

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

February 20, 2019

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 20th day of February, 2019 at 6:00 p.m. Those present were Councilmembers Chris Kennedy, Duncan McArthur, Phyllis Norris, Rick Taggart, Duke Wortmann, and Council President Pro Tem Bennett Boeschstein. Council President Barbara Traylor Smith was absent. Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Pro Tem Boeschstein called the meeting to order. Councilmember Kennedy led the Pledge of Allegiance which was followed by a moment of silence.

Proclamations

Proclaiming February 23, 2019 as National TRiO Day in the City of Grand Junction

Councilmember Wortmann read the proclamation. Colorado Mesa University Acting Vice President for Academic Affairs Dr. Kurt Haas accepted the proclamation.

Proclaiming February 24 - March 2, 2019 as Peace Corps Week in the City of Grand Junction

Council President Pro Tem Boeschstein read the proclamation. Brien Webster accepted the proclamation.

Proclaiming The City of Grand Junction an Inclusive City

Councilmember Kennedy read the proclamation. Jon Williams accepted the proclamation.

Appointments

To the Planning Commission/Zoning Board of Appeals

Councilmember McArthur moved to reappoint Steve Tolle to the Planning Commission for a four-year term ending October 2022 and appoint Sam Susuras and Ken Scissors to the Planning Commission as 1st and 2nd Alternates to the Planning Commission and the Zoning Board of Appeals for partial terms ending October 2021. Councilmember Norris seconded the motion. Motion carried unanimously by voice vote.

Citizen Comments

Keira Havens spoke on the future work of inclusivity and diversity in Grand Junction.

Bruce Lohmiller spoke about camping.

Patty Vernon thanked Council for their support in designating the Keith's Addition Historic District.

City Manager Report

City Manager Caton gave an update on the concerns expressed at a prior City Council meeting regarding the Grand Mesa Little League Park.

Council Reports

Councilmember Norris attended regular meetings and some discussions regarding questions on the ballot.

Councilmember Kennedy attended the Grand Junction Economic Partnership board meeting.

Councilmember Taggart attended Grand Junction Regional Airport board meetings and was involved in the Inclusivity Proclamation meetings.

Councilmember McArthur attended legislative workshops and policy committee meetings for the Colorado Municipal League.

Councilmember Wortmann attended Parks and Recreation Advisory and One Riverfront meetings. He also mentioned programs offered through the Riverside school.

Council President Pro Tem Boeschstein commented on the Peace Corps and Inclusivity Proclamation.

CONSENT AGENDA

Councilmember Kennedy moved to adopt Consent Agenda items #1 through #6.
Councilmember Taggart seconded the motion. Motion carried unanimously by roll call vote.

1. Approval of Minutes

- a. Summary of the February 4, 2019 Workshop
- b. Minutes of the February 6, 2019 Executive Session

- c. Minutes of the February 6, 2019 Regular Meeting

2. Set Public Hearings

- a. 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 Hosanna Annexation of 5.722 Acres, Located at 743 24 $\frac{3}{4}$ Road and Set a Public Hearing for April 3, 2019
 - ii. Introduction of an Ordinance Amending Ordinance No. 4508 for the Planned Residential Development - North 7th Street to Disallow the Use of Vinyl Fencing on Properties Within the District and Set a Public Hearing for March 20, 2019
 - iii. Introduction of an Ordinance Zoning the South Twenty Annexation R-4 (Residential - 4 du/ac) and R-8 (Residential - 8 du/ac), Located at 2335 H Road and Set a Public Hearing for March 6, 2019
 - iv. Introduction of an Ordinance Vacating a Portion of the Dos Rios Drive and C $\frac{3}{4}$ Road Right-of-Way Within the Jarvis Subdivision Plat, Located at 2595 Riverside Parkway, and Set a Public Hearing for March 6, 2019
 - v. Introduction of an Ordinance Establishing an Institutional and Civic Master Plan for the Grand Junction Regional Airport, Amending Ordinance No. 3679 for Planned Development and Outline Development Plan and Vacating a Portion of the 27 $\frac{1}{4}$ Road Right-of-Way Adjacent to Airport Property, and Set a Public Hearing for March 6, 2019
 - vi. Introduction of a Proposed Ordinance Rezoning Two Properties from M-U (Mixed Use) to C-2 (General Commercial) Located at 746 23 $\frac{1}{2}$ Road and Set a Public Hearing for March 6, 2019
 - vii. Introduction of an Ordinance Vacating a Portion of the Kimball Avenue Right-of-Way and a Portion of a Multi-Purpose Easement, along Properties Located at 1015 and 1101 Kimball Avenue and Set a Public Hearing for March 6, 2019
 - viii. Introduction of a Proposed Ordinance Rezoning Two Properties from R-16 (Residential 12-16 du/ac) to R-24 (Residential 24+ du/ac) Located at 1213 North 15th Street and 1420 Glenwood Avenue and Set a Public Hearing for March 6, 2019

- ix. 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 Annexation Ordinance for the Arlington Annexation, which is a Serial Annexation Consisting of Arlington Annexation No. 1 and Arlington Annexation No. 2, Totaling 1.41 acres, Located at 265 Arlington Drive and Set a Public Hearing for April 3, 2019

3. Continue Public Hearings

- a. Quasi-judicial
 - i. Continue the South Twenty Annexation request until the March 6, 2019 City Council Meeting

4. Contracts

- a. Contract to Provide Dump Trucks and Drivers for Spring Cleanup 2019

5. Resolutions

- a. A Resolution Vacating a Public Utility Easement on Property Located at 2626 Cottonwood Drive

6. Other Action Items

- a. Consider a Request by GJ Ute LLC, to Accept the Dedication of 8.79-acres of Open Space in the Proposed Emerald Ridge Estates, Filing 1 Subdivision

REGULAR AGENDA

7. Resolutions

- a. Agreement with Powderhorn Ski Company, LLC to Lease Water for snowmaking

Powderhorn Ski Company, LLC, requested to lease 140 acre feet of water from the City's Anderson Reservoir No. 2 for the purposes of snowmaking. The agreement term is 40 years, subject to Powderhorn commencing work on required improvements within 36 months.

Councilmember Taggart disclosed he uses Powderhorn Mountain Resort as a ski coach for Colorado Mesa University.

Utilities Director Randi Kim reviewed the item.

Discussion included the amount of acre feet Powderhorn previously leased compared to that of the proposed lease, amount of snowfall and melt accumulation in City watershed, the lease term, an upcoming ballot question regarding the term length of leases, how winter weather varies and affects ski resort businesses, how to address water conservation issues and who would get precedence in a dry year (lease modeling encompassed three drought years and should not impact City water).

Powderhorn General Partner Andy Daily noted Powderhorn is trying to amortize the cost of the lease over the 40-year term.

Councilmember Kennedy moved to adopt Resolution No. 14-19, a resolution authorizing an agreement between Powderhorn Ski Company, LLC and the City of Grand Junction for the lease of certain City water for snowmaking. Councilmember Taggart seconded the motion. Motion carried unanimously by roll call vote.

8. 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

In the interest of protecting the health, safety and welfare of citizens, staff drafted an ordinance that proscribes certain activities that may be offensive, harmful or illegal by specifically limiting certain alcohol in certain public places, limiting secondhand exposure to the harmful chemicals created by smoking and the use of electronic smoking devices ("vaporizers" and/or e-cigarettes), and amending park hours.

City Attorney John Shaver reviewed the proposed ordinance, outlined the specific topics and noted tobacco products are already disallowed.

City Manager Caton said the intent is to strike a balance regarding enforcement.

Discussion included glass packaging, scheduling for sporting events, public notification and that the intent of the proposed ordinance is to change behavior.

Parks and Recreation Director Rob Schoeber noted some parks disallow alcohol beverages.

The public hearing opened at 6:59 p.m.

John Whipple spoke against the item.

Mesa County Health Department Health Promotion Specialist Kelsey Fife spoke in favor of the item.

The public hearing closed at 7:03 p.m.

Councilmember Kennedy moved to adopt Ordinance No. 4832, an ordinance to amend Chapter 12.04, Chapter 12.06, and Chapter 12.08 of the Grand Junction Municipal Code regarding possession or consumption of alcohol in parks and Riverfront Trails and to change the hours of prohibited park use and to amend Chapters 8.20 and 9.04 to include vaping and the use of vape devices as prohibited in workplaces, public places, and for use by minors on final passage and ordered final publication in pamphlet form. Councilmember Norris seconded the motion. Motion carried unanimously by roll call vote.

8. Public Hearings

a. Legislative

- 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

The purpose of this ordinance is to assist in maintaining the City in a clean, sanitary and accessible condition; to protect the health, safety and public welfare of the community; and to preserve, protect and enhance the natural resource of the Colorado and Gunnison Rivers for many recreational and other proper uses by amending 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.

City Attorney Shaver reviewed the proposed amendments and background and noted the proposed amendments are to update policy and legal direction as the current ordinance is outside of case law.

Discussion included the cost of park vandalism, primary locations of public camping, housing and overnight options for the homeless, the intent of the amendments, number of beds available locally in homeless shelters, input from local homeless advocacy groups (homeless coalition), Housing First Program, community involvement, education on the proposed ordinance wording and moving toward long term solutions.

The public hearing opened at 7:30 p.m.

The following spoke during the public hearing: Eric Niederkruger, Beverly Lampley (Homeless Coalition), Janet Weidemann, Caleb Ferganchick, Kim Smith, Abram Herman, Sherry Cole (Grand Valley Peace and Justice), Shannon Robinson (Colorado Health Network, Inc.), Cindy Steele (Grand Junction Frozen Hobo Rescue) , Katie Rydlizky (The House), Pooka Campbell (Solidarity Not Charity), David Mok-Lamme, Troy Sides (Karis, Inc.), Lewis Baker, Krista Watson (The House), Brad Edwards, Jim Curtsinger, Nathaniel Boggs, Maryann Janson, Gordon Weidemann and Tony Romero (Solidarity Not Charity/Grand Junction Frozen Hobo Rescue).

The public hearing closed at 8:22 p.m.

Councilmember Kennedy moved to table Ordinance No. 4833, 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 to a date not to exceed 90 days. Councilmember Wortmann seconded the motion. Motion carried by roll call vote with Councilmember McArthur voting NO.

9. Non-Scheduled Citizens & Visitors

There were none.

10. Other Business

There was none.

11. Adjournment

The meeting adjourned at 9:00 p.m.

Wanda Winkelmann, MMC
City Clerk