

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

February 6, 2013

The City Council of the City of Grand Junction convened into regular session on the 6th day of February, 2013 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Jim Doody, Tom Kenyon, Laura Luke, and Council President Bill Pitts. Councilmembers Bennett Boeschstein and Sam Susuras were absent. Also present were City Manager Rich Englehart, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pitts called the meeting to order. Members of Boy Scout Troop 389 led the Pledge of Allegiance, followed by a moment of silence.

Proclamation

Proclaiming February 19, 2013 as “Mosaic Day” in the City of Grand Junction

Councilmember Doody read the proclamation. Cheryl Wicks, Community Relations Manager for Western Colorado, described the dream of Mosaic and the current status and mission of Mosaic. This year a century of service is being celebrated. She invited everyone to attend their celebration on February 19, 2013 from 11:00 a.m. to 1:00 p.m. at the Mosaic office which is located behind Chili's. She thanked City Council for their support.

Appointments

Councilmember Kenyon moved to reappoint Rich Englehart to the Public Finance Corporation for a three year term expiring January 2016. Councilmember Coons seconded the motion. Motion carried.

Councilmember Kenyon moved to reappoint Jon Schler to the Historic Preservation Board for a four year term expiring December 2016. Councilmember Doody seconded the motion. Motion carried.

Certificates of Appointment

Richard Edwards, Teddy Hildebrandt, Carl Hochmuth, and Charles Thompson were present to receive their Certificates of Appointment to the Forestry Board.

Council Comments

Councilmember Kenyon said it was a tough week for Staff with the loss of Commander Assenmacher. He was remembered on Monday by many in the community.

Councilmember Coons said one of the most remarkable things of the ceremony was that Fellowship Church hosted a Catholic mass in their church and she was appreciative.

There were no other Council comments.

Citizen Comments

Dennis Simpson, 2306 E. Piazza Place, said at the last Council meeting on January 16, 2013 he presented testimony that Ballot Question B was deceptive and did not address the issuance of debt. He had disagreed with Council and City Attorney Shaver because he believes Certificates of Participation (COP's) can be issued without asking the voters. He noted that City Attorney Shaver contended that COP's could not be issued for transportation projects. After numerous email exchanges with the City Attorney, the City Attorney stated that Mr. Simpson was correct. He wanted that a point of record.

CONSENT CALENDAR

Councilmember Coons read Consent Calendar items #1-8 and then moved to adopt the Consent Calendar. Councilmember Kenyon seconded the motion. Motion carried by roll call vote.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the January 16, 2013 Regular Meeting and Approve the Minutes of the January 24, 2013 Special Meeting

2. **Setting a Hearing for the Approval of a Five Year Extension of the Previously Approved Colorado Mesa University Outline Development Plan for Property Located at 2899 D ½ Road** [File #ODP-2008-154]

A request for a five year extension from December 15, 2012 to December 15, 2017, for the previously approved Colorado Mesa University Outline Development Plan (ODP). The previously approved ODP allows multifamily residential, commercial, and industrial uses within four pods.

Proposed Ordinance Amending Ordinance No. 4314 Zoning the Colorado Mesa University Development to PD (Planned Development) to Extend the Development Schedule Until December 15, 2017, Located at 2899 D 1/2 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013

3. **Setting a Hearing Zoning the Feuerborn Annexation, Located at 2902 and 2906 D Road** [File #ANX-2012-518]

A request to zone the 3.40 acre Feuerborn Annexation, consisting of two parcels located at 2902 and 2906 D Road, to a C-1 (Light Commercial) zone district.

Proposed Ordinance Zoning the Feuerborn Annexation to C-1 (Light Commercial), Located at 2902 and 2906 D Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013

4. **Setting a Hearing to Amend Section 21.07 of the Grand Junction Municipal Code to Add a Section 21.07.070, North Avenue Overlay Zone District** [File #ZCA-2012-572]

This amendment to Section 21.07 will add an Overlay Zone District establishing zoning standards specific to properties abutting North Avenue from First Street east to I-70 Business Loop. The North Avenue Overlay Zone District contains three areas of emphasis including: 1) Mandatory Standards required of all new development along the corridor; 2) "Opt In" Standards for new development that chooses to develop under this section; and 3) the "Site Upgrade Point System" Standards that provide a vehicle for a future incentive program when funding becomes available. The point system will be a part of a financial incentive to property owners to improve the streetscape and their property along the corridor, and implements the vision and goals of the City's adopted North Avenue Corridor Plans and this North Avenue Overlay Zone District.

Proposed Ordinance Amending Section 21.07 of the Grand Junction Municipal Code to Add an Overlay Zone District for Property Abutting North Avenue between First Street on the West and I-70 B on the East

Action: Introduction of a Proposed Ordinance and Set a Hearing for February 20, 2013

5. **Purchase Polymer for Persigo Wastewater Treatment Plant**

This request is for the purchase of liquid polymer for use in dewatering digested sludge at Persigo Wastewater Treatment Plant.

Action: Authorize the City Purchasing Division to Purchase Polymer from Polydyne, Inc. in the Amount of \$51,171

6. **Policy Regarding Amendment 64 Relative to Marijuana Facilities in the City**

The City Council hereby directs the City Manager and City Attorney to monitor and evaluate any and all legislature and or administrative actions regarding marijuana and to advise the Council of the State's action. The resolution also directs the City Manager not to issue any permits or approvals for marijuana facilities.

Resolution No. 07-13—A Resolution Concerning Amendment 64 and Land Use Applications in the City of Grand Junction and Directing the City Manager Relative to Land Use Approvals and Sales Tax Licenses for Marijuana Facilities in the City

Action: Adopt Resolution No. 07-13

7. **Park Designation of the Colorado National Monument**

After many years of local debate, discussion, and deliberation, the City Council supports the designation of the Colorado National Monument as a National Park and urges Congress to act forthwith to designate and officially change the area, without changing its size or limiting access to established public and private uses, to a National Park.

Resolution No. 08-13—A Resolution Concerning the Designation of the Colorado National Monument as a National Park

Action: Adopt Resolution No. 08-13

8. **Setting a Hearing to Amend the Grand Valley Circulation Plan, a Part of the Comprehensive Plan, Located Generally North of I-70 Business Loop Between 28 and 28 1/4 Roads** [File #CPA-2012-584]

A request to amend the Grand Valley Circulation Plan on and near the property (35.8 acres) located generally north of I-70 Business Loop between 28 and 28 1/4 Roads to add two future collector streets and an unclassified street in the area to improve future capacity, connectivity, and circulation.

Proposed Ordinance Amending the Comprehensive Plan of the City of Grand Junction to Amend the Grand Valley Circulation Plan for the Area Located Generally North of I-70 Business Loop Between 28 and 28 1/4 Roads

Action: Introduction of a Proposed Ordinance and Set a Hearing for March 6, 2013

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Purchase Two Ford Explorer XLT 4WD Vehicles

This purchase will provide two emergency response vehicles, one each for the Police Chief and Fire Chief. These vehicles will be additions to the fleet and will replace the automobile allowance currently paid to the Chiefs.

City Manager Rich Englehart thanked the City Council for the comments on Commander Assenmacher and thanked them for attending the services.

City Manager Englehart then introduced this item. He explained the history of bringing this item forward. The discussion began when he was Deputy City Manager with then Police Chief Gardner and Fire Chief Watkins. The arrangement was made then to ask the Chiefs to use their personal vehicles and receive compensation for that use. However, this current use does not allow them to be covered by City insurance in the case of an accident during City work. They do not have emergency equipment within their current personal vehicles, including radios; instead hand held radios are currently used. The rationale for the change is to provide safer travel in and out of town and a vehicle that can be used in remote areas, and in bad weather. Having these vehicles for the Chiefs would also identify them as the Chief of their department when traveling to dangerous and, at times, hard to reach locations. One recommendation that came from the White Hall fire was for the Administrative Command Staff to have emergency vehicles for response to high profile incidents.

Jay Valentine, Internal Services Manager, addressed the City Council to explain how the vehicle was selected from the purchasing perspective, and then once selected, how the bids were solicited. The reimbursement previously paid to the Chiefs will now be paid into the Fleet fund as a lease payment.

Councilmember Kenyon asked if the Chiefs will be re-paying the reimbursement or if they won't be getting that compensation. Mr. Valentine said the Chiefs will not receive the compensation, it will be diverted to the Fleet fund. The amount being diverted back into the Fleet fund will exceed the cost of the vehicles by \$12,000 over ten years. When asked, Mr. Valentine agreed that those driving their private vehicles are not covered by City insurance whereas when driving City vehicles they are covered by the City's insurance.

Councilmember Kenyon noted that it is not a good idea for people to respond in their personal vehicles; they do not have the right equipment and the City's insurance does not cover an incident. City Manager Englehart agreed, noting the resources were not previously available to make this change but the risks are high and it makes it difficult when they arrive on scene in a non-official vehicle. Councilmember Kenyon said it is important to provide the right equipment for them to do their job.

Councilmember Coons agreed it is important and the budget impact is neutral so they should go forward with the change.

Councilmember Luke said they should have a vehicle so they can show up at an emergency scene in an official vehicle. She asked if the \$12,000 factors in additional insurance. Mr. Valentine said the insurance is a blanket policy and there will be no additional cost.

City Attorney Shaver said premiums are based on loss and this move may make the risk of loss even less.

Councilmember Doody was grateful for the item coming forward and noted the local Ford dealer did not submit a bid. Mr. Valentine said they asked for a bid for two vehicles and the local dealer only bid for one vehicle so their bid was deemed non-responsive.

Councilmember Kenyon moved to authorize the City Purchasing Division to purchase two 2013 Ford Explorer XLT 4WD vehicles from Columbine Ford, Rifle, Colorado in the amount of \$28,832.68 each, for a total amount of \$57,665.36 and for the vehicles to be fully equipped with the proper equipment. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

Councilmember Doody congratulated Jay Valentine on his recent marriage.

Adjournment

The meeting adjourned at 7:39 p.m.

Stephanie Tuin, MMC
City Clerk