

May 8, 2018

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

5:30 P.M.

The City Council Regular Session was called to order at 5:30 P.M., by Mayor James Gelwicks with Councilors Mallory Logan, Jim Miles, Robert Drexel, Leia Morrison present along with City Manager Russ Forrest, Finance Director Ben Cowan, City Attorney Kathy Fogo, and City Clerk Erica Boucher. Public Works Director David Gardner, Police Chief Keith Robinson, Community Development Director Steve Westbay, and Public Works Administrative Assistant Lisa Starkebaum were present. Delany Keating, Executive Director of the ICELab@Western was also in attendance in addition to Jennifer Kermode, Ellen Harriman, Kelly McGinnis of the Gunnison Valley Regional Housing Authority. Former City Council-Western liaison Lozen Miller was in attendance along with a handful of interested citizens and the press. A Council quorum was present.

Mayor Gelwicks called for any citizens to give input on any items not being considered on the agenda. None came forward.

Councilor Morrison moved to go into a Work Session.

Roll call, yes: Logan, Miles, Gelwicks, Drexel, and Morrison.

Roll call, no: None. So carried.

**Mayor Gelwicks adjourned from Work Session and returned to the Regular Session at 6:25 P.M.**

**Action Items:**

Council separated the Consent Agenda so Councilor Morrison could abstain from voting on excusing herself from the April 24, 2018, Regular Session meeting.

**Excuse Councilor Morrison:** Councilor Drexel moved to excuse Councilor Morrison from the April 24, 2018 Regular Session meeting and Councilor Miles seconded the motion.

Roll call, yes: Logan, Miles, Gelwicks, and Drexel. Motion carried.

Roll call, abstain: Morrison.

Roll call, no: None.

**2003 Electric Boom Truck:** Councilor Drexel moved to authorize payment to replace the 2003 Electric Boom truck for the amount not-to-exceed \$226,332 and Councilor Logan seconded the motion.

Roll call, yes: Logan, Miles, Gelwicks, Drexel, and Morrison. So carried.

Roll call, no: None.

**Regular Session Minutes of 04.24.2018:** Councilor Logan moved to approve the minutes of the April 24, 2018 Regular Session meeting and Councilor Miles seconded the motion.

Roll call, yes: Miles, Gelwicks, Drexel, and Logan. Motion carried.

Abstain: Morrison.

Roll call, no: None.

**Resolution No. 3, Series 2018; Re: Commending Lozen Miller for her service as Western State Colorado University Liaison to the Gunnison City Council.**

Councilor Logan introduced, read, and moved to approve Resolution No. 3, Series 2018 Commending Lozen Miller for her service as Western State Colorado University Liaison to the Gunnison City Council and Councilor Morrison seconded the motion.

Roll call, yes: Gelwicks, Drexel, Morrison, Logan, and Miles. So carried.

Roll call, no: None.

**ICELab@Western Update and Request for \$34,000.** As Delany Keating, Executive Director of the ICELab@Western, approached Council the City Manager mentioned to Council that they discussed and planned to allocate \$40,000 of their approximately \$261,000 to foster projects that support the strategic priority of economic prosperity. The ICELab@Western, through the multiple facets has been working locally and state-wide to develop programs and partnerships to enhance economic prosperity in the Gunnison Valley. Delany Keating began her presentation by updating Council on the most recent work the ICELab@Western has completed over the last few

months and the high potential that work may result in for Gunnison. In particular, she mentioned how Gunnison's location and natural environment make this area uniquely appealing to businesses and entrepreneurs in the outdoor industry. Then she focused in on the ICELab's request for \$34,000 from the City to help in the execution of a planned scope of work for economic prosperity. If the City agrees to contribute \$34,000, this money would be combined with \$80,000-\$115,000 DOLA, \$33,000 from Gunnison County, and possible funding from Mt. Crested Butte. The total amount of money gathered would be used to execute an outline scope of work, which includes further development, management, and implementation of the Gunnison Crested Butte Tourism Association website, a 4-part video series on Live.Work.Learn, local business assessments, marketing and outreach, research and development, and a possible podcast focusing on mountain towns. The scope of work may have to be adjusted depending on the total amount of money collected from contributing agencies. The overriding purpose of gathering these funds is to help foster economic prosperity throughout the valley and to achieve the ICELab's goal of 5.10.7, which is to create and attract 5 10 million companies inside of seven years. Discussion ensued.

Councilor Logan moved to direct staff to enter into a funding agreement with the ICELab@Western for up to \$34,000 and Councilor Morrison seconded the motion.

Roll call, yes: Drexel, Morrison, Logan, Miles, and Gelwicks. So carried.

Roll call, no: None.

**Ordinance No. 5, Series 2018 Re: Snow Removal.** Councilor Drexel introduced, asked the City Attorney to read by title only, and moved to pass and adopt Ordinance No. 5, Series 2018 Re: Amending Title 9 Public Ways and Property, Chapter 9.50 Snow Removal Section 9.50.010, Snow Removal from Private Property, of the City of Gunnison Municipal Code. Councilor Morrison seconded the motion.

Roll call, yes: Morrison, Logan, Miles, Gelwicks, and Drexel. So carried.

Roll call, no: None.

**Hoffman Subdivision, SB 18-4.** Community Development Director Westbay approached Council along with citizen Bruce Hoffman and summarized the request to subdivide a piece of land into two lots. One lot would be 8,000 square feet and the other lot would be 9,100 square feet. Both lots would be located at 413 West New York Avenue. Westbay noted that the tract of land is part of the abandoned railroad rights-of-way with a single deed. Utilities are already on the property. The Planning and Zoning Commission recommend subdivision approval. Councilor Morrison moved to approve the Minor Subdivision SB 18-4, submitted by Bruce Hoffman based on the review standards for a subdivision and the Planning and Zoning Commission's recommendation for approval. Councilor Logan seconded the motion.

Roll call, yes: Logan, Miles, Gelwicks, Drexel, and Morrison. So carried.

Roll call, no: None.

**Yard Waste Disposal.** Public Works Director Gardner and Public Works Administrative Assistant/GIS Technician Lisa Starkebaum approached Council to discuss and clarify the City's yard waste disposal fee. Historically, the yard waste facility has accepted small quantities of yard waste (one to two bags) for free from residents. In 2017, a small fee was for this amount of yard waste was established (\$1.00 for two bags). Over the course of last year, the yard waste facility received approximately 400-500 bags per year. Since the City receives an overall small amount of yard water throughout the year, and has no intention to make money off of collecting the yard waste, it was suggested that the City returns to the previous formal practice of not charging residents for disposing of up to two bags of yard waste. The City has the ability to utilize the yard waste in a variety of ways and thinks that this would be a positive service to offer residents for free to encourage the residents to bring their yard waste to the facility. Public Works requested Council to adjust the current rates for disposing one to two bags of lawn clippings from one dollar to no cost.

Councilor Logan moved for Public Works to remove the \$1 fee for up to two bags of yard waste and Councilor Miles seconded a motion.

Roll call, yes: Miles, Gelwicks, Drexel, Morrison, and Logan. So carried.

Roll call, no: None.

**Repair of Oxidation Ditches at the Waste Water Treatment Plant**

Public Works Director Gardner summarized the need for the City to award a bid to clean out the oxidation ditches at the Waste Water Treatment Plant (WWTP) and to get onto a schedule of cleaning them out regularly. There are three ditches at the WWTP and none have been cleaned out for many years. The City originally budgeted \$106,000 to pay a contractor to clean out one of the three oxidation ditches. The City received one bid from Veris Environmental for \$63,400. Mr. Gardner confirmed that Veris Environmental meets the requirements listed in the scope of work and recommends approval. Discussion ensued about getting on a schedule for cleaning out the oxidation ditches at the WWTP every five years.

Councilor Logan moved to award the bid to Veris Environmental for \$63,400 and Councilor Morrison seconded.

Roll call, yes: Gelwicks, Drexel, Morrison, Logan, and Miles. So carried.

Roll call, no: None.

**Discussion on the 2018 Street Improvement Projects.** Public Works Director Gardner gave a report and outlined the department's plan of action for the up-coming street improvement projects and explained how the 1.2 million dollars budgeted for street improvements will be spent. The annual street improvement project is one of largest investments the City does every year. The biggest up-coming projects are slurry seal, crack seal, and paint striping. This year the City is committed to using higher-quality materials for paint striping and allocated additional money to ensure that project is successful with lasting results. The department will also be involved in an extensive concrete repair plan for valley pans, curbs and gutters, and sidewalks. The department is exploring ways to purchase concrete more competitively in order to make the projects as cost effective as possible and to do as much work as possible. The Public Works Director also recommended that they invest time and resources in developing a consistent, scientific, and strategic way to inventory its streets so the department has a clear understanding of what work needs to be completed and when to complete the work so it is most cost effective. The department continues to work on the Ohio Avenue-Western connection as well as Safe Routes and the US 50 TAP Pedestrian Safety project. Discussion ensued about the specific areas the slurry seal and crack seal will be taking place. Street improvement projects for 2018 are budgeted to cost around 1.2 million. No motion is required for this item, because no new monies are being requested. However, because a large amount of money is one of the pillar of the Council's Strategic Plan, Staff wanted to bring this information before Council to ensure that Council is comfortable with the direction of the Street Improvement project and the funds associated with it. Council accepted this information.

**Award on Multi-Jurisdictional Slurry Seal Bid.** Public Works Director Gardner highlighted that because the City of Gunnison partnered with other municipalities on a multi-agency proposal for slurry seal in Gunnison, the City was able to save quite a bit of money. Last year, the City paid \$2.92/square foot for slurry seal and this year as part of a multi-agency proposal, the bid for the work came in at \$1.68/square foot. In addition to requesting Council to award a contract to Intermountain Seal, he also asked Council to execute the Notice of Waiver of 80% Colorado Labor requirement. By executing this waiver, the City can proceed with hiring the Utah-based company. Colorado Labor law allows for an organization to hire a company outside of Colorado by signing Notice of Waiver of 80% and by meeting a series of requirements, such as the work will be conducted in a rural area or for short-term projects. This project meets the Waiver requirements. A typo was noted in the agenda. The correct C.R.S. to be listed on the agenda in relation to the Notice of Waiver of 80% should have been Section 8-17-101, not Section 8-17-1010.

Councilor Drexel moved to award a multi-agency contract to Intermountain Slurry Seal, Inc. in the amount of \$328,500 and to execute the Notice of Waiver of 80% Colorado Labor requirement pursuant to Section 8-17-101 C.R.S. and Councilor Logan seconded.

Roll call, yes: Drexel, Morrison, Logan, Miles, and Gelwicks. So carried with correction.

Roll call, no: None.

**Solicitation of Crack Seal Bid.** Public Works Director Gardner informed Council that it is very important for the City to review and approve a bid for the Crack Seal project as soon as possible in order to keep other street improvement projects on schedule, especially the slurry seal work. Proposals can be reviewed as early as May 14, 2018. In an effort to stay on schedule and to

approve a proposal for the Crack Seal project in the timeliest matter, the Public Works Director suggested two options to Council for proceeding. Option one, would be for Council to give authorization to the City Manager to award a bid for the crack seal project to the lowest and best bid proposal. This option would remove Council from the opportunity to review or discuss any of the proposals as bid approval would be handle administratively. The City Attorney noted that it would be within reason to allow the City Manager to approve the proposal if it follows all standard regular processes. Option two, involved a request to set a Special Meeting for Council to review the proposals and approve one. After some discussion and Council agreed that they want to be as transparent as possible when selecting and approving bids and that it their responsibility to do so; therefore, they agreed to hold a Special Meeting on Tuesday, May 15<sup>th</sup>. Councilor Morrison moved to set a Special Meeting on Tuesday, May 15, 2018 at 5:00 p.m. to review and approve a proposal for the crack seal project and Councilor Drexel seconded.

Roll call, yes: Logan, Miles, Gelwicks, Drexel, and Morrison. So carried.

Roll call, no: None.

**Community Survey RFP.** City Manager Forrest, and City Clerk Boucher, reminded Council of their desire to execute a community survey as outlined in the Strategic Plan and outlined the goals of a community survey for them. Council emphasized to Staff the importance of possibly working with other entities to avoid survey fatigue. It was agreed that there will be a need to balance the length of the survey with the depth of the survey in order to get the best, most useful results possible. Staff should consider transportation needs to reach as many possible recipients as possible. It was noted that Staff needs to add to the RFP that the raw data collected by the Respondent shall become the property of the City while maintaining the confidentiality of the participants. With these notes, Council directed City Staff to proceed with moving ahead with the RFP.

Councilor Logan excused herself from the Regular Session meeting at 8:03 p.m. A quorum still remained.

**Appropriation of Roll Over Projects, Ordinance No. 6, Series 2018.** Finance Director Cowan briefly discussed additional roll over budget appropriations and it was clarified that Council was voting to authorize approved expenditures in 2017 to be paid in 2018. Councilor Drexel introduced Ordinance No. 6, Series 2018 and asked it to be read by title only by the City Attorney. Councilor Drexel moved to approve and order publication on first reading of Ordinance No. 6, Series 2018: An Ordinance of the City Council of the City of Gunnison, Colorado, Adopting an Additional Appropriation for the Fiscal Year Ending December 31, 2018. Councilor Morrison seconded the motion.

Roll call, yes: Gelwicks, Drexel, Morrison, and Miles. So carried.

Roll call, no: None.

**Adjourn Regular Session Meeting and move into Discussion Session.** With no further business for the Regular Session Mayor Gelwicks adjourned the Regular Session Meeting and Council went into the discussion/work session at 8:17 P.M.



City Clerk

  
 Mayor