continue over the next year and thereafter. He works very diligently to try to lead by inclusiveness. He ran for City Council to give back to the community that he dearly loves. He enjoys leading, getting teams involved, he knows how to be inclusive and find a delicate compromise, he always puts a lot of time into the community and he knows a lot of people to get a feel for what Council should be doing and avoiding. He has the ability to prioritize and work with City Council and he referenced the recent workshop where capital projects were prioritized. He would be proud to lead this Council.

Council President Norris feels that this is an excellent City Council and that everyone brings different things to the table and are willing to state their opinion and Mayor or not, everyone has a right to voice their opinion. The Mayor has to support the direction that Council wants to go. It is important to be heard by State representatives and the County Commissioners. She feels that there is strong representation on Council at the State level with Councilmembers Chazen and McArthur. Council needs to continue moving forward because there are two big issues on the board, the first being a new City Manager; it is not the Mayor that directs the City Manager, but the entire City Council. It is fortunate that Tim Moore will still be here. The other issue is job creation which includes getting broadband to be able to have job creation. She felt that she can handle those things and with the help of Council, it could be a good year.

Councilmember Kennedy appreciated the comments made by Councilmember McArthur but because they all have their masters or expertise in various areas; he was concerned that he tends to be driven by a builder's agenda. Council President Norris has done a superb job but he thinks it is time for a change in dynamic and leadership of the Council. This Council has lacked articulation in communicating a vision and leadership. He has been proud to serve with everybody on this Council and, no matter how it comes out, he will be proud to serve with whoever is Mayor and Mayor Pro Tem, but he stood by his vote and will support Councilmember Taggart for Mayor.

Councilmember Chazen said he has been approached by several community members about the election of Mayor. Even though the term Mayor is customary, it is actually President of the Council and he read Article V of the Charter: “Each Council, at its first regular meeting and thereafter when a vacancy occurs, shall elect from its membership a President of the Council. He shall serve for a term of one year and until his successor is elected and qualified. During such term he shall be a member of the Council with the same right to speak and vote therein as any other member, but without the right of veto. He shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for military purposes. In case of his absence or disability, his duties shall be performed by a President Pro Tempore, chosen by the Council from among its own members”. He clarified there is nothing about directing staff, advocating for their own political agenda, or setting spending priorities. He feels that it is important to choose a leader that can set aside a personal agenda and to allow all voices to be heard where everyone plays by the same rules; taxpayers expect nothing less. All Councilmembers have different points of view and he has enjoyed the different points of view, and feels that all of Council has something to learn from each other. He feels there are three good candidates for Mayor, he respects the job Mayor Norris has done, he respects Councilmember Taggart’s background but would like to see him serve a little longer on Council first, and listening to Councilmember McArthur’s introduction and playing that role of a dispassionate party and making sure rules are enforced rang true for him. Voting for Mayor was going to be a difficult decision for him.

Councilmember Traylor Smith believed there is a need for a change in leadership. Council President Norris has done a fine job but there is reason for two term tradition, to show diversity. She believed Councilmember McArthur will be a good representative for Council as he will be fair, efficient, and inclusive.

City Attorney Shaver advised Council that the call for nominations should be closed if there are no more nominations.

It was moved by Councilmember McArthur to close nominations. Councilmember Traylor Smith seconded. Motion carried by no objections.

The vote was taken by City Clerk Stephanie Tuin. Councilmember McArthur received three votes from Councilmembers Chazen, McArthur, and Traylor Smith. Councilmember Taggart received two votes from Councilmembers Kennedy and Taggart. Council President Norris received two votes from Councilmember Boeschstein and Council President Norris. As advised, four votes are required to determine the winner.

It was moved by Councilmember Chazen, seconded by Councilmember Kennedy to reopen nominations for Mayor. Motion carried by no objections.

Councilmember Traylor Smith nominated Councilmember McArthur as Mayor. Councilmember McArthur seconded the nomination.

Councilmember Boeschstein nominated Council President Norris as Mayor. Council President Norris seconded the nomination.

Councilmember Taggart removed himself from consideration of Mayor.

It was moved by Councilmember Chazen, seconded by Councilmember McArthur to close nominations. Motion carried by no objection.

City Clerk Tuin called the vote. Council President Norris received four votes from Councilmembers Boeschstein, Kennedy, Taggart, and Council President Norris. Councilmember McArthur received three votes from Councilmembers Traylor Smith, Chazen, and McArthur. Council President Norris was declared the winner.

Council President Norris opened nominations for Mayor Pro Tem.

Councilmember McArthur nominated Councilmember Chazen for Mayor Pro Tem. Councilmember Chazen seconded.

Councilmember Kennedy nominated Councilmember Boeschstein for Mayor Pro Tem. Councilmember Boeschstein seconded.

Councilmember McArthur moved to close nominations. Councilmember Traylor Smith seconded. The motion carried by no objections.

Councilmember Boeschstein said he would be honored to serve as Mayor Pro Tem and will work hard as there have been some tough times but there are a lot of things in the works.

Councilmember Chazen said he has served three terms and has enjoyed working with Mayor Norris and would like to continue.

Councilmember Kennedy considered throwing his hat in the ring. He recognized Councilmember Boeschstein for his service to the community for many years, both on the public side and the planning side. He has nuance in his knowledge of how things in the City operate. The City would be well served having him as Mayor Pro Tem to play on the strengths of his past experience for that role. He urged Council to support Councilmember Boeschstein as Mayor Pro Tem.

Council President Norris said both nominees are strong. Councilmember Boeschstein always has this City at heart and he is very focused on trails and needs of the community. Councilmember Chazen has different things he focuses on. He is very strong on job creation and very good at details. She said both bring a lot to the table but she feels that

the position of Mayor Pro Tem is good with Councilmember Chazen but also feels very strongly that Councilmember Boeschstein is a very important part of the Council.

Councilmember McArthur said that he appreciates Councilmember Chazen's thoroughness in all of his reviews in setting the agenda; he has no problem taking things off the consent calendar and asking for more information.

The vote was called and Councilmember Chazen was selected as Mayor Pro Tem with four votes from Councilmember McArthur, Traylor Smith, Chazen, and Council President Norris. Councilmember Boeschstein received three votes from Councilmembers Kennedy, Taggart, and Boeschstein.

City Clerk Stephanie Tuin administered the oaths of office to the Mayor and Mayor Pro Tem. Mayor Norris continued presiding over the meeting and the meeting continued.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 9:32 p.m.

Stephanie Tuin, MMC
City Clerk