

April 14, 2020

**CITY OF GUNNISON COUNCIL  
REGULAR SESSION MEETING MINUTES**

5:30 P.M.

The City Council Regular Session meeting was called to order at 5:30 p.m. by Mayor James Gelwicks with Councilor Jim Miles physically present in Council Chambers located at 201 W. Virginia Avenue, Gunnison, Colorado, along with City Manager Russ Forrest and City Clerk Erica Boucher. Councilors Boe Freeburn, Mallory Logan, and Diego Plata were remotely present along with City Attorney Kathy Fogo, Finance Director Ben Cowan, Western Liaison Adam Engleman, Public Works Director David Gardner, City Engineer Cody Tusing, Streets and Alleys Superintendent Jason Kibler, and Community Development Director Anton Sinkewich. The following individuals attended the meeting online to participate in an agenda item. They were Spencer Hays, Jennifer Kermode, Sam Degenhard, Leah and Charles Crites. Others who attended the meeting remotely were citizens interested in hearing the adoption of Resolution No. 8, Series 2020, speaking about the Taylor Canyon Campground host proposal and hearing the discussion about the impacts on City capital projects because of COVID-19. The press was present online. A Council quorum was present.

**Consent Agenda:****Approval of the March 20, 2020 Special Session meeting minutes and the March 24, 2020 Special Session meeting minutes.**

Councilor Logan moved and Councilor Miles seconded the motion to approve the Consent Agenda, which included the minutes of the March 20, 2020 Special Session meeting and the minutes of the March 24, 2020 Regular Session meeting.

Roll call, yes: Freeburn, Miles, Gelwicks, Logan, and Plata. So carried.

Roll call, no: None.

**Action Items:****Resolution No. 8, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado, commending Spencer Hays for achievements in the sport of marbles.***

Councilor Logan introduced and asked for Resolution No. 8, Series 2020 to be read aloud in full. Mayor Gelwicks read Resolution No. 8, Series 2020 aloud in full. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 8, Series 2020.

Resolution recipient Spencer Hays, who attended the meeting remotely, thanked Council for their acknowledgement and support of him and the sport of marbles in the community. Spencer Hays also thanked his mentor, Jerry Piquette, who was online, for his life-long instruction, dedication, and guidance.

Roll call, yes: Miles, Gelwicks, Logan, Plata, and Freeburn. So carried.

Roll call, no: None.

**Update from Gunnison Valley Regional Housing Authority (GVRHA) and 2019 Annual Report.** Executive Director of the Gunnison Valley Regional Housing Authority, Jennifer Kermode, gave Council an update on the GVRHA's work and accomplishments over the past year. She stated that GVRHA helped with rental management of properties, the tenant-based voucher program and the GV-HEAT program. This program was more productive in 2019 because of its collaboration with the City and the increased consistency of work being done on residential units. Eight residential units were completed projects in 2019. Other services GVRHA provided the Valley with assistance completing deed-restricted sales, monitoring lottery administration, and loan assistance services. GVRHA worked with the City on the concept of deed restrictions for Lazy K housing units. The Authority participated in Gunnison 2030 and helped solidify funding for the GardenWalk project. The Housing Authority also worked with Gunnison County on Lot 22 and on the Elk Valley townhomes in conjunction with Crested Butte. She commended Loren Ahonen for this work on enhancing the GV-HEAT program and partnership building, which has increased awareness of the GVRHA throughout the Valley and state. Executive Director Kermode will be working with GVRHA's board in June to plan and finalize their housing guidelines.

Executive Director Kermode mentioned that the GVRHA board donated \$10,000 to the Community Foundation of the Gunnison Valley's COVID-19 Relief Fund for rental assistance. A short discussion occurred about the potential consequences and negative impacts COVID-19 could

have on homeowners or renters who are unable to pay their mortgages and rent during the health and economic crisis. She stated that this is a real concern and that steps need be taken to put actions into place to assist with mortgage and rental payments. Any current solutions and options are just temporary. Council thanked Executive Director Kermode for her report.

**Approval for Mayor to Sign GOCO Grant Agreement.** City Clerk Erica Boucher reviewed the process that the City of Gunnison went through in order to be approved for the \$350,000 GOCO grant for phase one of the West Gunnison Neighborhood Park. Clerk Boucher stated that the City has two years from March 12, 2020 to complete the project and be in compliance with GOCO's regulations. Construction will not occur until 2021. Council was relieved that construction and expenses associated with construction could wait until 2021, due to the uncertainty of the current economy because of COVID-19. She thanked Parks and Rec and Community Development for their assistance in writing the grant. Council thanked City Clerk Boucher and staff for their work and stated their pleasure with the City receiving the funding.

Councilor Logan moved and Councilor Miles seconded the motion to direct the Mayor to sign the GOCO grant agreement.

Roll call, yes: Gelwicks, Logan, Plata, Freeburn, and Miles. So carried.

Roll call, no: None.

**Taylor Mountain Park Camp Host Proposal.** Interim Parks and Rec Director Dan Vollendorf explained to Council that the City received two request for proposals (RFPs) to be the campground host(s) at the Taylor Mountain Parks campground, which is owned by the City. One proposal was from Sam Degenhard of Campfire Ranch and the second proposal was from Charles and Leah Crites. Mr. Degenhard summarized his proposal for running and hosting the campground. He proposed increasing the number of campground sites, developing organized recreational opportunities for guests and event planning, as well as providing guests with camping equipment. These amenities would be included in the nightly cost of the site. Under his proposal, the campground would be run as a for-profit business for about \$55.00/night per site. He would hire staff to support and promote the campground. Under Campfire Ranch's proposal, guests would have some modern amenities available to them. The business would split the profit with the City. Mr. Degenhard shared a video that he filmed at the location. He used the video to show his desired changes to the campground. Campfire Ranch could bring in new campers to Gunnison.

The Crites also summarized their proposal and shared their interest in continuing to work as the campground hosts. They proposed keeping the campground as it is, primitive, and keeping nightly site cost to between \$7.00 and \$10.00/night per site. As a Forest Service employee, Mr. Crites would continue his work and monitoring of the area's forest health and they would continue to work with local non-profits and the Boys Scouts troop on projects. The Crites spoke in favor of its clients being repeat users and campers who are more experienced. The Crites repeatedly shared with Council that the campground, in its current state, is a special place for many people who are looking to get away from "modern" society.

Mr. Degenhard stated that if his proposal was approved, he would be willing to continue to work with Western and Boy Scout troops on service projects, especially to monitor the health of the forest, that there would not be a day use fee, and access for the public would remain in place. A brief discussion occurred about the previous years' challenges, needed improvements, and revenues.

A dozen individuals joined the Regular Session meeting and spoke in favor of Campfire Ranch's proposal and on behalf of Mr. Degenhard. In summary, those who called in or chatted into the meeting know Mr. Degenhard through the ICELab and Western Colorado University. They repeatedly stated that his proposal is a great opportunity for Gunnison to have a home-grown business headquartered in Gunnison and that Mr. Degenhard possesses the education, industry knowledge, work ethic, dedication and communication skills to make it happen this summer and into the future. Those who called or chatted into the meeting and spoke in favor of Campfire Ranch were Brooke Moran, Scott Boren, Darcie Perkins, Peter Sherman, Melanie Peddle, David Assad, Gary Pierson, Veronica Wilde, Joey Carpenter, Bryan Boyle, Laurel Fisher, and John LaDuke.

Council discussed the pros and cons. For Campfire Ranch, a sampling of positives included supporting a Western graduate and the development of a local business with

employment/internship opportunities, an increased number of improvements being done to the campground, and the possibility of bringing new clientele to Gunnison. Council questioned if development to the campground would lead to overuse and have negative impacts on the forest health, wildlife in the area, and its historic primitive nature. Members of the public, through Zoom's chat feature, expressed concern about the nightly cost in Campfire Ranch's proposal and the impact it may have on local non-profits, like the Boys Scouts, who use the local campground and complete service projects on site. Council agreed that they would like to maintain the historical nightly campground fee of \$7/night for non-profits. Council, interested in trying a new system of operation for Taylor Park Campground, was willing to support Campfire Ranch's proposal with the inclusion of the following deal points. They are: 1. Non-profits continue to pay the historical rate per site per night; 2. Measures and actions be put into place to maintain the health of the forest; 3. A mutually acceptable site plan for the development of the new campsites, and 4. The site proposal plan is in line with campground standards, especially regarding carry capacity and parking. The Crites stated for the record that they hope the campground stays beautiful and provides a connection to nature. This is a one year contract.

Councilor Plata moved and Council Logan seconded the motion for the City Manager to negotiate a contract with Campfire Ranch that includes the above deal points.

Roll call, yes: Logan, Plata, Freeburn, Miles, and Gelwicks. So carried.

Roll call, no: None.

**Council went into recess at 7:50 p.m. and returned at 7:58 p.m.**

**Financial Response and Project Considerations due to the Impacts of COVID-19.** Finance Director Ben Cowan shared a power point presentation with Council. The power point supported information he shared about the City's role within the EOC and what the City has done so far to support businesses and residents. He reviewed the City's financial operations (revenues and expenses) and how they are impacted by COVID-19. He also presented three scenarios of what the City's sales tax revenues could like if the City starts to see partial economic recovery in July, October, or not until 2021. He focused on the losses to the General Fund. He predicted if some economic recovery started in July, the City would experience an estimated loss of \$367,964 in the General Fund. If economic recovery did not occur until October, the loss would be an estimated \$692,429 and if economic recovery did not occur until 2021, the loss would be an estimated \$879,529. He noted that some businesses in the City are doing well, such as grocery and liquor stores while other businesses, such as retail shops and lodging operations are struggling.

With that information, Council transitioned into a discussion with Public Works Director David Gardner and City Engineer Cody Tusing about capital projects and which ones can or should occur in 2020 during this crisis. Council has an estimated \$470,000 in its Strategic Priorities Fund for 2020. Some ideas that emerged were proceeding with capital projects that are funded by enterprise or restricted funds and projects like IOOF Park where local labor would be used. Council directed staff to not proceed with the Palisades neighborhood streets and curbs project in 2020. Council would like to reallocate some of that estimated \$2,000,000 to complete a series of smaller projects, such as crack sealing and slurry seal. Council directed staff to proceed with the Highway Access Plan because it is in conjunction with CDOT. Council directed staff to put a hold on IOOF Park and most other budgeted capital projects for 2020 until May 26, 2020, when staff thinks there may be a clearer picture of what society and the economy may look like for the remaining part of the year.

Staff shared with Council that the Finance Department is working with businesses and residents on sales tax and utility bill payments, case-by-case. Ideas also circulated about how to further support businesses and organizations through City grants. Council and staff are committed and focused on aiding in economic recovery for the area as much as feasibly possible.

**Council went into recess at 9:21 p.m. and returned at 9:30 p.m.**

**Authorization to Hire Two Temporary Summer employees to assist with the Crack Seal program.** Public Works Director David Gardner approached Council with a request to receive authorization to hire two temporary summer employees to assist with the crack seal program. By hiring two temporary employees, the full-time City equipment operators could focus on the backlog of Public Works projects. These temporary employees would focus on crack sealing so

the City would be prepared to complete paint striping and slurry seal. They would be paid from the \$25,500 approved crack seal budget for 2020.

Councilor Miles moved and Councilor Plata seconded the motion to authorize Public Works Director David Gardner to hire two temporary summer employees to assist with the crack seal program and to authorize a budget transfer of \$8,946 from the crack seal budget line to personnel wages.

Roll call, yes: Freeburn, Miles, Gelwicks, Logan, and Plata. So carried.

Roll call, no: None.

**Authorization to Proceed with the Gunnison Water Master Plan Study.** Public Works Director David Gardner informed Council that the last time the Water Master Plan study was completed was in 2007. This study should be completed every year. It is necessary to do a new study now so the City can determine its carrying capacity and ability to meet growth demands. It will also outline the new regulations that the City is required to meet. Three companies submitted bids. Based on the identified criteria and reference checks, JDS-Hydro rose to the top with the lowest and best bid. This study will be paid for out of the Water Enterprise Fund. Councilor Freeburn moved and Councilor Logan seconded the motion to give the City Manager the authority to enter into a contract with JDS-Hydro to develop the Gunnison Water Master Plan study in an amount not to exceed \$68,500.

Roll call, yes: Miles, Gelwicks, Logan, Plata, and Freeburn. So carried.

Roll call, no: None.

**Award Bid for Traffic Paint Stripe.** Public Works Director David Gardner reported to Council that Public Works received two bids for this project. One bid was from San Juan Sweeping and Striping in the amount of \$82,808. The second bid was from Branson Traffic Control Company, Inc. in the amount of \$122,012.42. This is a two-year bid so prices will be the same in 2020 and 2021. The City has \$90,000 budgeted for this work and may be able to complete a second round of application to crosswalks within this price point. Director Gardner recommended that Council award the project to San Juan Sweeping and Striping and issue a notice to proceed. It was confirmed that the bids were received early enough in the year that the company will have the time to do a spring and fall application. Director Gardner will be following up with CDOT about getting Main Street and Tomichi Avenue painted since it is an important area for safety. The City has used San Juan Sweeping and Striping in the past and Public Works Director stated they have done a fine job. Paint just does not last for an extended amount of time in Gunnison due to the weather and heavy activity (sanding, plowing) on the roads.

Councilor Logan moved and Councilor Miles seconded the motion to award the 2020 Pavement Striping and Marking Project to San Juan Sweeping and Striping in the amount not to exceed \$82,808.

Roll call, yes: Gelwicks, Logan, Plata, Freeburn, and Miles. So carried.

Roll call, no: None.

**Discussion on HB 20-1001- Sale of Tobacco and Nicotine Products to Persons Under 21 Years of Age.** City Attorney Fogo introduced HB 20-1001 to Council and stated that it will be going to the Senate where it will likely be passed. Key aspects of HB 20-1001 are a licensing requirement for vendors selling tobacco products to persons under 21 years old. The state is going to raise the legal purchasing age from 18 to 21 years old. If the bill passes, it will no longer be criminal for underage to purchase tobacco products, but there will be high financial penalties to unlicensed and licensed vendors that sell to persons under 21. The definition of tobacco products is broad and includes nicotine and vaping products. The bill would allow municipalities to issue their own local license. It would be a fee-based license and would not generate revenue for the City. Local licensing would add additional administrative work to the Clerk's Office, Community Development, and the Police Department. If/when the bill passes, the Attorney recommended that the Council look at its laws regarding underage possession and consumption of tobacco products. If the bill passes, licensing will go into effect in July 2021. Discussion ensued about what groups in the public and at the City would be impacted and by how much with the passage of this bill. Attorney Fogo noted that a review of Youth City Council's ordinance that was previously passed to address possession of tobacco products by persons under the age of 18 on school grounds could also occur. A brief conversation took place about licensing tobacco vendors at the state and local levels and what enforcement would look like. The state would take the lead on enforcement and

issuing violations, as they do with liquor and marijuana. As a home rule municipality, Gunnison could instill stricter regulations regarding licensing if Council chooses.

Council directed staff to update the City's current ordinance related to change the age of consumption and possession from 18 to 21 years to fall in line with the likely passage of HB 20-1001. The ordinance would include making possession of tobacco products under the age of 21 a misdemeanor.

**Reports.** No staff or Council reports were given.

With no further business for the Regular Session, Mayor Gelwicks adjourned the Regular Session Meeting at 10:27 p.m.

  
Mayor

Attest:

  
City Clerk