

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
AUGUST 1, 2018**

The City Council of the City of Grand Junction convened into regular session on the 1st day of August 2018 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Duke Wortmann, and Council President Barbara Traylor Smith. Councilmembers Phyllis Norris and Rick Taggart were absent. Also present were City Manager Greg Caton, City Attorney John Shaver, and City Clerk Wanda Winkelmann.

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

Proclamations

Proclaiming August 12 - 18, 2018 as National Health Center Week in the City of Grand Junction

Councilmember Kennedy read the proclamation. Martha Graf and Kristy Schmidt were present to accept the proclamation.

Proclaiming August 7, 2018 as National Night Out in the City of Grand Junction

Councilmember Wortmann read the proclamation. Police Chief Doug Shoemaker was present to accept the proclamation.

Appointments

To Mesa County Building Code Board of Appeals

Councilmember McArthur moved to ratify Mesa County Board of Commissioners recommendation to reappoint Steven Peterson to the Mesa County Building Code Board of Appeals. Councilmember Kennedy seconded the motion. Motion passed by unanimous voice vote.

To the Downtown Development Authority/Downtown Business Improvement District

Councilmember Kennedy moved to appoint Maria Rainsdon and Josh Niernberg to the Downtown Development Authority/Downtown Business Improvement District. Councilmember Boeschstein seconded the motion. Motion passed by unanimous voice vote.

Presentations

Recognition of a New Neighborhood Association

Kristen Ashbeck, Senior Planner, gave a brief overview of the property and association. Dick Fulton was present to represent the new Wellington Neighborhood Association.

2017 Auditor's Report

Ty Holman with Haynie & Company presented the audit scope and methodology, required communications (no audit adjustments, and no findings or issues), financial highlights, and general observations of what to look for in the future.

The question was asked about performance in the 4 years the firm has audited the City of Grand Junction. Mr. Holman responded that after the third year the firm is able to really get a good picture of policies and practices.

Council President Traylor Smith recognized a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association given to the City for the 33rd consecutive year. City Manager Caton stated the audit process is to remain transparent and highlighted the areas in which the City excelled.

Citizens Comments

Bruce Lohmiller spoke of National Park passes for veterans and Mesa County Valley School District #51 Board Meeting highlights.

City Manager Report

City Manager Caton had nothing to report.

Council Reports

Councilmember McArthur attended Association Governments of Northwest Colorado Economic Summit, Grand Junction Regional Center's ribbon cutting, St. Mary's Senior Volunteer Recognition Luncheon, and Attorney General Cynthia Kaughman's presentation.

Councilmember Wortmann attended the groundbreaking of Source One Center.

Councilmember Boeschstein attended the Business Incubator and Riverside Industrial Park meetings.

Councilmember Kennedy attended the Outdoor Recreation Show in Denver.

Council President Traylor Smith attended Attorney General Cynthia Kaughman's presentation, and Colorado Mesa University's scholarship award presentations.

Consent Agenda

1. Approval of Minutes

- a. Minutes of the July 16, 2018 Executive Session
- b. Summary of the July 16, 2018 Workshop
- c. Minutes of the July 18, 2018 Executive Session
- d. Minutes of the July 18, 2018 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance Amending Section 21.04.030(h), 21.10.020, 21.04.010 and 21.06.050 (Title 21 of the Grand Junction Municipal Code) Allowing and Regulating Short Term Rentals and Incorporating Bed and Breakfasts as Short Term Rentals and Set a Public Hearing for August 15, 2018
 - ii. Introduction of an Ordinance Amending Section 24.12.140, 24.12.160, 24.12.170, and 24.12.180 of the Greater Downtown Overlay (Title 24 of the Grand Junction Municipal Code) Regarding Design Guidelines and Standards in the Greater Downtown Transitional and Residential Area and Set a Public Hearing for August 15, 2018
 - iii. Introduction of an Ordinance Amending the Zoning and Development Code (Title 21 of the Grand Junction Municipal Code) Establishing Voting Procedures of the Planning Commission and to Simplify, Clarify and Better Organize the Text Describing the

Authority of the Zoning and Development Decision-Making Bodies
and Set a Public Hearing for August 15, 2018

b. Quasi-judicial

i. Introduction of an Ordinance Rezoning the River Walk
Subdivision from R4 (Residential 4 du/ac) to R8 (Residential 8
du/ac), Located at 3125 D Road, and Set a Hearing for August 15,
2018

3. Contracts

a. Contract for Persigo Wastewater Treatment Plant Diffuser Outfall
Improvements Project

4. Resolutions

a. Resolution Adopting General Fund Minimum Reserve Fund Balance
Policy

Councilmember Boeschstein moved to adopt Items #1 - #4 on the Consent Agenda.
Councilmember Kennedy seconded the motion. Motion passed by unanimous voice
vote.

**Public Hearing - An Ordinance Vacating a Walkway Tract Within the Darla Jean
Subdivision**

Kristen Ashbeck, Senior Planner, said the Darla Jean Subdivision was platted in Mesa
County in 1975 and annexed to the City in 1994. The subdivision plat includes a 20-foot
wide tract of land indicated as a walkway that runs from Jean Lane to Darla Drive
between Lots 9 and 10 and Lots 15 and 16 of Block 5 of the subdivision. There is no
dedication language on the subdivision plat for the walkway. There is no recorded deed
granting the tract to any person or entity, public or private. A reasonable presumption,
given Colorado case law on missing dedication language, is the intent was for the
pedestrian right-of-way to be granted to the public for public use. The four neighbors
abutting the tract have requested that the public interest in the walkway be vacated.
Staff provided a recommendation to vacate the public's interest in the tract since the
walkway is not connected to a larger pedestrian network and not providing a
discernable public benefit to the greater community.

The Darla Jean neighborhood has a water users' association (the Association) with an
irrigation line serving the neighborhood running under the walkway. The applicant

provided additional information that illustrates the location of the irrigation lines within the subdivision and the locations of access valves throughout the subdivision, most of which are located on private property. Should vacation of the walkway be approved, Staff recommends retaining and granting, without any warranties of title, an irrigation easement for/to the Association, in order to protect the Association's interest in and ability to maintain the line in this area and the Association's implied irrigation easement.

George Freeman spoke representing the applicants and outlined the reasons for the vacation request. Bryan Curtis, Raquel Molencamp, and Donald Molencamp also spoke in support of the vacation.

Conversation ensued about irrigation easements and plot lines of the surrounding properties, petition signatures against the walkway vacation, the absence of street lights, and the availability of crime statistics in the walkway.

The public hearing was opened at 7:10 p.m.

Dave Warrant, President of the Water Users Association, Pam Baker, Richard Curfman, Dianne Sorey, Andrea Christensen, and Charles Howard spoke in opposition of the vacation.

The public hearing was closed at 7:31 p.m.

The applicants were given the opportunity to rebut comments made during the public hearing.

Conversation ensued about placement of irrigation lines, accessibility, the ability to deed the property in question to the water user's association, current and future liability (and on whom that would rest), granting an easement, maintenance, and perfecting a title to the City.

Councilmember Wortmann moved to deny Ordinance No. 4809, an Ordinance vacating a walkway tract within the Darla Jean Subdivision without further conditions set forth in the staff report. Councilmember Boeschstein seconded the motion. Motion passed by unanimous roll call vote.

Councilmember Kennedy moved to direct the City Manager to address the issuance of easements for utilities. Councilmember Boeschstein seconded the motion. Motion carried by unanimous roll call vote.

Council took a break at 8:04 p.m.

The meeting was called back to order at 8:11 p.m.

Public Hearing - An Ordinance Making Supplemental Appropriations for the 2018 Budget of the City of Grand Junction, Colorado

Jodi Romero, Finance Director, presented the request to appropriate certain sums of money to defray the necessary expenses and liabilities of the accounting funds of the City of Grand Junction based on 2018 budget amendments. Supplemental appropriations are required to ensure adequate appropriations by fund and often are needed to carry forward capital projects that regularly span more than one year. This action re-appropriates the funds for projects approved and started in the prior budget year but not completed in that year. These capital projects have been planned and the expenditures approved by Council in the 2017 budget, and the budgeted fund balances are not decreased. Ms. Romero outlined the Supplemental Appropriations in the Ordinance.

The public hearing was opened at 8:18 p.m.

There were no public comments.

The public hearing was closed at 8:18 p.m.

Conversation ensued about moving construction costs for the Las Colonias Business Park from 2019 to 2018 and the salary appropriation of the City Manager. Councilmember Kennedy lauded City Manager Caton for the work he has done while at the City.

Councilmember Wortmann moved to adopt Ordinance No. 4811, an Ordinance making Supplemental Appropriations to the 2018 budget of the City of Grand Junction, Colorado for the year beginning January 1, 2018 and ending December 31, 2018 on final passage and ordered final publication in pamphlet form. Councilmember Boeschstein seconded the motion. Motion carried by unanimous roll call vote.

Public Hearing - An Ordinance Rezoning the Fossil Trace Holdings, LLC Property from R-R (Residential – Rural) to R-1 (Residential - 1 du/ac), Located at 465 Meadows Way

Senior Planner Scott Peterson said the Applicant, Fossil Trace Holdings LLC, is requesting a rezone of Lot 3, Rump Subdivision (8.41 acres), located at 465 Meadows Way from the R-R (Residential - Rural) to the R-1 (Residential - 1 du/ac) zone district for the purpose of future subdivision development. The subject property (Lot 3, Rump

Subdivision) is located at 465 Meadows Way in the Redlands across the road from Riggs Hill. The property is currently vacant with portions identified as wetlands and a section within the floodplain. The applicant is interested in developing a residential single-family detached subdivision to meet the R-1 zone district densities and may utilize the cluster provisions of the Zoning and Development Code to preserve the environmentally sensitive areas of the property as open space.

The applicant Kevin Bray explained how they arrived at the R-1 zoning request.

Questions were asked about disposition of the flood plain area, access to the homes from South Camp vs. Meadows Way, and the possible need for engineered foundations for the developments.

The public hearing was opened at 8:52 p.m.

There were no comments.

The public hearing was closed at 8:52 p.m.

Councilmember McArthur moved to adopt Ordinance No. 4810, an Ordinance rezoning the Fossil Trace Holdings, LLC property from R-R (Residential - Rural) to the R-1 (Residential - 1 du/ac), located at 465 Meadows Way on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion carried by unanimous roll call vote.

Other Action Item - Consider a Request by Mesa County to Accept the Dedication of 2.61 Acres of Land Adjacent to Both Redlands Parkway and to Property Already Owned by the City of Grand Junction

Senior Planner Scott Peterson said Mesa County is requesting the City accept 2.61 acres of land adjacent to the Colorado River with a small portion of the land encompassing the Riverfront Trail. The property has no benefit to the County and dedicating it to the City would be in the best interest of all parties. The parcel of land is located adjacent to property already owned by the City and would provide continuity of ownership within this area. Public Works Director, Trent Prall, and the Parks and Recreation Advisory Board recommended approval of the dedication.

There was conversation about logical progression of the property.

Councilmember Boeschstein moved to approve the request to accept the dedication of 2.61 acres of land adjacent to Redlands Parkway encompassing portions of land area adjacent to the Colorado River and property owned by the City of Grand Junction as

well as containing a portion of the Riverfront Trail System. Councilmember Wortmann seconded the motion. Motion by carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:58 p.m.

Wanda Winkelmann, MMC
City Clerk