

February 25, 2020

CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES

5:30 PM

The City Council Regular Session meeting was called to order at 5:30 P.M. by Mayor Jim Gelwicks with Councilors Boe Freeburn, Jim Miles, Mallory Logan and Diego Plata present along with Western Liaison Adam Engleman, City Attorney Kathy Fogo, City Manager Russ Forrest, Finance Director Ben Cowan, and City Clerk Erica Boucher. Additional City staff present were Public Works Director David Gardner, Community Development Director Anton Sinkewich, and Interim Parks and Recreation Director Dan Vollendorf. Also in attendance were Gunnison County Commissioner Jonathon Houck, an applicant for the Parks and Rec Advisory Committee, and representatives from Western Colorado University's Citizens' Climate Lobby group. The press was there. A Council quorum was present.

Citizen Input:

Mayor Gelwicks asked if there were any citizens present who wanted to speak during Citizen Input.

Western Colorado University students Hannah White and Evelyn Luna came forward. They are representatives of Western's Citizens' Climate Lobby chapter. This is a non-partisan group focused on climate change. They distributed an informational handout on the Energy Innovation and Carbon Dividend Act (HR 763). Ms. White informed Council that as citizens engaged in the fight against climate change, the Western student body submitted a letter of support for HR 763 to Representative Tipton. She encouraged Council to also submit a letter of support for HR 763. Ms. Luna summarized the key elements of HR 763. Council thanked the students for coming to speak to Council.

No other citizens came forward to speak to Council during Citizen Input.

Pre-scheduled Citizen:

Gunnison County Commissioner Jonathan Houck came before Council to give a quarterly update on Gunnison County activities. Gunnison County Commissioners are taking time to visit Gunnison County municipalities throughout the year to increase communication and engagement. The Commissioner thanked Council and City staff for their collaboration and work on Lot 22 and the GardenWalk LIHTC project. He noted that the County has been working on a variety of legislation related to housing, such as funding and infrastructure, to possibly increase resources for the County. He mentioned the possibility of Down Payment Assistance Grant in the future. Next, he mentioned that the Sustainable Tourism Outdoor Recreation (STOR) committee received a large planning grant from GOCO to support recreation infrastructure throughout the County, which will in turn support local economies. Commissioner Houck described the State Park Concept that GOCO is exploring. The County has been working with Colorado Parks and Wildlife and the Department of Natural Resources in an effort to keep the possibility of a state park in Gunnison in their queue. County and state-owned land adjacent to the City would be the makings of a state park. The County is also focused on the CORE Act. Four public lands bills are wrapped into one large bill that has passed through the House of Representative and is on its way to the Senate. For Gunnison, the two most important parts are the items related to Thompson Drive and the Curecanti Boundary Legislation. Passage of the Curecanti Boundary Legislation would give the Park Service greater ability to cohesively manage the area's public lands. Currently, management of Curecanti falls under the Park Service, Forest Service, and BLM. The Park Service is well-versed in successful management strategies for recreation and camping. Gunnison County Board of Commissioners will be making a formal request to Senator Bennett to begin working on legislation for the Gunnison Public Land Initiative. The Grand Mesa Gunnison Uncompahgre National Forest Service Plan revisions are underway. As part of GMUG, the Forest Service has been developing the Spruce Beetle Epidemic Aspen Decline Management Response. This is a 10-year adaptive management plan, which examines a variety of ways for the Forest Service to address immediate and long-term forest needs and activities, such as dying trees and timber harvests. This adaptive management plan aims to have the strength, but be nimble enough to address issues such as beetle kill, fire mitigation, timber harvesting, and infrastructure.

Commissioner Houck transitioned to an update on airport planning. The airport master plan is available and includes a terminal overhaul, examination of parking issues, making sure the airport

is competitive, and establishes a welcoming representation of Gunnison to visitors. The goal for renovations is to enhance and not inhibit general aviation services. Commissioner Houck stated that Board appointments were recently made. Other topics mentioned include the monthly planning meetings on the 3-Mile Plan, which will start take placing between stakeholders as Gunnison 2030 wraps up. Also discussed was the importance of outreach for the Census, especially outreach to seasonal workers, immigrants, and university students using a variety of methods. The County received a grant to assist with outreach. Collaborative work will begin on the Complete Highway Access Plan with CDOT. Also mentioned was the Dark Sky Initiative and land for a future fire station. Council and the Commissioner thanked each other for their collaborative work together over the past year.

Council Action Items:

Approval of the February 11, 2020 Regular Session meeting minutes. Councilor Logan and Councilor Miles seconded the motion to approve the minutes of the February 11, 2020 Regular Session meeting as submitted.

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

Roll call, no: None.

Appointment of Parks and Recreation Advisory Committee (PRAC) member. Mayor Gelwicks asked the PRAC candidate to come forward and state his interest in the position. Nate Schwartz explained to Council that he is interested in serving on PRAC. He has lived in Gunnison for eight years, was an active member of Program Council while he attended Western Colorado University and enjoyed being involved. He appreciates and utilizes Gunnison's recreational opportunities. Councilor Logan expressed mild concern over the candidate's employment in Crested Butte because the committee meets weekdays, typically mid-day. Candidate Schwartz confirmed that he would be able to attend daytime meetings as long as he could give his employer advance notice of the meetings. The meetings are set far enough out that it should not be an issue.

Councilor Logan moved and Councilor Plata seconded the motion to appointment Nate Schwartz as the City-resident to the Parks and Rec Advisory Committee.

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

Roll call, no: None.

Intergovernmental Agreement for the Gunnison/Hinsdale Combined Emergency Telephone Service Authority.

City Manager Forrest and City Attorney Fogo stated that no substantial changes were made to the IGA since recommended changes were discussed at the January 28, 2020, Regular Session meeting. The other agencies included in the IGA will also be asked to sign-off in the coming weeks, but the desire is for the City of Gunnison to sign first as the City's role on the board will experience the most change. Gunnison will no longer be the primary decision maker regarding cost of fees, budget, and operations. Gunnison will now have a vote with 7 other members. A contract will be put into place on behalf of Communications employees to continue to receive employee benefits under the umbrella of the City. The City Attorney explained that an entity would be considered in "Default" for failure to pay. If an agency decided to leave the Board, it would need to reapply prior to returning to participation. An entity must meet the 1% threshold to be a voting member on the Board. Twenty-two different entities are considered "users" of the service including Gunnison Valley Hospital. There seems to be consensus throughout valley emergency services leadership that having a single communications center for region, staffed with experienced and knowledgeable employees and entities working in collaboration, is a best practice to ensure safety for Gunnison and Saguache County residents and visitors. The purpose of the IGA rewrite is to provide more power sharing amongst the entities.

Councilor Logan moved and Councilor Miles seconded the motion to direct the Mayor to sign the GHCETSA intergovernmental agreement on behalf of the City of Gunnison.

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

Roll call, no: None.

Van Tuyl Pocket Parks. Interim Parks and Rec Director Dan Vollendorf presented community input from residents of the Van Tuyl neighborhood and the staff recommendations for the three pocket parks. Staff recommendations to Council were based on input from multiple neighborhood

outreach actions and budgetary allowances. Staff recommended that enhancements to the three pocket parks be done in phases. The first phase would include general cleanup, weed mitigation, light landscaping, dog stations, shade trees, benches, and trashcans. Phase 2 would consist of a nature play area, establishment of a bike pump track, a soft surface path, benches, landscaping, dog stations and trashcans. This area will need additional focus and resources for storm water storage. When discussing Phase 2, the conversation included parking and traffic flow. The neighborhood doesn't want to use park space for parking, but the Parks Department does recommend the addition of two to three parallel parking spaces on the north end for maintenance vehicles and ADA accessibility. Residents supported the least amount of development for Phase 3 to include an existing pond which provides for storm water detention. Due to the regular flooding of the pond, staff recommended creating a depression for overflow and the addition of boulders along the pond which will provide access to the water and will help with bank erosion. Shade trees would also be added to this parcel of the park. The Parks Department would like to begin to make some progress on the parcels, but since no monetary resources have been directly allocated, the department will call on neighborhood volunteers to assist with the work. Councilmembers made several recommendations of community groups who may be able to assist with trail building and earthwork. Staff will continually communicate with residents of VanTuyl to both seek their assistance and provide information on the progress of the parks. Council directed staff to proceed with their recommendations regarding the three pocket parks at Van Tuyl.

Ordinance No. 1, Series 2020, Second Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado amending the monthly rates charged by the City of Gunnison Public Works Department for Refuse and Recycling.*

Councilor Plata introduced and read Ordinance No. 1, Series 2020 aloud by title only. Councilor Plata moved and Councilor Logan seconded the motion to adopt Ordinance No. 1, Series 2020 on second reading. No discussion occurred.

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

Roll call, no: None.

Authorization to Purchase a Compost Screen. Public Works Director David Gardner came before Council to seek authorization to sole source purchase a compost screen to be used at the Wastewater Treatment Plant (WWTP). The cost of the compost screen is in the 2020 budget. The compost screen, TROM 512, manufactured by Screen USA, Inc., best fits the needs of the department. The original cost of the TROM 512 was \$169,000, but will cost \$139,000 after Public Works is credited \$30,000 for trading in its current screen. This selected screen offers a large, dual maintenance access panel on each side of the trammel allowing for complete access to the trammel drum and drive wheels. Another benefit of this model is that access to the engine can be made through the front. Quotes were also gathered from two other manufacturers which came in much higher and did not meet the work requirements as well as the TROM 512 does for the WWTP. This screen will serve the City for 15-20 years.

Councilor Logan moved and Councilor Miles seconded the motion to give authorization to the Public Works Director to sole surface purchase a compost screen for use at the Wastewater Treatment Plant in the amount of \$139,000.

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

Roll call, no: None.

Council took a break at 6:44 p.m. and returned at 6:52 p.m.

Gunnison Letter of Support for OEDIT Funding for Downtown Boutique Hotel. City Clerk Boucher explained to Council that ICELab Director David Assad asked for a letter of support for an OEDIT mini-grant of \$2,000 to help finance the development of marketing materials to promote the downtown boutique hotel to investors. Community Development Director Anton Sinkewich addressed new councilmembers questions about the downtown hotel and reviewed that the City and developers had resolved previous issues regarding the height of the building in the B1 zoning district and parking. The developer met all requirements set forth by the City. Councilor Plata moved and Councilor Miles seconded the motion to support the Tourism and Prosperity Partnership's mini-grant application and directed the Mayor to sign the letter of support.

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

Roll call, no: None.

Financial Policies Amendment. Finance Director Cowan made the request to amend two of the City's Financial Policies to further control the acquisition of capital purchases that may include ongoing costs. They are 1) savings in an adopted capital project not justified for reallocation to other capital projects without prior approval by the City Council and/or City Manager; and 2) savings in an adopted operational budget line, which cannot be used for justification to increase expenses for a capital expenditure without prior approval by Council or the City Manager. Requiring approval from Council or the City Manager results in better budgetary transparency and allows the Finance department to have more clarity and consistency when double-checking vouchers to ensure that funds are being coded appropriately and that money is being spent as approved. Department heads need to receive approval when/if they have funds available to reallocate into different capital projects. Capital project funds should not be moved into operational expenses because funds for capital projects are unique as they are typically one-time allocations and can be rolled forward for continuation of a project. The suggestion was made to amend the policies that capital funds can not be rolled into operational expenses and operational expenses can not be rolled into capital funds without prior approval. A capital item is defined as an expense greater than \$5000 that may have use for more than one year.

Councilor Freeburn moved and Councilor Miles seconded the motion to adopt the City of Gunnison Financial Policies as presented on February 25, 2020 with the amendment that capital funds can not be used for operational expenses without Council and/or City Manager approval.

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

Roll call, no: None.

Ordinance No. 2, Series 2020; First Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado amending Title 8 Business Regulation, Chapter 8.50 Marijuana Business Licensing Regulations, Sections 8.50.040 and 8.50.080 of the City of Gunnison Municipal Code.* Councilor Logan introduced Ordinance No. 2, Series 2020 and asked that it be read aloud by title only. The City Attorney read Ordinance No. 2, Series 2020 aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to pass and publish Ordinance No. 2, Series 2020 on first reading.

The City Clerk confirmed that the purpose of the amendments to Sections 8.50.040 and Sections 8.50.080 of the *Gunnison Municipal Code* regarding retail and medical marijuana establishments and licenses are made in an effort to increase public awareness about changes regarding new ownership or location and to enhance the public hearing process. Staff recommended that retail and medical marijuana establishment applicants follow the same certified mailing process as is outlined in the *Land Development Code* for public hearings. This ordinance would also make public hearings required for both transfer of ownership and transfer of location licenses. Staff set forth this amendment to have consistency between the two licensing processes. A transfer of ownership licenses is basically creating a new license. To increase public awareness of a retail or medical marijuana establishment relocation, a public hearing would be beneficial. Staff informed that Council public hearing notifications do require the listing of the applicant's address on the documents. The Clerk's office uses the applicant listed in the application as according to state statute. Applicants understand that this information is made public. Council is not interested in proceeding with amendments the buffer zone.

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

Roll call, no: None.

Resolution No. 4, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado supporting the grant application for a new construction grant from the Division of Housing of the Colorado Department of Local Affairs for the Lazy K Housing project.* Councilor Logan introduced Resolution No. 4, Series 2020 and asked that it be read aloud by title only. The City Attorney read Resolution No. 4, Series 2020 aloud by title only. Councilor Logan moved and Councilor Plata seconded the motion to adopt Resolution No. 4, Series 2020. Approval of Resolution No. 4, Series 2020 gives the City the flexibility and possibility to apply for an infrastructure grant from the Division of Housing through the Colorado Department of Local Affairs. It was noted that \$20,000 per deed-restricted housing unit may be available through this grant. If this grant was received, it would make a significant amount of money (\$500,000) available to Council for other strategic priorities, such as a Highway Access Plan with CDOT.

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

Roll call, no: None.

Report on Rough Draft of Council's Strategic Priorities. Council gave feedback to staff regarding a purpose statement and strategic priorities based on their February 4 facilitated retreat with Managing Results consultant, Mike Calderazzo. Council shared with staff that a clear connection between the City and Western Colorado University was absent from the suggested purpose statements. An inclusion of heritage would also help enhance a purpose statement. Council suggested some language for a purpose statement. Council confirmed that their four strategic priorities of Economic Prosperity and Housing, Infrastructure and Public Safety, Multi-modal transportation, and Resiliency and Sustainability were recorded appropriately. Next steps will be for staff to fill in specific goals, actions and strategies for Council to approve. This document is a living, nimble document, but is also meant to identify the City's direction and assist with accountability. Discussion occurred around the language "...a destination for unique mountain town shopping..." and what that means to Council. Multiple ideas were discussed with no determinations at that time. It was also suggested to use the term "attainable" when discussing housing and not "affordable." It was also noted that under Resiliency and Sustainability, the sustainability plan to be developed is an internal City document. It was suggested that Council and the City's commitment to public safety, engagement, and sustainability in projects be placed at the beginning of the document to set the stage. Conversation occurred about parking in the central business district and better ADA accessibility in the future. Councilor Plata asked that Council's final strategic priorities be available in Spanish.

Reports. Staff and Council gave reports. During the City Manager report, Council directed the City Manager to add the City of Gunnison to the Mt. 2030 Pledge. The City has fulfilled the three requirements, which are to lead community conversations, engage with other leaders, and actively share and communicate best practices with other communities.

With no further business for the Regular Session, Mayor Gelwicks adjourned the Regular Session meeting at 8:37 p.m.



Jim Gelwicks
 Mayor

Attest:

E. Baucher
 City Clerk