

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

August 19, 2020

Call to Order, Pledge of Allegiance, Moment of Silence

The City Council of the City of Grand Junction convened into regular session on the 19th day of August 2020 at 6:00 p.m. Those present were Councilmembers Kraig Andrews, Chuck McDaniel, Phyllis Norris, Phillip Pe'a, Anna Stout, Rick Taggart and Council President Duke Wortmann.

Also present were City Manager Greg Caton, City Attorney John Shaver, City Clerk Wanda Winkelmann and Deputy City Clerk Janet Harrell.

Council President Wortmann called the meeting to order. West Middle School student Lia Bunell led the Pledge of Allegiance which was followed by a moment of silence.

Appointments

To the One Riverfront Commission

Councilmember Taggart moved to reappoint J. Fred Barbero and Rondo Buecheler and appoint Joel Sholtes and Jennifer Reyes for three-year terms ending July 2023 to the One Riverfront Commission. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

Ratify Appointments to the Mesa County Building Code Board of Appeals

Councilmember Andrews moved to ratify David Reinertsen, Ray Rickard and Thomas Cronk to the Mesa County Building Code Board of Appeals for three-year terms ending July 27, 2023. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

Certificates of Appointment

To the Parks and Recreation Advisory Board

Councilmember Pe'a recognized recently appointed members Byron Wiehe and Lisa Whalin to the Parks and Recreation Advisory Board.

To the Grand Junction Downtown Development Authority/Business Improvement District Boards

Councilmember Stout recognized recently appointed members Vance Wagner and Cole Hanson to the Grand Junction Downtown Development Authority/Business Improvement District Boards.

Citizen Comments

Bruce Lohmiller reminded everyone about 241-STOP and M1 Holds and spoke about sex education classes and alternative fuel vehicles.

Bob Jackson asked to be contacted about City and County plans on keeping property safe.

Eric Niederkruger expressed concerns about the lack of services available to the homeless at night.

Tonya Wren said biases can be expressed unconsciously and encouraged self-awareness.

Liz Sinclair expressed concerns regarding an incident from the previous Council meeting.

Rickie Howie talked about construction issues with the Lofts on Grand Avenue project.

Beverly Hart said the United States Postal Service is a vital service for rural America.

Stephania Vasconez thanked Council and citizens for working toward making the community more inclusive and encouraged everyone to listen to each other.

Andy Sweet spoke on behalf of the National Association of Mental Illness and encouraged improved research and education.

Dennis Simpson thanked Council on how workshops are currently being held and suggested they be broadcast.

Nick Allan encouraged Council to listen to community concerns.

Mathias Mulumba thanked Council and the Police Department for their work and relayed his positive experiences and opportunities while living in Grand Junction.

Jay Freeman expressed safety concerns.

Council took a break at 6:41 p.m.

The meeting resumed at 6:50 p.m.

Council Reports

Councilmember Taggart said One Riverfront requested annual meetings with Council to provide status updates.

Councilmember Stout noted the Downtown Development Authority/Business Improvement District Board's (DDA/BID) last meeting provided updates to Council, the Arts Commission is developing a new Cultural Plan and the (yet to be named) Task Force is continuing their foundational work.

Councilmember Andrews spoke at the August 7th Fire Academy Graduation which added 17 new recruits to the Fire Department.

Councilmember Norris thanked Councilmember Andrews and Council President Wortmann for their presentations at the Fire Academy Graduation and the Dos Rios Groundbreaking Ceremony and noted the DDA/BID meeting was very informative and helped all entities work together.

Council President Wortmann said the Grand Junction Economic Partnership is making progress and they estimate over 400 new jobs will be realized in the Grand Valley over the coming year. He also attended the Peace Road 2020 event which encouraged a good conversation with his grandson and said local student Andrew Thomas is collecting boxes of crayons and markers for every school in the Valley so each color can be represented.

CONSENT AGENDA

Councilmember Pe'a moved to adopt Consent Agenda items #1 - #3. Councilmember Norris seconded the motion. Motion carried by unanimous voice vote.

1. Approval of Minutes

- a. Summary of the August 3, 2020 Workshop
- b. Minutes of the August 5, 2020 Regular Meeting

2. Set Public Hearings

- a. Legislative
 - i. Introduction of an Ordinance to Amend Chapter 8.20 and Chapter 9.04 of the Grand Junction Municipal Code by Increasing the Distance

Requirements for Smoking in Entryways from 15 Feet to 25 Feet, Prohibiting Smoking in Hotels and Motels and Changing the Regulation of Tobacco Products by Amending the Term "Minor" to "Minimum Legal Sale Age", Increasing the Minimum Age for Purchase/Sale of Tobacco from 18 to 21, and Removal of the Provision that Punishes the Purchase, Use, or Possession of Tobacco Products by Persons Under the Minimum Legal Sale Age and Set a Public Hearing for September 2, 2020

- ii. Introduction of an Ordinance Amending the Grand Junction Municipal Code Title 21, Zoning and Development Code, to Revise Sections Related to Mini-Warehouses and Set a Public Hearing for September 2, 2020

- b. Quasi-judicial

- i. Introduction of an Ordinance Zoning the Fairview Glen Annexation R-8 (Residential - 8 du/ac), Located at 2767 C Road and Vacant Properties Located North of B ½ Road between Allyce Avenue and Nashua Lane/Court and Set a Public Hearing for September 2, 2020

3. Contracts

- a. Contract Extension for OVG Facilities d.b.a. Pinnacle Venue Services for the Management of the Grand Junction Convention Center, Avalon Theatre and the Las Colonias Amphitheater
- b. Deed of Conservation Easement - Jurassic Flats Property

REGULAR AGENDA

A Resolution Adopting the 2020 Program Year Annual Action Plan as a Part of the Grand Junction Five-Year Consolidated Plan for the Community Development Block Grant (CDBG) Program

The City will receive \$469,134 in CDBG funding for the 2020 Program Year which will begin once the Annual Action Plan is approved and funds are released by the Department of Housing and Urban Development (HUD). The purpose of this hearing is to adopt the 2020 Annual Action Plan which includes allocation for 16 projects as part of the Five-Year Consolidated Plan.

Principal Planner/CDBG Administrator Kris Ashbeck presented this item.

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

There were no public comments.

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

Councilmember Andrews moved to adopt Resolution No. 51-20, a resolution adopting the 2020 Program Year Annual Action Plan as a part of the Grand Junction Five-Year Consolidated Plan for the Community Development Block Grant Program. Councilmember Pe'a seconded the motion. Motion carried by unanimous roll call vote.

Resolution to Vacate Public Utility and Irrigation Easements and Ordinance to Vacate the Platted Public Right-of-Way of West Cliff Drive as Identified on the 2nd Addition to O'Nan Subdivision Located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street

Applicant Church of Jesus Christ of Latter-Day Saints requested vacation of the platted public right-of-way of West Cliff Drive and public utility and irrigation easements in anticipation of future site development. The right-of-way and easements were originally platted as part of the 2nd addition to the O'Nan Subdivision, however the subdivision was not developed, and the land remains vacant. The requested vacations are consistent with the City's Comprehensive Plan and Circulation Plan.

Senior Planner Scott Peterson presented this item.

Discussion included that this item is in anticipation of future development by the applicant.

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

There were no public comments.

The public hearing closed at 7:10 p.m.

Councilmember Pe'a moved to adopt Ordinance No. 4950, an ordinance vacating West Cliff Drive right-of-way as identified within 2nd addition to O'Nan Subdivision as recorded within reception number 764963, located between Horizon Drive and Midway Avenue on final passage and ordered final publication in pamphlet form and Resolution No. 52-20, a resolution vacating all public utility and irrigation easements as identified within 2nd addition to O'Nan Subdivision as recorded within reception number 764963, located by Horizon Drive, N. 12th Street, Midway Avenue and Budlong Street. Councilmember Taggart seconded the motion. Motion carried by unanimous roll call vote.

A Resolution Setting a Title and Submitting to the Electorate on November 3, 2020 a Measure to Allow the City to Collect, Retain and Spend Revenues as a Voter Approved Revenue Change as Provided for and Defined by Article X, Section 20 of the Colorado Constitution

The purpose of this item is to place a question on the November ballot concerning permanent de-Brucing.

City Manager Greg Caton, City Attorney John Shaver and Finance Director Jodi Welch presented this item.

Discussion included that in 2017 voters approved a TABOR (Taxpayer Bill of Rights) override for road construction/repair/improvement projects through 2022, the City also budgeted \$2.8 million as “maintenance of effort” funds for road improvements, in 2019 voters approved a TABOR override from 2023 through 2037 for transportation improvements, City debt has been issued for projects listed in the 2019 question (\$50 million), this item would ask voters to allow these funds to be available in perpetuity (removing limit on both revenue and expenditures), the question would not amend/modify/repeal any prior voter approvals and is consistent with constitutional authority/requirements, what information the TABOR Notice will contain including how the funds will be used, how the City would determine the amount of funds to be used toward the outlined purposes (Council policy), amount/effects of the City’s 2016 budget cuts, that this item would be on the ballot for City residents only, concerns regarding that the question may go to the ballot too soon and that there is no sunset clause.

Citizen comments opened at 7:42 p.m.

Dennis Simpson said the City is using COVID-19 to seek permanent de-Brucing since any reduced revenue due to COVID will not impact the City’s budget until 2021.

Adrienne Cascarella requested a simpler explanation of what de-Brucing would entail.

Mathias Mulumbo asked if voter approved, who would be affected.

Citizen comments closed at 7:48 p.m.

Councilmember Pe’a moved to adopt Resolution No. 53-20, a resolution setting a title and submitting to the electorate on November 3, 2020 a measure to allow the City to collect, retain and spend revenues as a voter approved revenue change as provided for and defined by Article X, Section 20 of the Colorado Constitution. Councilmember Andrews seconded the motion. Motion carried by roll call vote with Councilmember Stout voting NO

A Resolution Calling a Special Election in the City of Grand Junction, Colorado Concerning and Providing for the Submission to the Electorate on November 3, 2020 a Measure to Allow the City to Collect, Retain and Spend Revenues as a Voter Approved Revenue Change Provided for and Defined by Article X, Section 20 of the Colorado Constitution and Other Details Relating Thereto

The purpose of this item is to call a Special Municipal Election to be held in conjunction with the November 3, 2020 Mesa County Coordinated Election.

City Clerk Wanda Winkelmann presented this item.

Citizen comments opened at 7:59 p.m.

There were no citizen comments.

Citizen comments closed at 7:59 p.m.

Councilmember Andrews moved to adopt Resolution No. 54-20, a resolution calling a Special Election in the City of Grand Junction, Colorado concerning and providing for the submission to the electorate on November 3, 2020 a measure to allow the City to collect, retain and spend revenues as a voter approved revenue change provided for and defined by Article X, Section 20 of the Colorado Constitution and other details relating thereto. Councilmember Pe'a seconded the motion. Motion carried by roll call vote with Councilmember Stout voting NO.

Non-Scheduled Citizens & Visitors

Caleb Ferganchick thanked Council for allowing citizens to express their concerns and encouraged them to continue.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:04 p.m.

Wanda Winkelmann, MMC
City Clerk