

GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING

May 18, 2016

The City Council of the City of Grand Junction convened into regular session on the 18th day of May, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Rick Taggart, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Councilmember Duncan McArthur was absent. 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. The Combined Law Enforcement Honor Guard presented the colors and led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming May 15 – 21, 2016 as “Police Week” in the City of Grand Junction

Grand Junction Police Chief John Camper, Mesa County Sheriff Matt Lewis, Colorado State Patrol Captain Matt Ozanic, Fruita Police Sergeant John Coughran, and Palisade Police Chief Deb Funston were present to receive the proclamation. Councilmember Chazen read the proclamation. Chief Camper, on behalf of law enforcement across the Valley, thanked the City Council for recognizing Police Week and expressed how much it means to have the support of the community. Police Week is not only solemn; they try to make it fun. He described what will happen for the week. He stated it has been a difficult year for law enforcement and thanked City Council for their support.

Proclaiming May 15 – 21, 2016 as “Emergency Medical Services Week” in the City of Grand Junction

Emergency Medical Services (EMS) Chief John Hall was present to receive the proclamation. Councilmember Taggart read the proclamation. Chief Hall thanked the City Council and then personally recognized those who attended the EMS Phoenix Awards celebration that day. Chief Hall described the awards that were given for saving lives of those that had suffered cardiac arrest. He reviewed the statistics for the year and expressed gratitude for Council support. He presented each Councilmember a challenge coin, then recognized the EMS personnel with him, and thanked the City Council for their support of EMS services.

Proclaiming May 21, 2016 as "Kids to Parks Day" in the City of Grand Junction

Grand Junction Parks and Recreation Director Rob Schoeber and Grand Junction Golf Professional Mike Mendelson were present to receive the proclamation. Councilmember Boeschstein read the proclamation. Mr. Mendelson said junior golf is his passion and it is his goal to continue to increase the number of young golfers. They have lowered the rates for juniors and have junior golf camps. He described some other youth events. Mr. Schoeber announced awards received for Tiara Rado Course and displayed them.

Mr. Schoeber then introduced Kamie Long, chair of the Forestry Board, and Randy Coleman, City Forester, to follow up on the recent Arbor Day Celebration. Mr. Coleman stated that Luke Olkowski was the overall winner of the poster contest. James Watson was another fifth grade winner and was first runner up for the State. He asked the two artists to come to the podium. Young Master Watson explained the inspiration behind his poster and young Master Olkowski thanked the Council.

Ms. Long then introduced a state tree champion owner of a London Plain, Pat and Claire Colunga, and then Reverend Brenda Brown and David Hoefer owners of a Desert Willow champion tree. Mr. Hoefer said the tree was 5 inches tall in 2002.

Proclaiming May 28 – June 4, 2016 as "Junior College World Series Week" in the City of Grand Junction

Jamie Hamilton, Junior College World Series (JUCO) Committee Chairman was present to receive the proclamation. Councilmember Traylor Smith read the proclamation. Mr. Hamilton thanked the City Council for the proclamation and expressed his appreciation of the Parks Department and the collaboration with all the partners.

Appointment**To the Parks and Recreation Advisory Board**

Councilmember Kennedy moved to reappoint Bob Wiig and appoint Sam Susuras and Abby Landmeier to the Parks and Recreation Advisory Board for three year terms expiring June 2019. Councilmember Traylor Smith seconded the motion. The motion carried by roll call vote.

Certificates of Appointment

To the Horizon Drive Association Business Improvement District

Councilmember Boeschstein presented certificates of reappointment to Bill Milius to the Horizon Drive Association Business Improvement District. Mr. Milius thanked City Council for their support with the development of Phase I of Horizon Drive.

To the Urban Trails Committee

Councilmember Boeschstein presented certificates of appointment to Shana Wade and Orin Zyvan to the Urban Trails Committee. Ms. Wade and Mr. Zyvan both thanked the City Council.

Citizens Comments

Bruce Lohmiller, 536 29 Road, spoke to Council about someone who passed away in one of the encampments and he asked the Council to again consider man camps. He said that the Secretary of State has informed him that he has been granted ballot access. He thanked Council for their support.

Richard Swingle, 443 Mediterranean Way, addressed the City Council; he displayed an excerpt from the introductory slide show and provided feedback on the slide. He does not believe that citizen feedback is valued; he said he has asked twice for the requested financial impact of SB 16-067 and he has not received that information. He reviewed the implications of the bill and said it will exempt telecommunications equipment in the future forever. He asked the City Council to direct the Interim City Manager to analyze the implications.

Council President Norris said the bill did not pass and the Council did send in letters opposing the passage. It was noted that this year's legislative session was over.

Councilmember Taggart said personal property tax is not collected by the City, just State and County tax. City Attorney Shaver said the City does share in that revenue.

Council Comments

Councilmember Kennedy said State Representative Dan Thurlow did reach out to the City about SB 16-067 and expressed his concerns which included that it did not meet the definition of broadband and did not provide any incentive for improvement. City Staff does watch bills being introduced into the legislature and the Council does take those very seriously.

Councilmember Chazen said the Associated Governments of Northwest Colorado (AGNC) followed that bill from early on and the download and upload speeds were a concern all along; it died at the end of the session and it's highly unlikely to come back into special session. On May 5th, he met with the Colorado Tourism Director, and the Downtown Development Authority (DDA) is currently working on the parking study and analyzing their direct involvement. On May 6th he attended a meeting with the Peace and Justice people and on May 11th he attended the Fire Department Awards Ceremony. At the AGNC meeting in Craig that day, there was a review by Tri State Generation about the Federal impact reporting on coal; he reported the good news that the mines in Craig will remain open.

Councilmember Boeschstein said he attended a hike for the Colorado Public Lands Day that day and also the Horizon Drive Association Business Improvement District (HDABID) meeting, as well as the Colorado Riverfront Commission meeting on Tuesday. He also attended the workshop on May 16th on air quality and the reception for the Governor at the Avalon. He gave a speech at the Newcomers Club and attended a youth orchestra concert, the celebration for the retirement of Kurt Gustafson with the Grand Junction Symphony, and a Catholic Outreach program for public officials.

Councilmember Traylor Smith said there have been lots of graduations and meetings; she congratulated the Economic Development (ED) partners for implementing the Northstar study and what a great job they have done; the Jump Start Program has another four companies interested. The Horizon Drive Project is well underway, but there still a construction zone so she urged caution.

Councilmember Taggart extended three thank you's: first to his wife Deana, then for the Governor's visit, and to Kristi Pollard, Grand Junction Economic Partnership (GJEP) Director, and Sara Schader who leads the outdoor recreation coalition. He enjoyed his ride with the Governor.

Council President Norris advised she was at most of these events that were previously mentioned. At the Governor's roundtable, Governor Hickenlooper sat down with the City Council and County Commissioners and talked about what he can do to help the area with a focus on outdoor recreation. Local representatives from companies were also there. She went to the Grand Junction Fire Department Awards Ceremony and the EMS Phoenix Awards that day. She said the citizens are so fortunate to have the public safety personnel in this valley.

Councilmember Kennedy added that the Governor said that Grand Junction is right on the cusp of being a force to be reckoned with when it comes to outdoor recreation.

Council President Norris announced the Epic Rides Grand Junction Off-Road is this week-end.

Consent Agenda

Councilmember Kennedy read the Consent Calendar items #1 through #10 and moved to adopt the Consent Calendar. Councilmember Boeschenstein seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the April 25, 2016 Workshop and the Minutes of the May 4, 2016 Regular Meeting

2. **Setting a Hearing on a Petition to Include Properties Located at 735, 737, and 749 South Avenue and 821 First Avenue in the Boundaries of the Downtown Development Authority (DDA)**

LOJO Partnership, LLP has submitted a petition to include 735, 737, and 749 South Avenue and 821 First Avenue in the boundaries of the Downtown Development Authority. The properties have been consolidated and replatted as a part of 630 S. 7th Street, which is already within the DDA boundary.

Proposed Ordinance Expanding the Boundaries of the Grand Junction, Colorado Downtown Development Authority to Include 735 South Avenue, 737 South Avenue, 749 South Avenue, and 821 First Avenue

Action: Introduce a Proposed Ordinance and Set a Hearing for June 1, 2016

3. **Setting a Hearing on Hoesch Street Vacation Located West of 723 W. White Avenue**

A request to vacate the undeveloped portion of Hoesch Street located south of W. White Avenue and west of the property located at 723 W. White Avenue. Proposed Ordinance Vacating Right-of-Way for Hoesch Street, Located West of 723 W. White Avenue

Action: Introduce a Proposed Ordinance and Set a Hearing for June 1, 2016

4. **Setting a Hearing on the Studt Zone of Annexation, Located at 227 29 Road**

A request to zone 0.9 acres located at 227 29 Road from a County RSF-4 (Residential Single Family 4 du/ac) to a City R-4 (Residential 4 du/ac) zone district.

Proposed Ordinance Zoning the Studt Annexation to R-4 (Residential 4 du/ac)
Located at 227 29 Road

Action: Introduce a Proposed Zoning Ordinance and Set a Hearing for June 1, 2016

5. **Setting a Hearing on Amending Title 31, Comprehensive Plan, of the Grand Junction Municipal Code by Adding Section 31.12 Wireless Master Plan**

The proposed ordinance amends Title 31, of Volume III: Comprehensive Plan of the Grand Junction Municipal Code (GJMC) by adding Section 31.12, Wireless Master Plan. The purpose of the amendment is to adopt the Wireless Master Plan (WMP) as an element of the Comprehensive Plan.

Proposed Ordinance Adopting the Wireless Master Plan as an Element of the Grand Junction Comprehensive Plan Amending Title 31, Comprehensive Plan, of the Grand Junction Municipal Code by Adding Section 31.12 Wireless Master Plan

Action: Introduce a Proposed Ordinance and Set a Hearing for June 1, 2016

6. **Setting a Hearing on Amending the Zoning and Development Code Sections of the Grand Junction Municipal Code Governing Development of Telecommunications Facilities**

The proposed ordinance amends the Zoning and Development Code, Title 21, of the Grand Junction Municipal Code (GJMC) by amending the City's regulations for telecommunications facilities, implementing the Wireless Master Plan (Plan), and bringing the regulations into compliance with Federal law.

Proposed Ordinance Amending the City's Zoning and Development Regulations, Title 21 of the Grand Junction Municipal Code, Relating to Telecommunications Facilities of the Grand Junction Municipal Code

Action: Introduce a Proposed Ordinance and Set a Hearing for June 1, 2016

7. **Padilla-Ulibarri Utility Easement Vacation Located at 314 W. Ouray**

Request to vacate a portion of a public utility easement located within vacated Peach Street right-of-way located at 314 W. Ouray Avenue.

Resolution No. 21-16 – A Resolution Vacating a Portion of a Public Utility Easement, Located at 314 W. Ouray Avenue

Action: Adopt Resolution No. 21-16

8. **Contract for 2016 Roadway Repairs**

This request is to award a construction contract for the repairs of asphalt surfaces at designated locations to improve the driving surfaces. This work is, in part, to improve a couple of roads prior to the 2016 Chipseal project and to improve the rideability of 7th Street.

Action: Authorize the City Purchasing Division to Enter into a Contract with Asphalt Specialists & Supply, Inc. of Grand Junction, CO for the 2016 Roadway Repairs Project in the Amount of \$88,686

9. **Fleet Services Division Tire Purchases**

The request is to purchase new passenger car, truck, and equipment tires from Commercial Tire Service, purchase Michelin Fire Truck tires and Good Year Ambulance tires from Commercial Tire Service along with road call services, contract truck tire repair and purchase recapped tires from Standard Tire, and purchase other size tires not listed from Commercial Tire Service who will honor State bid listed prices.

Action: Authorize the City Fleet Division to Purchase New Tires from Commercial Tire Service and Recapped Tires and Contract Large Tire Repairs from Standard Tire and Retread

10. **Amend Microsoft Enterprise Agreement to Convert Office Pro Licenses to Office 365 Licenses**

The Information Technology Division would like to amend the Microsoft Enterprise Agreement to upgrade existing Microsoft Office Pro licenses to Microsoft Office 365 subscription licenses for the amount of \$73,140. The purchase will allow the City to replace Novell GroupWise, Filr, and Vibe with cloud based Microsoft Exchange (Outlook), One Drive, and SharePoint software systems. The cost includes email conversion services and a credit for \$10,000 in third-party consulting services to assist with the implementation.

Action: Authorize the Purchasing Division to Amend the Current Microsoft Enterprise Agreement Administered by Insight Public Sector under the State of Colorado Master Agreement to include 700 Office 365 licenses beginning June 1, 2016 for the Amount of \$73,140

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing – Community Development Block Grant (CDBG) 2016 Program Year Funding Requests

City Council will consider which activities and programs to fund for the Community Development Block Grant (CDBG) 2016 Program Year. The City will receive \$384,713 for the 2016 Program Year which begins September 1, 2016. In addition, Council will consider amendments to the Action Plans from prior program years to utilize a total of \$117,866 remaining funds to be allocated with the 2016 funds. At this meeting, the City Council will receive public input on the use of the 2016 CDBG allocation.

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

Kristen Ashbeck, CDBG Administrator, provided background on the U.S. Department of Housing and Urban Development (HUD) which has an entitlement grant program and explained that the purpose of the program is to develop viable communities by providing housing, suitable living environments, and expanding economic opportunities to low and moderate income persons and families in the community. This is the 21st year the City has been an Entitlement Community and year six of the City's Consolidated Plan which was adopted in 2011. This year the City has \$384,713 in funding for 2016 and another \$117,866 from previous years in unexpended funds. HUD has requested that a detailed review be presented on the funds to be reallocated from previous years which Ms. Ashbeck presented.

Ms. Ashbeck then reviewed the 2016 projects:

Program Administration - Cannot Exceed 20% of Allocation (\$76,942)

The City allocated \$43,000 2015 CDBG funds for general administration of the program and a portion of Staff salary (\$40,000 towards staff salary and \$3,000 for other program administration costs). These funds will be expended by September 2016.

Recommended Funding: \$43,000

HopeWest PACE Center

HopeWest is launching a Program of All-Inclusive Care for the Elderly (PACE) to provide care to the frail elderly. The program goal is to meet the healthcare needs of this population so they can stay in their own homes and will include in-home care as

well as services at the PACE Center. This grant would be used to purchase therapy equipment for the program to be operated at 2754 Compass Drive. The grant amount requested is based on the number of estimated participants in the program that will live in the City limits. **Recommended Funding: \$10,000**

Marillac Clinic, Inc. - Replace Two Dental Operatories

Marillac Clinic, Inc. recently attained a designation as a Federally Qualified Community Health Center and, thus, are undergoing many changes and a significant increase in services. In doing so, Marillac gave up a \$60,000 2014 CDBG grant to remodel the administration area of its facility so that they could reassess space needs based on the new designation. The main clinic has 13 dental operatories (chairs) which have all been recently inspected and all must be replaced since the patient volume has increased. The two operatories identified to be replaced with this grant are the highest priority.

Recommended Funding: \$19,832

Western Colorado Suicide Prevention Foundation - 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. Western Colorado Suicide Prevention Foundation received \$8,860 2015 CDBG funds which have not been expended due to inability to identify clients that will participate and live in the City limits. **Recommended Funding: \$5,874**

St. Mary's Foundation - Senior Companion Program

The Senior Companion Program enables low to moderate income active seniors to assist other low income frail, elderly persons so that these persons can continue to live at home rather than in an assisted living facility. CDBG funds would be used to reimburse 2 new volunteers that live within the City limits for mileage expenses.

Recommended Funding: \$8,000

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 to reimburse mileage expenses. **Recommended Funding: \$8,000**

Counseling and Education Center (CEC) - Low Income Counseling Services

This program provides counseling services for low income citizens. Funds are requested to help pay for 84 more counseling sessions for an estimated 21 clients.

Recommended Funding: \$6,000

Center for Independence - Accessible Riser to Second Floor

The Center for Independence promotes community solutions and empowers individuals with disabilities to live independently. The agency owns and operates the building at 740 Gunnison Avenue for its programs but also leases space on the second floor to a variety of other organizations including Volunteers of America, Grand Valley Peace and Justice, National Alliance on Mental Health, Housing Resources of Western Colorado, Western Colorado Suicide Prevention, Firefly Autism West, Bill Hurd, and Western Writers Forum. The building has three stairwells but no elevator or other means for accessibility to the second floor. CDBG funds are requested to purchase and install an inclined platform riser on one of the stairways. **Recommended Funding: \$18,750**

Housing Resources of Western Colorado - Phoenix Project Rehabilitation

In partnership with HomewardBound, Housing Resources provides affordable, transitional housing for homeless veterans at the Phoenix Project building at 1333 North 13th Street. Six of the eight apartment units have been remodeled since the building was acquired in 2004. Housing Resources would like to rehabilitate the remaining two units, utilizing CDBG funds to remodel the kitchens and bathrooms. **Recommended Funding: \$7,750**

HopeWest PACE Center

HopeWest is launching a Program of All-Inclusive Care for the Elderly (PACE) to provide care to the frail elderly. The program goal is to meet the healthcare needs of this population so they can stay in their own homes and will include in-home care as well as services at the PACE Center. This grant would be used to purchase commercial appliances for a kitchen to be used for the program. **Recommended Funding: \$28,000**

Grand Junction Housing Authority - Nellie Bechtel Rehabilitation

The Housing Authority recently acquired Nellie Bechtel Apartments and will upgrade/rehabilitate the 96 units and community room. CDBG funds are requested to begin the first phase of rehabilitation to include replacement of evaporative coolers on all buildings and replace ranges in each unit. **Recommended Funding: \$75,000**

Karis, Inc. - Purchase Zoe House

Karis, Inc. provides housing and services to homeless adults, teens, and youth who are looking to move aggressively towards self-sufficiency. It currently leases the Zoe House which provides 6-month to two year housing and transitional programs for youth recovering from sexual assault and domestic violence incidents. CDBG funds are requested towards Karis' purchase of the Zoe House. **Recommended Funding: \$50,000**

City of Grand Junction - Nisley Elementary Safe Routes to School

This project would construct approximately 550 linear feet of missing curb, gutter and sidewalk along the walking route for Nisley Elementary students on the east side of 28-3/4 Road. The Nisley Elementary School neighborhood is CDBG-eligible.

Recommended Funding: \$90,000

El Poso Neighborhood Pedestrian Improvements/Safe Routes to School

This project would construct approximately 270 linear feet of missing curb, gutter and sidewalk, a retaining wall and an accessible ramp along the west side of Mulberry Street from Broadway to West Ouray Street. It would provide pedestrian improvements to the El Poso neighborhood as well as improve Safe Routes to School for students walking to Dual Immersion Academy (DIA), West Middle School, and Grand Junction High School. The El Poso neighborhood is CDBG-eligible. **Recommended Funding: \$45,000**

City of Grand Junction - Senior Recreation Center Rehabilitation

The Downtown Senior Recreation Center was constructed in 1976 and is in need of rehabilitation. CDBG funds are requested in order to address the most critical elements including a roof, wood siding, exterior doors, and emergency lighting. **Recommended Funding: \$87,373**

Ms. Ashbeck reviewed the calendar for the CDBG program including adoption of the five year Action Plan. The program year starts on September 1, 2016. She then said some of the applicants were present for comments.

Councilmember Kennedy asked for a recap of the total number of requests versus what was available. Ms. Ashbeck said \$502,579 was the amount available. The grant requests were \$1.15 million. The amount of funds available after the administrative costs is \$459,579. Councilmember Kennedy said there is always more need than funding and it is difficult for the Council and Staff; he expressed appreciation to Ms. Ashbeck for her work.

Councilmember Boeschstein also thanked Ms. Ashbeck. He thought some improvements were already done near Nisley Elementary. Ms. Ashbeck described what had been done and there will be more done in the future. A woodstove replacement program was cut and Councilmember Boeschstein said he would like to hear from Housing Resources.

Councilmember Chazen thanked Ms. Ashbeck for the work, and expressed that it is a good mix this year between the bricks and mortar and service projects. He appreciates Ms. Ashbeck's guidance. He likes the sidewalk projects near the schools noting the improvements will be here for many years.

Penny Frankhouser, Director of the Counseling and Education Center (CEC), said she appreciates the commitment to mental health and wellness. Currently they have ten children on the waiting list and 91% of their clients are below the poverty level. They are eligible for Medicaid but CEC can't get Medicaid providers in this community. CEC sees over 500 clients per year; the money is much appreciated.

Martha Graf, Western Colorado Suicide Prevention Foundation Director, is grateful for the support; they provide counseling sessions for children who appear to be suicidal. The area is short on Medicaid providers for mental health; the money helps fund Medicaid eligible students. Suicide is the second leading cause of death for young people. She recognized Ms. Ashbeck's good work.

Katie Bowman, Director for Housing Resources of Western Colorado, thanked Ms. Ashbeck. She explained the two projects they applied for, including the woodstove program. She does have letters of support and wanted Council to understand that is a critical piece of air quality.

Kerri Mosinski, HopeWest, thanked the Council for their support of the PACE (Program of All-Inclusive Care) program, which helps keep elderly people in their own homes.

The public hearing was closed at 8:39 p.m.

Councilmember Kennedy asked if the City is required to use a percentage for administration costs. Ms. Ashbeck replied they are not and there were several years when the City did not use any for administration. HUD however wants to ensure the training and additional support takes place. Councilmember Kennedy would like to see nearly 100% of the money allocated to the community.

Interim City Manager Moore explained the five year plan and the housing analysis that was done this year adding to administration costs. Council President Norris said this is something that is looked at each year and HUD wants year round involvement by Staff who administers the program.

Councilmember Chazen said with all of the unfunded mandates, it is refreshing that the program sets money aside for the administration of the program and he is glad that HUD recognizes there is a cost associated with the program.

Councilmember Traylor Smith moved to approve the CDBG City Council Workshop recommendations for funding the 2016 Program Year including amendments to Action Plans for previous program years and set a public hearing for adoption of the 2016 One-

Year Action Plan for June 15, 2016. Councilmember Chazen seconded to motion. Motion carried by roll call vote.

Public Hearing – Landmark Baptist Church Rezone, Located at 2711 UnawEEP Avenue

The applicants are requesting to rezone the property located at 2711 UnawEEP Avenue from R-8 (Residential 8 du/ac) to R-O (Residential - Office).

The public hearing was opened at 8:44 p.m.

Senta Costello, Senior Planner, presented this item. She described the request, the location, and the history of the property. She described the existing uses and zoning of the property. There were concerns expressed by attendees of the neighborhood meeting regarding the use of the property as a funeral home and crematory. That buyer has since backed out of the purchase but the church still wants to go forward with the rezone. The church has outgrown the property with the parking, and vehicles turning in neighboring driveways was brought up at the February 2, 2016 neighborhood meeting. The Planning Commission recommended approval to City Council for the request at its April 12, 2016.

Councilmember Traylor Smith asked if a new owner would have to address the parking issue. Ms. Costello explained that any other use than a church would trigger a review by their office and the on-street parking would likely no longer be allowed. A similar sized church would however have the same issues.

Councilmember Boeschstein asked why this is not considered a spot zone. Ms. Costello said the advice received from legal counsel was that since the zoning falls within the allowed land use of the Comprehensive Plan, it is not considered a spot zone. Ms. Costello reviewed the types of uses allowed in an R-O zone district.

Councilmember Chazen confirmed that there were eight citizens concerned about a funeral home and the parking and asked if there were there any other issues. Ms. Costello said traffic along the street and parking were discussed. Councilmember Chazen asked if the neighborhood will have a chance to attend a public hearing if a funeral home goes into that location. Ms. Costello said not with a change of use, but if the application was for a heavier use that would require a site plan review and the neighborhood would get a notice.

Council President Norris asked if another funeral home would want to buy this property and if the neighborhood would have a say in that. Ms. Costello said only if they

proposed changes to the site. If not, they would not; it would be processed as a change of use with no notice being sent out.

Councilmember Taggart expressed concerns should another funeral home be interested; this would put these neighbors in the same situation. Ms. Costello said that it would be a change of use and Planning would look at parking and limit the seating. Currently the church as has 200 to 250 members and Community Development was reducing the seating capacity to 124, due to the parking. Councilmember Taggart asked what happens if more people come and there is standing room only. Ms. Costello said that would be a Code Enforcement issue; they could be cited as a violation of their approval and could be shut down.

Councilmember Kennedy recapped that it has been used as a church since 1947 and asked if the neighborhood grew up around it. Ms. Costello said yes, there was a lot of vacant land surrounding it and shortly thereafter, most of the houses were built. Councilmember Kennedy asked of other instances of this happening in the community. Ms. Costello gave other examples and how it has fit into the neighborhood. The property could typically be converted into offices or a daycare with minimal improvements.

Councilmember Kennedy asked what are the allowed uses under the current zoning. Ms. Costello said they are relatively limited. It could remain a church, become a daycare, or convert to multifamily residences. The R-8 zone is very limited. Councilmember Kennedy pointed out that leaving the zoning as is doesn't help the neighborhood problem because the uses are so limited. Approving the zone change provides more options and could help alleviate the parking and traffic problems. Therefore he will support the R-O zoning.

The public hearing was closed at 9:03 p.m.

Ordinance No. 4698 - An Ordinance Rezoning Landmark Baptist Church from R-8 (Residential 8 du/ac) to R-O (Residential - Office), Located at 2711 Unawep Avenue

Councilmember Chazen moved to adopt Ordinance No. 4698 on final passage and order final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Two Rivers Convention Center Kitchen Make-up Air Unit Replacement

The make-up air unit being replaced serves the kitchen area of Two Rivers. When the three kitchen exhaust hoods are operating, this unit provides the tempered air to replace

the air that the hoods are pulling out of the kitchen. All three exhaust hoods running at the same time require about 8,000 cubic feet per minute of make-up air to keep the kitchen at a roughly neutral air pressure. This unit is also the only source of heating and cooling for the entire kitchen area.

Jay Valentine, Internal Services Manager, presented this item. He described the unit and its purpose. He stated that the existing unit is 21 years old with a life expectancy of 15 to 18 years. All City facilities were assessed in 2014 and this unit was identified for replacement in 2015. The bid was slightly lower than the estimate.

Mr. Valentine said the facility assessment rated the Convention Center Facility condition index at .28. The building is over 40 years old and there are other deficiencies that will arise in the near future. Mr. Valentine then reviewed the facility assessment and funding scenarios.

Councilmember Taggart said this is a very important subject and feels it needs to be addressed in a workshop. Councilmember Taggart said it is confusing the issue for this action item.

Councilmember Kennedy said he understands the point, but agrees the entire facility discussion should be part of a much larger discussion.

Council President Norris said she agrees it is important to address at a workshop, but also it is important for the public to know this.

Councilmember Kennedy is concerned about the safety of the current system. Mr. Valentine explained how this unit neutralizes the air pressure for the new system which will realize cost savings and save electricity.

Councilmember Boeschstein asked when the last time Two Rivers was modernized. Mr. Valentine said 2001. Councilmember Boeschstein said there should be an upgrade for energy savings for all buildings.

Councilmember Chazen rephrased that over \$3 million is needed in reserves; were these reserved funds from 2015? Mr. Valentine said there was \$100,000 budgeted to tackle the most critical needs. Councilmember Chazen reviewed the financing of this project and said he is in full support of the request.

Councilmember Chazen moved to authorize the Purchasing Division to enter into a contract with Advanced Refrigeration, Heating & Air of Western Colorado, LLC to provide and install a new make-up air unit at Two Rivers Convention Center in the amount of

\$53,375. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

Richard Swingle, 443 Mediterranean Way, advised that the City of Fruita is going to pay their Drainage bill, he asked if the City is going to pay the bill and what they would suggest to the citizens.

Councilmember Kennedy said the Council has not discussed this in depth.

Councilmember Chazen said it was last discussed in a workshop and a lawsuit is pending. City Attorney Shaver said the City is waiting for action from the court and to see if an injunction is issued. If no injunction is issued, funds are budgeted and then it will need to be discussed.

Councilmember Traylor Smith preferred not to provide legal advice to citizens.

Councilmember Kennedy said that he paid the bill personally for his family. He is not ready to make a decision for the City. He would rather see a single authority for the entire valley.

Councilmember Boeschstein stated that he has said at numerous meetings that he prefers the 5-2-1 Drainage Authority address the drainage issues.

Councilmember Chazen asked if City Attorney Shaver knew when a decision might be rendered. City Attorney Shaver said prior to May 31, 2016 and he will keep Council updated.

Other Business

There was none.

Adjournment

The meeting was adjourned at 9:25 p.m.

Stephanie Tuin, MMC
City Clerk