

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

**January 16, 2019**

**Call to Order, Pledge of Allegiance, Invocation**

The City Council of the City of Grand Junction convened into regular session on the 16<sup>th</sup> day of January, 2019 at 6:00 p.m. Those present were Councilmembers Bennett Boeschstein, Chris Kennedy, Duncan McArthur, Phyllis Norris, Rick Taggart, Duke Wortmann, and Council President Barbara Traylor Smith. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Traylor Smith called the meeting to order. Councilmember Wortmann led the Pledge of Allegiance which was followed by an invocation by Church of Christ Preaching Minister Doug Clayton.

**Presentations**

**2018 Champion of the Arts Award**

Commission on Arts and Culture Chair Sarah Dishong described the origin of the Champion of the Arts Award and named the 2018 recipients along with the art piece awarded them: Lancer Livermont received "Warm Glow" by Joan Anderson and John Hopkins received "Holiday Night" by Tim Hutton.

**Proclamations**

**Proclaiming January 21, 2019 Martin Luther King, Jr. Day in the City of Grand Junction**

Councilmember Boeschstein read the proclamation. Martin Luther King, Jr. Celebration Chairman David Combs accepted the proclamation.

**Proclaiming January 2019 National Crime Stoppers Month in the City of Grand Junction**

Councilmember Wortmann read the proclamation. Crime Stoppers of Mesa County member Kathy Daniels accepted the proclamation.

**Appointments**

**To the Urban Trails Committee**

Councilmember Taggart moved to appoint Stephen Meyer to the Urban Trails Committee for a partial term ending June 2020. Councilmember Kennedy seconded the motion. Motion carried unanimously by voice vote.

## **Certificates of Appointment**

### **To the Historic Preservation Board**

Troy Reynolds, Mikhail Blosser and Priscilla Mangnall accepted their Certificates of Appointment.

### **To Visit Grand Junction**

Josh Niernberg, Julie Shafer, Ken Mabery and Zebulon Miracle accepted their Certificates of Appointment.

## **Citizen Comments**

Kit Haddow spoke about an incident with his dog at a local park.

Bruce Lohmiller spoke about 241-STOP and the Veteran's Art Show at the Whitmann Building by the Museum of Western Colorado.

## **City Manager Report**

City Manager Caton did not give a report.

## **Council Reports**

Councilmember McArthur said much of his upcoming schedule will be spent attending legislative committees.

Councilmember Boeschenstein supports having an Inclusive Proclamation.

Councilmember Kennedy said he and his wife will be celebrating their birthdays by helping raise funds for HomewardBound of the Grand Valley.

Councilmember Norris said she attended regular meetings.

Council President Traylor Smith announced she would be out of town the next week.

## **CONSENT AGENDA**

Councilmember Norris moved to adopt Consent Agenda items #1 through #5. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by voice vote.

## **1. Approval of Minutes**

- a. Summary of the December 17, 2018 Workshop
- b. Minutes of the December 19, 2018 Regular Meeting

## **2. Set Public Hearings**

- a. Legislative
  - i. Introduction of an Ordinance Amending Parts of the Zoning and Development Code Regarding Performance Standards of Zoning Districts, Accessory Dwelling Units, Flag Lots, Architectural Standards Relating to Garage Doors so as to Eliminate Unnecessary Regulation and Resolve Inconsistencies, and Set a Public Hearing for February 6, 2019
- b. Quasi-judicial
  - i. 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, Exercising Land Use Control, and Introducing Proposed Annexation Ordinance for the South Twenty Annexation of 20.18 Acres, Located at 2335 H Road, and Set a Public Hearing for February 20, 2019

## **3. Continue Public Hearings**

- a. Legislative
  - i. An Ordinance Amending the Municipal Code Regarding Possession or Consumption of Alcohol in Parks and Riverfront Trails, Changing the Hours of Prohibited Park Use, and Including Vaping and the Use of Vape Devices as Prohibited in Workplaces, Public Places, and for Use by Minors and Set a Public Hearing for February 20, 2019
  - ii. An Ordinance to Amend Chapters 12.04 and 12.08 of the Grand Junction Municipal Code and Section 21.06.010 of the Zoning and Development Code Regarding Camping on Public Property/Public Places and Set a Public Hearing for February 20, 2019

## **4. Contracts**

- a. 2018 CDBG Subrecipient Agreement between the Center for Independence and the City of Grand Junction

## 5. Resolutions

- a. A Resolution Designating the Location for the Posting of the Notice of Meetings, Establishing the 2019 City Council Meeting Schedule, and Establishing the Procedure for Calling of Special Meetings for the City Council

### REGULAR AGENDA

## 6. Public Hearings - Quasi-judicial

- a. A Resolution to Designate the Original Mile (1882) and Keith's Addition (1890) Historic District in the City Register of Historic Sites, Structures, and Districts

Property owners between 9<sup>th</sup> and 13<sup>th</sup> Streets and on the north and south sides of Rood Avenue and Main Street requested this area be designated in the City Register of Historic Structures, Sites and Districts (City Register) and be named the Original Mile (1882) Keith's Addition (1890) Historic District. The Historic Preservation Board recommended approval at its December 4, 2018 meeting.

Community Development Director Tamra Allen reviewed the request.

Discussion included the availability of resources to update older homes, this designation only provides specific boundaries for the area and National Historic Register designations are separate designations.

The public hearing opened at 6:48 p.m.

Katherine Hursh and Patty Vernon, property owners within the proposed district, spoke in favor of this designation.

The public hearing closed at 6:53 p.m.

Councilmember Wortmann moved to adopt Resolution No. 03-19, a resolution to designate the Original Mile (1882) Keith's Addition (1890) Historic District in the City Register of Historic Sites, Structures, and Districts. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by roll call vote.

b. A Resolution to Designate the City Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Sites, Structures, and Districts

The City of Grand Junction Utilities Department requested to designate the City's Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Structures, Sites and Districts. The Historic Preservation Board recommended approval at its December 4, 2018.

Community Development Director Tamra Allen reviewed the request.

Discussion included the appearance of the water holding tanks, how the area is secured, possible partnerships (Colorado Mesa University, Drought Response Information Project and the Water Center) and uses (museum, tours and location for events), anticipated project costs, grant opportunities and next steps.

The public hearing opened at 7:04 p.m.

Pooka Campbell spoke in favor of reusing older buildings.

The public hearing closed at 7:05 p.m.

Councilmember Boeschenstein moved to adopt Resolution No. 04-19, a resolution to designate the Historic Water Treatment Plant, Tower and Outbuilding in the City Register of Historic Sites, Structures and Districts. Councilmember Wortmann seconded the motion. Motion carried unanimously by roll call vote.

c. An Ordinance Amending the Comprehensive Plan Future Land Use Map Designation to Residential Medium Low and Rezoning to R-4 (Residential, 4 du/ac), Located at 2064 South Broadway

The City owns 80 acres at 2064 South Broadway across from the Tiara Rado Golf Course. Approximately half of the property is being used for the existing driving range and irrigation ponds. The City intends to sell 4.27 acres of the unused property for purposes of future development and is requesting to change the Future Land Use Map designation from Park to Residential Medium Low and rezone the property from CSR (Community Services and Recreation) to R-4 (Residential, 4 du/ac).

Community Services Manager Kathy Portner reviewed the request.

Discussion ensued regarding planned City and County safety improvements along the route, challenges of the corridor, future developments must adhere to Zoning and Development Codes, the Planning Commission only considers specifics of a request, which utilities are available for development, surrounding densities, event routes and overflow parking, that the

City is the owner and applicant, which City fund would receive sale proceeds and that Council could remand a portion or the whole item back to the Planning Commission.

The public hearing opened at 7:15 p.m.

Calvin Propnell, Eric Cooper, Darlene Holmes, Dana Cooper and Steve Boutella spoke against the amendments and Mary-Jo Coleman asked what Council was being asked to decide.

Ms. Portner explained the approval process.

The public hearing closed at 7:26 p.m.

Councilmember McArthur moved to adopt Ordinance No. 4827, an ordinance amending the Comprehensive Plan Future Land Use Map Designation to Residential Medium Low and Rezoning to R-4 (Residential, 4 du/ac), 4.27 acres, located at 2064 South Broadway on final passage and ordered final publication in pamphlet form. Councilmember Kennedy seconded the motion. Motion failed by roll call vote with Councilmembers Taggart, Wortmann, Boeschstein and Norris voting NO.

Council took a break at 7:43 p.m.

Council returned at 7:49 p.m.

## **7. Items Relating to the April 2, 2019 Regular Municipal Election**

### **a. Public Hearing - Legislative**

- i. An Ordinance Placing a Charter Amendment Concerning Cable Television Franchises and the Authorized Length of Leases on the Election Ballot for the Regular Municipal Election

The City Council is considering Charter amendments governing cable television franchise renewals and increasing the length of lease agreements.

City Attorney John Shaver reviewed the history of the Charter provisions and explained the purpose of the proposed amendments.

The public hearing opened at 7:59 p.m.

Dennis Simpson opposed extending lease agreements.

The public hearing closed at 8:02 p.m.

Councilmember Boeschstein moved to adopt Ordinance No. 4828, an ordinance placing Charter Amendments to comply with Federal Law governing renewal of cable television franchises and to change the authorized length of leases of public property from twenty-five to ninety-nine years on the election ballot for the regular Municipal Election to be held the 2<sup>nd</sup> day of April, 2019 on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried unanimously by roll call vote.

b. Resolutions

i. A Resolution Authorizing a Ballot Question Regarding a Community Recreation Center

The City Council is considering placing a question on the April ballot asking the City electors to approve a .39% sales and use tax rate increase for the construction and operation of a community center, development of a portion of the property known as Matchett Park and for making improvements and continued operation of Orchard Mesa pool and authorizing the City Council to borrow money to finance and operate the project.

City Attorney John Shaver reviewed the resolution and history of the request.

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

There were no public comments.

The public hearing closed at 8:10 p.m.

Councilmember Wortmann moved to adopt Resolution No. 06-19, a resolution setting the title for and submitting to the electorate on April 2, 2019 a measure to increase the sales and use tax by .39% from 2.75% and to retain and spend revenues as a voter approved revenue change as defined by Article X, Section 20 of the Colorado Constitution and to incur bonded indebtedness to build and operate a Community Center and develop a portion of the property known as Matchett Park and improve the Orchard Mesa Pool and Gymnasium. Councilmember Boeschstein seconded the motion. Motion carried unanimously by roll call vote.

ii. A Resolution Authorizing a Ballot Question Regarding the Sale of Burkey Park

In 1967, the Burkey family donated approximately 17 acres of land to the City of Grand Junction for a park and in 2001 the City acquired 2980 Patterson Road (the DuCray property) to "square up" the boundary of Burkey property. To date these properties located at 2982 and 2980 Patterson Road, known as Burkey Park, remain undeveloped. Development of Long's Family Park to the East and the planned development of Matchett Park to the West make development of Burkey Park unlikely.

City Attorney John Shaver reviewed the resolution, history of the property and noted the City had reached out to the Burkey family who are in support of the request and will be recognized with a pavilion at Matchett Park.

The public hearing opened at 8:16 p.m.

Patricia Grimes opposed the request.

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

Councilmember Kennedy moved to adopt Resolution No. 07-19, a resolution setting a title and submitting to the electorate on April 2, 2019 a measure to authorize the sale of Burkey Park. Councilmember Taggart seconded the motion. Motion carried unanimously by roll call vote.

c. Discussion and Possible Direction Regarding First Responder and Transportation Needs

Detailed in previous memorandums, presentations, discussions, and most recently at the December 17, 2018 City Council Workshop, the needs of the first responders far exceed existing resources. The Fire Department needs include building, staffing, and operating three additional fire stations to provide emergency medical and fire protection services. Additional support positions are required as well. The Police Department needs include adding 18 sworn positions to allow for proactive policing efforts which has a direct impact on reducing criminal activity. Additional civilian positions are also needed in the Communication Center to support police operations. In total, including sworn and civilian, 91 positions are needed in the two departments.

Fire Chief Ken Watkins and Police Chief Doug Shoemaker reviewed the City's first responder needs and Public Works Director Trent Prall reviewed the transportation needs,

City Manager Greg Caton reviewed current sales tax revenues and the sales tax increase options needed to support the addressed needs.

Discussion included population growth associated safety and service needs, costs versus benefits, increased first responder response times, comparison of the City's sales tax rate, breakdown of the proposed sales tax increase, if a sunset clause should be included on transportation increase or only regarding bonding, if this item should be two separate ballot questions and if the property tax piece should be removed.

Council directed staff to remove the property tax piece and draft two ballot questions, for first



responders and transportation with no sunset clause to be considered at the January 28, 2019 Special meeting.

## **8. Public Hearings – Legislative**

- a. Ordinance to Adopt the 2018 International Building Codes including the Building, Plumbing, Mechanical, Fuel Gas, Existing Building, Residential, the 2009 Energy Conservation, and the National Electrical Code and Amendments Thereto, Repealing All Other Ordinances and Parts of Ordinances in Conflict Therewith

The proposed Ordinance will adopt the 2018 International Code editions for the Building, Residential, Plumbing, Mechanical, Fuel Gas, and Existing Building, plus the 2009 edition of the International Energy Conservation Code, and the National Electric Code as adopted by the State of Colorado. These codes regulate building construction. Mesa County has adopted the same code set.

City Attorney John Shaver reviewed the proposed ordinance.

Mesa County Building Department Chief Building Official Darrell Bay said these changes are requested every six years, there are no major changes and it allows for a common application throughout the area.

The public hearing opened at 9:24 p.m.

Rich Keller is in favor of the amendments.

The public hearing closed at 9:25 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4829, an ordinance adopting and amending the latest edition of the International Building Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Residential Code, the National Electric Code, and the 2009 International Energy Conservation Code to be applied throughout the City of Grand Junction with certain amendments regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures in the City of Grand Junction; and repealing all other ordinances and parts of ordinances in conflict herewith, with notice and copies of the Codes to be provided by the City Clerk according to law on final passage and ordered final publication in pamphlet form. Councilmember Boeschenstein seconded the motion. Motion carried unanimously by roll call vote.

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

Wayne Warner thanked City Manager Caton and Fire Chief Watkins for understanding the first responder needs and suggested user fees be increased.

## **10. Other Business**

There was none.

## **11. Adjournment**

The meeting adjourned at 9:32 p.m.

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Wanda Winkelmann, MMC  
City Clerk