

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

December 19, 2012

The City Council of the City of Grand Junction convened into regular session on the 19th day of December, 2012 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Tom Kenyon, Laura Luke, Sam Susuras, and Council President Bill Pitts. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pitts called the meeting to order. Councilmember Boeschstein led the Pledge of Allegiance, followed by a moment of silence.

Presentation

Grand Valley Power to present a check to City Council for the Energy Savings from the energy efficient streetlights installed two years ago. In 2010, the City partnered with Grand Valley Power on a pilot project to evaluate the use of energy efficient streetlights. Kathy Portner, Neighborhood Services Manager, and Bill Byers, Public Relations Manager for Grand Valley Power, were present to speak to the results of the two year project.

Kathy Portner, representing the City's CORE group, introduced the presentation. She explained that one of the partnerships entered into by the CORE group was the installation of energy efficient streetlights. Mr. Byers introduced Tom Walsh, General Manager of Grand Valley Power, and Derek Elder, Energy Services Administrator with Grand Valley Power, who were present to award a check to the City Council.

Mr. Elder explained how the project came to be. The City had some grant funds available and made it possible to install fifteen LED streetlights and fifteen induction streetlights. The LED lights did not require any maintenance and produced an energy savings. Grand Valley Power will continue to install these types of streetlights and invest the savings into more LED lights.

Mr. Byers said the company has filed the their environmental report and he encouraged the Council to review the report.

Tom Walsh, General Manager, presented the check to Council President Pitts in the amount of \$948.49.

Certificates of Appointment

Emily Pfeifer, Jeremy Franklin, Randall Gray, and Jennifer Hancock were all present to receive their Certificates of Appointment to the Commission on Arts and Culture.

Brad Taylor, Daren Cole, and Kate Graham were present to receive their Certificates of Appointment and Glen Gallegos was present to receive his Certificate of Re-appointment, all to the Visitor and Convention Bureau Board of Directors.

Council Comments

Councilmember Boeschstein commented with the tragedy in Newtown Connecticut, he worked in a nearby town and it is a terrible tragedy and he sends them his sympathies. He is proud of the Downtown Development Authority (DDA), and mentioned the Greater Downtown Plan will be coming forward soon. There are many great things happening in Downtown; the Avalon Theatre reconstruction, the Mesa County Library, and Kannah Creek Brewery. Grand Junction was compared to LODO in the Denver paper. He mentioned Brad Taylor and the Riverfront Commission and the work on Las Colonias Park.

Council President Pitts noted that the State will be contributing \$18.5 million toward mental health. He is overjoyed after he served many years on the Mesa County Mental Health Association in the past when they had to struggle for their own funds. This is the first year the City has made a budget commitment to mental health, a great step forward for the community.

Citizen Comments

Elizabeth Collins, 507 West Ute Avenue, addressed the City Council and asked them to consider multi-modal transportation in their consideration for a TABOR tax retention. Multi-modal benefits kids going to school, pedestrians, and older adults.

CONSENT CALENDAR

Councilmember Luke moved to adopt the Consent Calendar which included the minutes of December 5th and December 12th Council meetings. Councilmember Coons seconded the motion. Motion carried.

1. Minutes of Previous Meetings

Action: Approve the Minutes of the December 5, 2012 Regular Meeting and the Minutes of the December 12, 2012 Special Meeting

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Public Hearing—Vacation of Plat and Portions of Right-of-Way/Easements in Kirby Subdivision, Located at 2856 B $\frac{3}{4}$ Road** [File # VAC-2012-453]

A City initiated request to vacate the Kirby Subdivision plat and right-of-way and easements dedicated thereon with the exception of the southern 5' of right-of-way adjacent to B $\frac{3}{4}$ Road and the outer subdivision boundary Utility, Irrigation, and Drainage Easements adjacent to the north, west, and east property lines. Vacating the subdivision will allow the agricultural land uses to continue and provide an opportunity for future subdivision.

The public hearing was opened at 7:20 p.m.

Scott D. Peterson, Senior Planner, presented this item. He described the site, the location, and the request. The applicant is the owner and the City is acting as representative. Planning Commission recommended approval at their November 13, 2012 meeting.

Mr. Peterson noted that the City is recommending retaining some easements and right-of-way but recommends vacation of most of the right-of-way. The cul-de-sac was never improved nor were any utilities ever installed in the easements.

The existing zoning is R-4 and the Comprehensive Plan designation is R-Medium Low.

Mr. Peterson advised that once the plat is vacated it will revert to a parcel of unplatted land. The vacation of the subdivision will prevent the future sale of lots that have no supporting infrastructure.

Councilmember Susuras asked about who has initiated the request. Mr. Peterson said the City approached the property owner because the lots do not have any infrastructure. The owner agreed and signed as the applicant.

Councilmember Coons asked if the owner wants to replat the property, will they have to go back through the process? Mr. Peterson said yes or a developer may go through the process. He noted it would be easy to start the process over again.

Councilmember Luke asked about retaining the five feet along the boundary as easement. Mr. Peterson said the southern five feet would be retained as right-of-way and the City would own that property. The five feet exists but vacation of the plat would take away that right-of-way.

City Attorney Shaver advised that the right-of-way was given before and it was determined as needed. Unwinding the plat would eliminate that portion of the right-of-way. Mr. Peterson noted that extension of the sidewalk would be facilitated by retaining that right-of-way.

Councilmember Boeschstein asked about the stub street from the north. Mr. Peterson said the plan was to connect that property to B $\frac{3}{4}$ Road. Any future development would have to follow that plan.

There were no public comments.

The public hearing was closed at 7:30 p.m.

Ordinance No. 4563—An Ordinance Vacating the Kirby Subdivision Plat, Right-of-Way for Claire Drive, and Portions of Utility, Irrigation, and Drainage Easements Located 2856 B $\frac{3}{4}$ Road

Councilmember Susuras moved to adopt Ordinance No. 4563 and ordered it published in pamphlet form. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

Purchase of Property at 760 Valley Court for the 22 Road Realignment at Highway 6 Project

The City has entered into a contract to purchase a portion of the property at 760 Valley Court from Roan Creek Land and Cattle Company, LLC. The City's offer to purchase this property is contingent upon City Council's ratification of the purchase contract.

Greg Trainor, Public Works, Utilities, and Planning Director, introduced this item. He said if the property is purchased it will be part of a flagship project that the City Council has budgeted funds for in 2013. This is for the realignment and reconstruction of 22 Road. The project will coordinate with Colorado Department of Transportation (CDOT) diverging diamond project at that intersection. It will allow Valley Court to connect to 22 Road. There are a number of industrial uses in that area. The work will accommodate better access for those industries. The City's construction will begin in March and be complete in August. CDOT will start in mid May and complete the project in November of 2013.

Councilmember Kenyon noted \$3.1 million was adopted for 2013; he asked if this funding is in the 2013 budget or in 2012? Mr. Trainor said it is part of the 2012 budget and the transaction will be closed shortly.

Councilmember Kenyon asked about the variances in the two appraisals which were different. Were these appraisals competent and are taxpayers being protected?

City Attorney Shaver said there were three appraisers involved. The value was determined to be fair and just compensation and it is his opinion that the numbers are within the legal standard. The City is doing the land acquisition for this project with the City standards. Councilmember Kenyon asked about CDOT's partnership. City Attorney Shaver said the State is making other contributions to the project.

Councilmember Susuras said it appears the City is paying an amount in the middle of the two appraisals. He complimented the negotiations.

Public Works and Planning Engineering Manager Trent Prall explained the work to be done and the City's portion versus CDOT's portion. The project has been discussed since 2006.

Councilmember Kenyon noted that some believe this is being done to accommodate truck stops but some know it is a safety issue. He asked Mr. Prall to clarify. Mr. Prall said it is to alleviate safety and capacity concerns. At peak hour, the intersection is close to failure and there have been many accidents. Those parameters weighed into the project coming forward sooner. Development in that area is going to make it worse. This has been needed for quite a while. Councilmember Kenyon noted it is for safety but serves both purposes. He commended the design and the way the City is working to meet CDOT's standards. Mr. Prall referred to an access management plan that was done in 2010 and a number of solutions came forward that led to this project. There will be open houses in the area to educate the surrounding businesses. It was a challenge to convince the property owners that this was in the owner's best interest.

Councilmember Boeschstein asked about the new railroad grade crossing. Mr. Prall said the crossing is part of a future crossing and it would replace the one by Mesa Moving which is the most dangerous crossing in the State. This will be a much safer crossing. The railroad is in favor of the relocation.

Councilmember Boeschstein asked about access for the new truck stops, confirming they will not access onto Highway 6 and 50. Mr. Prall said that is correct. Councilmember Boeschstein asked about West Gate Inn's access. Mr. Prall said their access will not change.

Resolution No. 48-12—A Resolution Authorizing the Purchase of Real Property at 760 Valley Court from Roan Creek Land and Cattle Company, LLC

Councilmember Kenyon moved to adopt Resolution No. 48-12. Councilmember Susuras 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 7:50 p.m.

Stephanie Tuin, MMC
City Clerk