

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

**September 6, 2017**

The City Council of the City of Grand Junction convened into regular session on the 6<sup>th</sup> day of September, 2017 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Phyllis Norris, Duncan McArthur, Barbara Traylor Smith, Duke Wortmann, and Council President Rick Taggart. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

Council President Taggart called the meeting to order. Councilmember Traylor Smith led the Pledge of Alliance which was followed by a moment of silence.

**Proclamation**

**Proclaiming September 17-23, 2017 as "Constitution Week" in the City of Grand Junction**

Councilmember Kennedy read the proclamation. Katey Kelly, Regent of the Mt. Garfield Chapter of the National Society of the D.A.R. (Daughters of the American Revolution), was present to accept the proclamation. Ms. Kelly gave the history of the organization and thanked Council for the proclamation.

**Appointments to the Urban Trails Committee**

Kristin Heumann was present to accept her certificate of reappointment and Sarah Johnson, Dr. Jack Delmore, and Gary Stubler were present to accept their certificates of appointment to the Urban Trails Committee for three year terms ending June 2020.

Councilmember Boeschstein presented the certificates.

**Citizens Comments**

Bruce Lohmiller, 3032 N. 15<sup>th</sup> Street, #1204, encouraged everyone to attend the Veterans Center Art Show and displayed an owl figurine he made.

John E. Thomas, 1302 Glenwood Avenue, #204, spoke regarding drug use in the community and his concern about how it is impacting our youth.

Jeff McCluskey, 755 North Avenue (business address), requested reconsideration of the North Avenue name change and stated it would cost him thousands of dollars to implement an address change to his Chiropractic business on North Avenue. He feels this change would harm his business in many ways and outlined some of the impacts

that the name change would create. He would like to see the petition that was presented to Council to ensure that North Avenue business owners were included and to see who it was that supported the petition.

Richard Swingle, 443 Mediteranian Way, discussed the Council Workshop that was held on Broadband on September 5<sup>th</sup>. Mr. Swingle gave a presentation on the Broadband timeline between the present and the April 7, 2015 election when Colorado Senate Bill 05-152 was overridden locally. He emphasized that 882 days have passed and a resolution has not been approved and he pointed out some Western Slope cities that have surpassed Grand Junction in offering Broadband.

Scott Eller, business owner of MAACO Collision Repair, 536 Fruitwood Drive, stated the North Avenue name change would cost him \$8,600. He questioned the reasoning behind the name change.

Susan Webster, business owner, 202 North Avenue, sent an email to Council with her budget attached. She expressed concern about losing customers and she asked Council to reconsider or rescind their decision on the North Avenue name change.

Nancy Aldrige Arellano, 656 Larkspur Lane, owns a building on North Avenue. Ms. Aldrige Arellano reviewed a letter she received about the North Avenue name change. She noted the complexities surrounding a street name change. She expressed her concern that the small business owners and average citizens were not given a voice in the matter. She requested that City Council reconsider its decision and put it to a vote of the people.

Mackenzie Dodge, 275 Mountain View Street, requested that Council rescind its decision about the North Avenue name change. She asked them to look at the Keep North Forever Facebook page that has been created regarding the name change and see the sentiments of the people who like the page (over 3,000 strong according to Ms. Dodge). Ms. Dodge stated that people who follow the page have expressed they do not want to be a college town. She doesn't feel that the name change would be an economic driver.

Dennis Simpson, 2306 East Piazza, discussed the information Council received prior to considering the North Avenue name change resolution provided by Levi Lucero and how it may have been inaccurate. He stated that he read the recently adopted Strategic Plan and noted it contains a commitment that the City will admit its mistakes. He requested that Council provide comments on the thoughts expressed during Citizen Comments.

Dennis Seth, 3242 D ¾ Road, Clifton, stated he had to turn down a major account and decisions are on hold until the North Avenue name change issue is settled.

**Council Reports**

Councilmember Norris thanked everyone for voicing their opinion. She pointed out that there is not a majority of Council who wants to hear the issue again, and without that majority they cannot revisit the topic, and therefore it is a waste of their time to keep discussing the issue. Councilmember Norris shared that an election costs the City approximately \$35,000 - \$45,000 and given that cost, she would hate to see it go to that extent. She did state that she felt Council did not listen to the people's voices and told of a *Daily Sentinel* Poll where 73% of the 500 people polled were against the North Avenue name change.

Councilmember Traylor Smith appreciated the feedback received. She said the opinions she heard were in favor, 99-1, of the North Avenue name change. The vote was made with the information they had at the time. She shared that the name change was not a standalone act, but part of a bigger plan that had been discussed in workshops and with Council for the last several months. She asked the citizens present to make sure they are careful in their petition, if that is the route they chose to take, to make sure it clearly defines what their needs are.

Councilmember Kennedy noted that the name change is a tough issue. He said he supports the name change because it is about a long-range economic plan. Many arguments have been made for and against the name change and the citizen involvement is commendable. He ensured that they make their decisions on information and feedback provided to them through many avenues. Councilmember Kennedy recognized that being in a public service position, he makes decisions that will not always make everyone happy. He stated that, as Councilmembers, they are doing their best to make the best decisions for the future of the City.

Councilmember McArthur supports the efforts of citizens to have the name change reconsidered. He then went on to report on his activities in the community. He attended the Colorado Water Congress Annual Conference, which was very informative. He attended the Associated Members for Growth and Development meeting and was updated on the Jordan Cove project, which looks promising. The Jordan Cove Project is a liquefied natural gas export product out of Coos Bay Oregon. He urged folks to become educated on the County's ballot issue in the November election, Amendment 1A, the Public Safety Initiative, which funds the District Attorney's office, Sheriff's office, and the Grand Junction Regional Communication Center.

Councilmember Wortmann spoke of other communities and their aggressive business plans and of the importance of Grand Junction regaining its presence as a regional center. He explained that his vote on the North Avenue name change was driven by the bigger picture to stay competitive with other communities. He then told of a recent business expansion in the community and commended the Planning Department for

their assistance in helping the business not only make the expansion a reality, but also for working with them, and saving them money in the process.

Councilmember Boeschstein thanked everyone who spoke that evening. He addressed the reasoning behind his name change vote in that it was economically driven. He spoke to the improvements that the City has made to improve and beautify North Avenue. He noted the different resources that will be available to businesses to transition to the new street name.

Council President Taggart sincerely thanked everyone for giving their input. He explained that his vote was made after listening to proposals made to Council and felt it was a good decision for the future and how he felt it was a good investment in that quarter of the City. He shared the need to keep discussions professional and respectful.

### **Consent Agenda**

Councilmember Traylor Smith moved to approve Items #1 - #4 on the Consent Agenda. Councilmember Kennedy seconded the motion. Motion carried by roll call vote.

#### **1. Approval of Minutes**

- a. Minutes of the August 16, 2017 Regular Meeting

#### **2. Set Public Hearings**

- a. Quasi-judicial
  - i. Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the Holder Annexation, Located at 3040 E Road and Setting a Hearing for November 1, 2017
  - ii. Introduction of a Proposed Ordinance Zoning the Caballero Annexation, located at 3149 D 1/2 Road, and Setting a Hearing for September 20, 2017

#### **3. Contract**

- a. Construction Contract for the 2017 Roadway Repairs Project

#### **4. Resolutions**

- a. Resolution Authorizing a Non-Exclusive License Agreement for Telecommunication Equipment in the City's Right-of-Way
- b. Resolution Authorizing the City Manager to Submit a Grant Request to

the Mesa County Federal Mineral Lease District for Replacement of  
Hazardous Chemical Identification Equipment

**Public Hearing An Ordinance Amending Section 2.28.020 of the Grand Junction  
Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record  
for all Matters and to Repeal Title 10 of the GJMC and Reenact Title 10 with a  
Traffic Code for the City of Grand Junction**

An Ordinance Amending Section 2.28.020 of the Grand Junction Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record for all Matters and to Repeal Title 10 of the GJMC and Reenact Title 10 with a Traffic Code for the City of Grand Junction.

The public hearing was opened at 7:11 p.m.

City Attorney John Shaver presented the item and explained the inefficiency of the traffic code, which is its own volume that is difficult to obtain and not available online. Ordinance No. 4759 would create efficiency in that the City would create its own traffic code that can be maintained, updated, and shared through the website. The second consideration is a slight modification to the authority of Court relative to hearing traffic violations. With adoption of the proposed ordinance, traffic matters will be included as record matters and appeals will be on the record.

Title 10 of the Grand Junction Municipal Code concerns traffic regulations; those regulations are principally derived from the State's 2003 Model Traffic Code. Changes have occurred and revisions are necessary and are proposed with this ordinance. If adopted, the City Traffic Code will provide relative uniformity with the State law and will promote consistency and understanding which enhances the health, safety, and welfare of the citizens of Grand Junction without need of re-adoption of the various versions of the Model Traffic Code.

Councilmember Kennedy asked how adopting this Code will impact the case load for traffic violations and fines. City Attorney Shaver stated the new code language will not create any basis for new citations or fines. The Municipal Judge did review the proposed Code and had no comments or suggested changes.

Councilmember Norris also expressed concern about how this would impact the Court and the City Attorney's Office. City Attorney Shaver stated it is expected that the adoption of the Code will save time and create efficiencies.

Councilmember Norris asked about the amount of effort it will take for a citizen to file an appeal. Attorney Shaver noted it will change the appeal process, but this is a more typical type of appeal.

Councilmember Traylor Smith asked about Traffic Court and the appeal process. City Attorney Shaver said the primary change is regarding traffic infractions.

The public hearing was closed at 7:24 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4759 An Ordinance Amending Section 2.28.020(c) of the Grand Junction Municipal Code (GJMC) for the Municipal Court to be a Qualified Court of Record for all Matters, Repealing Title 10 of GJMC, and Adopting the City of Grand Junction Traffic Code on final passage and ordered final publication in pamphlet form. Councilmember Wortmann seconded the motion. Motion carried by roll call vote.

### **Resolution Supporting District 51 Board of Education Ballot Issues 3A and 3B**

City Manager Greg Caton noted this item is being brought forward at the direction of City Council. Chair for Citizens for D51, Kelly Flenniken, thanked the Council for their leadership on this issue. The questions, which will be known as ballot issues 3A and 3B, will ask voters to increase the property tax mill levy for the School District through an override of \$6.5 million annually through and including December 31, 2027 and to authorize \$118.5 million in bonds and to repay the bond debt by increasing property taxes by a maximum of \$13.5 million per year until the debt is paid. Together the cost is \$9.89 per month on a \$200,000 home or a total of \$118.65 per year (\$56.58 for the override and \$62.07 for the bond).

Councilmember Norris stated that she is also on the Committee. She said that businesses have elected not to move to Grand Junction because of the schools. This is a first step in improving the schools and she fully supports this resolution.

Councilmember Traylor Smith noted that, should these ballot issues pass, the school calendar will have additional days added to it. Mesa County Valley School District (MCVSD) 51 currently has a school calendar year of 167 contact days compared to 180 in schools in different parts of the state. This difference in 12 years accumulates to one year less that our kids are going to school here in Mesa County than schools in the rest of the state.

Councilmember Kennedy noted the rankings of Colorado and the School District compared to other states and districts. MCVSD51 spends \$423 per student per school year compared to other school districts that spend upwards of \$2,500 per student. He stated we are setting ourselves up for failure if this continues. Strong schools are a key component to a thriving community and he fully supports the measure.

Councilmember McArthur noted the community has a large section of seniors and urges them to support this.

Councilmember Wortmann has supported past efforts and discussed the need to support teachers, educators, and first responders. He said we must be fearless in our push for the betterment of the community's future. He sincerely expressed that he fully supports the measure.

Councilmember Boeschstein stated his children attended Grand Junction schools. He expressed his appreciation for anti-bullying campaigns and how many of the schools are much more energy efficient than they used to be. He believes the new superintendent will make some great changes and supports the measure as well.

Mayor Taggart noted the importance of giving kids the opportunity to grow and prosper and to support this is the best resolution.

Councilmember Wortmann moved to adopt Resolution No. 53-17 - A Resolution Supporting Ballot Issues 3A and 3B. Councilmember Boeschstein seconded the motion. Motion carried by roll call vote.

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

Richard Swingle, 443 Mediterranean Way, discussed the intersection of Gunnison and Mulberry and thanked Council for approving to improve this intersection on the consent agenda.

### **Other Business**

There was none.

### **Adjournment**

The meeting was adjourned at 7:41 p.m.

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Wanda Winkelmann  
City Clerk