

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

September 21, 2016

The City Council of the City of Grand Junction convened into regular session on the 21st day of September, 2016 at 7:00 p.m. Those present were Councilmembers Bennett Boeschenstein, Chris Kennedy, Barbara Traylor Smith, Martin Chazen, and Council President Phyllis Norris. Councilmembers Duncan McArthur and Rick Taggart were absent. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Norris called the meeting to order. Councilmember Chazen led the Pledge of Allegiance which was followed by an invocation by Reverend Anna Scott, Two Rivers Center for Spiritual Living.

Presentations

Avalon Theatre Foundation Check Presentation by Robbie Breaux, Avalon Theatre Foundation Board President

Debbie Kovalik, Director of the Grand Junction Visitor and Convention Bureau (GJVCB), introduced Robbie Breaux of the Avalon Theatre Foundation (ATF). Ms. Breaux addressed the City Council and presented the City with a check for \$150,000, which represents the final payment of ATF's commitment and spoke about the impact the Avalon has had on Downtown Grand Junction. Ms. Breaux provided details on the Avalon's next phase and invited everyone to the Avalon Theatre for a reception on September 22nd.

Two 2016 Starburst Awards for Phase I, Las Colonias Park and Matchett Park/Indian Wash to the Parks and Recreation Department Presentation by Colorado Lottery Director Laura Solano and Colin Waters

Traci Wieland, Parks and Recreation Department Superintendent, introduced Colin Waters, Director of Colorado Lottery Public Relations. Mr. Waters addressed the City Council and presented the City of Grand Junction Parks and Recreation Department with two 2016 Starburst Awards and stated the rarity of two awards given to the same jurisdiction.

Proclamation**Proclaiming September 21, 2016 as Sister City Day in the City of Grand Junction**

Councilmember Boeschstein read the proclamation. Anna Stout, Founder and President of the Foundation for Cultural Exchange, was present to receive the proclamation. Ms. Stout thanked the City of Grand Junction for the trusting relationship which began eleven years ago and its impact on El Espino. She commented on the art exhibit from El Salvador art students upstairs in City Hall and stated that another El Espino art exhibit will be on display in the Mesa County Courthouse beginning September 26th.

Citizens Comments

Bruce Lohmiller, 536 29 Road, #4, spoke to Council regarding Whitman Park, open camping, Night Patrols, and spoke about the collective. He noted that Donald Trump, Jr., is coming to Grand Junction to speak about hunting, but Mr. Trump should also talk about immigration. Mr. Lohmiller mentioned cease fires and that Donald Trump should not be saying people should be nuked.

Council Comments

Councilmember Boeschstein listed the meetings and events he had attended which included the Downtown Development Authority (DDA) and the Downtown Grand Junction Business Improvement District (DGJBID) meetings, Club 20 debates, Avalon Theatre Foundation Board meeting, Urban Trails Committee meeting, Colorado Mesa University (CMU) donors celebration, Chautauqua event at Cross Orchards Historic Site, Homeless and Vagrancy Committee meeting, Riverfront Commission meeting, Grand Junction Symphony Concert, and the Horizon Drive Association Business Improvement District (HDABID) meeting.

Councilmember Chazen attended the Associated Governments of Northwest Colorado (AGNC) meeting in Steamboat Springs where the State Attorney General, Cynthia Coffman, spoke about protecting the energy industry, the waters of the United States, and the regulation of Federal Public Lands. Councilmember Chazen also attended the DDA/DGJBID meetings, Homeless and Vagrancy Committee meeting, and the Horizon Drive round-about ribbon cutting ceremony.

Councilmember Kennedy is working on several projects and will provide details at the next regular City Council Meeting. He congratulated the City of Grand Junction Parks

and Recreation Department on receiving the two Starburst Awards and noted that he plans to attend the Avalon Theatre reception.

Councilmember Traylor Smith said she attended the Community Development Block Grant Board meeting and said this Board administers funds that impact the education of young children. She attended the Parks and Recreation Advisory Board (PRAB) meeting and discussed improvements for Stocker Stadium.

Council President Norris said that she attended a water seminar and cut the ribbon for the HDABID and complimented the horse sculptures purchased by the HDABID. Council President Norris and City Manager Canton were judges for the Pork and Hops Challenge. Council President Norris attended an event where Governor John Hickenlooper spoke about the 16 in 2016 Trails Project. Governor Hickenlooper asked on the status of the Palisade Plunge, the Shooting Range, and the City trail connections. Council President Norris answered questions from a group of third graders who were taking a tour of City Hall.

Consent Agenda

Councilmember Kennedy moved to adopt Consent Agenda (items #1 and #2). Councilmember Traylor Smith seconded the motion. Motion carried by roll call vote.

1. Approval of Minutes

- a. Summary of the August 29, 2016 Workshop
- b. Minutes of the September 7, 2016 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. An Ordinance Amending Ordinance No. 4599 and Section 21.04.010 of the Municipal Code to Allow Marijuana Testing Facilities in the City of Grand Junction (Set Hearing for October 5, 2016)
- b. Quasi-judicial
 - i. An Ordinance Vacating Portions of Alley Rights-of-Way Located Between Elm and Kennedy and Mesa and Texas Avenues and a Portion of Texas Avenue Right-of-Way and Retaining a Utility Easement Over Texas Avenue, Located in the Colorado Mesa University Area (Set Hearing for October 5, 2016)

- ii. An Ordinance Vacating Right-of-Way for Noland Avenue, Located West of S. 7th Street (Set Hearing for October 5, 2016)

Construction Contract for the B $\frac{1}{2}$ Road Overpass at U.S. Highway 50 Multimodal Conversion Project

Greg Lanning, Public Works Director, presented this item and said the City received bids on Thursday, September 8, 2016 for the U.S. Highway 50 (Hwy. 50) and B $\frac{1}{2}$ Road Path Project. Mr. Lanning described the project and reviewed its history which detailed the federal grant from the Transportation Alternative Program (TAP) that was awarded to the City to partially fund a project to move the eastbound lane to the westbound lane on the existing bridge overpass and convert the previous eastbound lane to a trail for bicycles and pedestrians to safely cross Hwy. 50 above grade with level, LED lighting, a concrete barrier down the middle, and a new bridge railing/fencing on the overpass. Additionally, a 10-foot wide detached path/sidewalk will be constructed along the south side of B $\frac{1}{2}$ Road between 27 $\frac{1}{2}$ Road and 27 $\frac{3}{4}$ Road. This project will provide connectivity into the City's Community Development Block Grant Sidewalk Project on the south side of Hwy. 50, as well as to Mesa County's existing bike path that currently starts at 27 $\frac{3}{4}$ Road. Mr. Lanning noted that the bids were favorable and if approved, construction is slated to begin in mid-October 2016.

Councilmember Boeschstein lauded the project and the grant funding.

Councilmember Chazen supports the project and its budget. He asked if landscaping is included in this contract. Mr. Lanning said landscaping did not meet the grant intent but is a future possibility.

Councilmember Traylor Smith asked if the reimbursement would go directly to the Colorado Department of Transportation (CDOT). Mr. Lanning said yes.

Councilmember Kennedy asked if this project will impact the recent paving on Hwy. 50. Mr. Lanning said it would not. Councilmember Kennedy asked if conduit could be installed. Mr. Lanning said it is not included in this project but there will be other opportunities to install conduit in the future.

Councilmember Chazen asked if there are any contingencies for the grant. Mr. Lanning deferred to City Attorney Shaver who said there is a request that the motion be contingent on CDOT's written letter of approval.

Councilmember Traylor Smith moved to authorize the Purchasing Division to enter into a contract with Mountain Valley Contracting, Inc., for the construction of the B $\frac{1}{2}$ Road

Overpass at Hwy. 50 Multimodal Conversion Project for a price of \$1,163,938.55. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Ordinance No. 4718 – An Ordinance Approving a Loan from the Colorado Water Resources and Power Development Authority to Finance Improvements to the City’s Water System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Authorizing the Execution and Delivery of Documents Related Thereto; and Prescribing Other Details in Connection Therewith

The City Water Department has applied for a loan from the Colorado Water Resources and Power Development Authority to facilitate rehabilitation of the City Water Treatment Plant filters. City Council approved debt funding for this project during the 2016 budget review process.

The public hearing was opened at 7:46 p.m.

Public Works Director Greg Lanning presented this item noting this project has previously been before the City Council. Mr. Lanning explained this step in the process and described the City’s benefit for the project’s completion.

Councilmember Traylor Smith asked if ratepayers will see any efficiency benefits due to the new filter system. Mr. Lanning said there will be some savings which could impact the future rates.

Councilmember Kennedy asked about a reference in the Ordinance naming authorized officers and if this was a standard procedure. City Attorney Shaver said the Colorado Water Power Authority wants a reliable list with specific names of the authorized officers, if and when those persons are no longer hold these positions, an amended ordinance would be brought forward.

There were no public comments.

The public hearing was closed at 7:52 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4718 An Ordinance Approving a Loan from the Colorado Water Resources and Power Development Authority to Finance Improvements to the City’s Water System; Authorizing the Form and Execution of the Loan Agreement and a Governmental Agency Bond to Evidence Such Loan; Authorizing the Execution and Delivery of Documents Related Thereto; and Prescribing Other Details in Connection Therewith, and Authorize the President of the Council to enter into the contract for a loan up to \$1,700,000 on final passage and order final

publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

Ordinance No. 4719 – An Ordinance Amending the 24 Road Corridor Design Standards

The proposed ordinance amends the 24 Road Corridor Design Standards, Title 25, of Volume II: Development Regulations of the Grand Junction Municipal Code (GJMC). The purpose of the amendments is to clarify existing requirements, eliminate redundancies, and provide a more user friendly text to assist in the development of the 24 Road Corridor Sub-area Plan.

The public hearing was opened at 7:54 p.m.

Dave Thornton, Principal Planner, introduced this item and stated that on August 13, 2015, the City Council and the Planning Commission discussed a work plan for amending the Zoning and Development Code by eliminating redundancies and clarifying standards. Mr. Thornton described the vision and concepts of the Corridor Plan and stated that the Corridor Design Standards were adopted at the same time with the vision and concepts staying intact. Mr. Thornton distinguished between the guidelines and the standards. He delineated the impact area, the boundaries, and what key elements are being preserved. Mr. Thornton reviewed each proposed change and stated the findings, facts, and conclusions. Mr. Thornton said with these changes, the Code section has been reduced by one third. The Planning Commission recommended approval.

Councilmember Kennedy asked if there is a possibility that something may have been missed due to the lack of reference to the rest of the Zoning and Development Code. Mr. Thornton said Planners met with a developer, who pointed out all the applicable sections, and that this is an added layer to the Zoning and Development Code. Councilmember Kennedy asked about the size of the two existing signs located at a car dealership and a lodging facility. Mr. Thornton said the signs are in compliance but at the maximum size. Councilmember Kennedy said he will support the change.

Councilmember Boeschstein noted this is a major entry point into the City and inquired about how the 100 year flood plan for Leach Creek is incorporated in the plan. Mr. Thornton said the flood plan is not part of the Corridor Plan but it will be brought up to the developer. Councilmember Boeschstein said illustrations are very important and he suggested there be pictures in the Design Standards.

Councilmember Chazen lauded the amount of work in this proposal and asked if the requirements would be retroactive and was there any discussion on Design Standards and Mixed-Use zoning for this project. Mr. Thornton said the Mixed-Use zoning was still in place, however if a land owner wanted to change from that zoning there would have to be a request.

Councilmember Chazen complimented the Planning Commission on their work but felt that the zoning issue needed to be addressed soon.

Council President Norris expressed her concern on changing guidelines becoming Design Standards, specifically regarding the requirements for windows and doors considering the cost. Council President Norris also expressed concern for the necessity of big box standards and those standards relative to Leach Creek.

Mr. Thornton explained big box standards really help the appearance and visibility along the corridor and help eliminate confusion. The new language will clarify the details.

Council President Norris was concerned that by changing to Design Standards it will make development even more expensive and it will stifle development.

Mr. Thornton pointed out two examples where the new Design Standard will be cheaper.

Councilmember Traylor Smith asked if Mr. Thornton talked to developers. Mr. Thornton said notices were sent to all landowners along the corridor. He spoke to the landowners and developers who came to the Planning Commission meeting and those that expressed their opinions liked the new Design Standards.

Councilmember Kennedy said it is important to maintain high building standards and noted that some developers share that vision.

City Attorney Shaver said there is an integration statement that ties this back to the rest of the Code.

Council President Norris said she wanted to make sure that development can happen in this corridor.

There were no public comments.

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

Councilmember Boeschstein moved to adopt Ordinance No. 4719 An Ordinance Amending the 24 Road Corridor Design Standards on final passage and ordered final

publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:36 p.m.

Stephanie Tuin, MMC
City Clerk