

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

March 30, 2009

The City Council of the City of Grand Junction convened into regular session on the 30th day of March 2009 at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Bruce Hill, Linda Romer Todd, Doug Thomason, and Council President Gregg Palmer. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Palmer called the meeting to order. Councilmember Doody led in the Pledge of Allegiance followed by an invocation by Pastor Dennis West, Life Tabernacle Church.

Proclamations

Proclaiming April 2009 as “Child Abuse Prevention Month” in the City of Grand Junction

Proclaiming April 2009 as “Month of the Young Child” in the City of Grand Junction

Certificates of Appointments

P.J. McGovern was present to receive his Certificate of Appointment to the Downtown Development Authority/Downtown Grand Junction Business Improvement District.

Jon Schler was present to receive his Certificate of Appointment to the Historic Preservation Board.

Rob Burnett and Richard Schoenradt were present to receive their Certificates of Appointment to the Planning Commission/Zoning Board of Appeals.

Council President Palmer appreciated the quality of candidates and lauded the number of qualified candidates that step forward to serve the community.

Citizen Comments

There were none.

Council Comments

Council President Palmer announced that only 20% of the qualified electors have returned their ballots. He encouraged registered electors to get their ballots returned.

City Manager's Report

City Manager Laurie Kadrach addressed the City Council first on the status of the American Recovery and Reinvestment Act (ARRA) and how it might benefit the City and the surrounding community. She wanted to assure citizens that the City has put forward a number of projects for funds but they may not appear on the website. Some funds will be funneled through the State through the Transportation System or the Department of Local Affairs. The City will receive some additional funds for the Community Development Block Grant (CDBG) program. Another way the City might receive funding is through a competitive grant program. Ms. Kadrach then described the process the City is undertaking to apply for the grants. Eligible projects must be shovel-ready. The transportation funds can be for capital projects. The public safety funds are not eligible for capital projects. The Fire Assistance Grants are an opportunity for capital projects but the grant criteria has not been released yet. The City is eligible for a direct allocation for energy efficiency and conservation. The City's recently approved project in that area may be eligible for the funding. Lastly, the clean diesel campaign is a competitive grant process that may apply to the City's recent conversion of vehicles to compressed natural gas but the grant criteria has not yet been released.

Councilmember Coons asked if the additional CDBG funds are eligible for any of the CDBG projects. Ms. Kadrach said it is. Neighborhood Services Manager Kathy Portner confirmed that to be the case.

Councilmember Doody asked if the Justice Assistance Grant could be applied to the courts. City Attorney Shaver said they looked at that and the courts that were applicable had to be very specific courts and thus the City is not eligible.

City Manager Kadrach added the City is also reaching out to other western slope communities offering assistance in applying for some of the ARRA funding.

City Manager Kadrach then updated the City Council on the weed program which is also under the auspices of the Neighborhood Services Division. She acknowledged that the time lag for the process tends to generate complaints as to the City's response. Ms. Kadrach said a solution to cut the response time in half is in the works with the use of new technology. The technology includes a hand held device that the weed inspector would enter all information regarding a property in violation, including pictures. Upon return in one week if the weeds are not cut, a citation would be issued for \$150. If the weeds are cut within 7 days, the fine is reduced to \$50. If not, then the abatement crew cuts the weeds and the property owner is billed.

Council President Palmer agreed that the Council does receive many complaints on this subject. He asked if the fine goes to the renter or property owner. Ms. Kadrach replied the property owner.

Councilmember Beckstein advised that many of the complaints are about the City not taking care of their own weeds. She asked if measures are being taken to remedy that. City Manager Kadrach said that situation is being addressed for improvement by sending one crew to take care of an area instead of multiple crews.

Councilmember Beckstein asked about absentee landowner if the property would be liened. Ms. Kadrach said yes and added the division handles over 2,000 weed complaints per year.

City Manager Kadrach advised that the new technology can also be used for removal of graffiti. The data will be collected and sent to Mesa County Sheriff's Department who has offered to take care of that program with the City providing supplies for removal.

That concluded City Manager Laurie Kadrach's report.

CONSENT CALENDAR

Councilmember Beckstein read the Consent Calendar and then moved to approve consent items #1 through #8. Councilmember Hill seconded the motion. Motion carried by roll call vote.

1. Minutes of Previous Meeting

Action: Approve the Minutes of the March 18, 2009 Regular Meeting

2. Establishing Massage Parlor License Fee and Other Associated Fees

City Council adopted Ordinance No. 4324 on February 4, 2009, which established regulations and licensing requirements for massage parlor establishments. As part of the license application process, applicants are required to pay nonrefundable application and license fees. In accordance with the City of Grand Junction's Code of Ordinances, fees are set by resolution of the City Council.

Resolution No. 34-09—A Resolution Establishing Massage Parlor License Fees in the City of Grand Junction, Colorado

Action: Adopt Resolution No. 34-09

3. Setting a Hearing on Amending the Requirements for Tasting Alcoholic Beverages at Licensed Establishments

City Council adopted Ordinance No. 3716 regarding tasting of alcoholic beverages on February 2, 2005. Recently a licensee asked to reevaluate the containers permitted for tastings at the licensed establishments. Because of the size of the container it is reportedly difficult to efficiently administer samples in the cups authorized by the current ordinance. There are also concerns that the opaque cups hinder the presentation of the products. Legal staff proposes an amendment to Section 4-58 of Article IV, Chapter 4 of the Code of Ordinances to promote better efficiency and aesthetics of the presentation for the benefit of the proprietors. Amending the Code to allow portion control cups as well as pour control caps will give proprietors a variety of ways to present their products in a manner that best fits the goals of each establishment.

Proposed Ordinance Amending Chapter 4, Article IV, Section 4-58 of the Grand Junction Code of Ordinances Pertaining to the Tasting of Alcoholic Beverages

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 13, 2009

4. **Setting a Hearing for the North Avenue Rights-of-Way Annexation** [File #ANX-2009-042]

Request to annex approximately 5.32 acres, located at six locations on North Avenue between 29 Road and westerly to I-70 Business Loop. The North Avenue Annexation consists only of right-of-way.

a. Referral of Petition, Setting a Hearing and Exercising Land Use Jurisdiction

Resolution No. 35-09—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, and Exercising Land Use Control, North Avenue Rights-of-Way Annexation, and Exercising Land Use Control, North Avenue Rights-of-Way Annexation, Located at Six Locations on North Avenue Right-of-Way, from 29 Road Westerly to I-70 Business Loop

Action: Adopt Resolution No. 35-09

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, North Avenue Rights-of-Way Annexation, Approximately 5.32 Acres, Located at Six Separate Sections of North Avenue Right-of-Way from 29 Road Westerly to I-70 Business Loop

Action: Introduction of Proposed Ordinance and Setting a Hearing for May 4, 2009

5. **Setting a Hearing Zoning the Ajarian Annexation, Located at 2954 D ½ Road**
[File #ANX-2009-021]

A request to zone 17.78 acres, Ajarian Annexation, consisting of two parcels located at 2954 D ½ Road to an R-8 (Residential 8 du/acre) zone district.

Proposed Ordinance Zoning the Ajarian Annexation to R-8 (Residential 8 du/acre), Located at 2954 D ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 13, 2009

6. **Setting a Hearing Zoning the Parkway Complex Annexation, Located at 2789 Riverside Parkway** [File #ANX-2009-018]

A request to zone 1.12 acres Parkway Complex Annexation, located at 2789 Riverside Parkway to an I-1 (Light Industrial) zone district.

Proposed Ordinance Zoning the Parkway Complex Annexation to I-1 (Light Industrial), Located at 2789 Riverside Parkway

Action: Introduction of a Proposed Ordinance and Set a Hearing for April 13, 2009

7. **New Energy Communities Initiative Grant**

A request to accept a New Energy Communities Grant in the amount of \$700,000 as partial funding for energy efficiency upgrades, renewable energy application, sustainability management program, and downtown catalyst project planning.

Action: Accept the Grant and Authorize the City Manager to Sign the Grant Contract

8. **Hot Mix Asphalt for Streets Division**

This approval request is for the purchase of approximately 2,000 tons of hot mix asphalt for the Streets Division to be used for road work and repairs for 2009.

Action: Authorize the Purchasing Division to Purchase Approximately 2,000 Tons of Hot Mix Asphalt, on Behalf of the Streets Division from United Companies of Mesa County for an Estimated Amount of \$131,000

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Executive Session

Councilmember Thomason moved to go into executive session for discussion of personnel matters under Section 402 (4)(f)(I) of the Open Meetings Law relative to City Council employees specifically the Municipal Judge and Council will not be returning to open session. Councilmember Hill seconded the motion. The motion carried.

Adjournment

The meeting was adjourned into Executive Session at 7:41 p.m.

Stephanie Tuin, MMC
City Clerk