

June 26, 2018

**CITY OF GUNNISON COUNCIL
REGULAR SESSION**

5:30 P.M.

The City Council Regular Session meeting was called to order at 5:32 P.M., by Mayor James Gelwicks with Councilors Mallory Logan, Jim Miles, Bob Drexel, and Leia Morrison present along with City Manager Russ Forrest, City Attorney Kathy Fogo, Finance Director Ben Cowan, City Clerk Erica Boucher, Interim Community Development Andie Ruggera, Public Works Director David Gardner, and Police Chief Keith Robinson. Gunnison Country Chamber of Commerce Director Celeste Helminski, Executive Director of the Gunnison Valley Regional Housing Authority (GVRHA) Jennifer Kermode, and Darin Higgins were present along with 20 interested citizens and the press.

Citizen Input:

Mayor Gelwicks called for any citizen input on any items not already being considered on the agenda. One citizen stepped forward who wanted to comment on the Gunnison Valley Regional Housing Authority (GVRHA) Resolution. Mayor Gelwicks stated that he would have an opportunity to speak when that agenda item was up. No other citizens came forward.

Council Action Items:

Approval of the June 12, 2018 Regular Session meeting minutes. Councilor Logan moved and Councilor Drexel seconded the approval of the minutes of the June 12, 2018 Regular Session as presented.

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

Roll call vote, no: None.

Appointment to the Zoning Board of Adjustments and Appeals. The single applicant for the Zoning Board of Adjustments and Appeals, Marla Larson, came before Council and stated that she has been on the board since the early 2000s and is willing to serve another term. Council thanked for her years of service. Councilor Logan moved and Councilor Morrison seconded the motion to approve Marla Larson to the Zoning Board of Adjustments and Appeals.

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

Roll call vote, no: None.

Presentation from Land Altitude Consultants on Ohio Avenue-Western State Colorado University Streetscape Enhancement. Public Works Director David Gardner, along with Land Altitude Consultants, John Olson and Jeff Webb, approached Council. Mr. Gardner thanked everyone who had been involved in the public input process for this project and contributed feedback and ideas. The purpose of the Land Altitude Consultants' (LAC) presentation is to share the feedback and ideas that they received regarding the design of Ohio Avenue and to receive suggestions from Council on next steps for the project.

Mr. Olson and Mr. Webb thanked everyone in the community for their involvement in the design process of Ohio Ave. LAC understands and acknowledges that this road has great potential to be a safe, utilized corridor that could connect Western to the downtown business district for economic vibrancy as well as improve street safety for the school districts. LAC stated that they took in all of the input they received from public forums, online feedback, and a walk of Ohio Avenue where they chalked in potential designs to develop the potential design.

They discussed a variety of possible designs that could exist within the 54' wide streets. Design ideas included ADA accessibility, off-street parking, a two-way bicycle track, a wide pedestrian sidewalk, benches, trash cans, and lighting. Overall, the design LAC developed consisted of a 10' sidewalk, next to 8' two-way bicycle track, bump-outs, then two 12' vehicle travel lanes. The design does include the removal of some parking spaces along Ohio Avenue. LAC also suggested painting the City logo on the street near downtown and the Western logo on Colorado. The 10' wide sidewalk and 8' wide bicycle track would be at the same level as the asphalt to be cost effective and to make road maintenance easier. The design meets the rules and regulations for emergency vehicles.

At this time the cost is still being refined, but is estimated to be about \$120,000/block. City Manager Forrest spoke about possible funding opportunities from DOLA as well as mentioning that this project could be supported by grants that support economic development. The potential connectivity to future recreational trails could result in a funding source.

Councilor Logan asked how the City is considering the removal of parking spots which is included in this project. City Manager Forrest informed Council that the City is ready to go with the parking study in July. The RTA bus shelter on Colorado would be moved 100 feet down to complete this redesign. Councilor Logan also asked about safety of the two-way bicycle track and LAC stated that the research shows two-way bicycle tracks have been determined safe because they concentrate bike travel; therefore, people tend to pay more attention in a busier area; however, some education will also be required.

Councilor Drexel asked about driveways and parking for residents. LAC said that they tried not to remove any driveways. Overall, residents seemed willing to lose a parking spot in exchange for an improved street according to the feedback LAC received. An Ohio Avenue resident asked if it was possible to have some designated parking on the street for residents. Staff said they need more time to consider this situation.

Councilor Morrison pointed out the need for stop bar at the intersections. LAC agreed and emphasized how paint, when used appropriately for communication or bump-outs can help create safety on the streets.

Council was satisfied with this first round of recommendations and design of Ohio Avenue and gave approval to continue moving ahead with the project.

Resolution No. 4, Series 2018; Re: A Resolution of the City Council of the City of Gunnison, Colorado, Consenting to the Calling of an Election by the Gunnison Valley Regional Housing Authority (GVRHA) on November 6, 2018. Executive Director of the GVRHA, Jennifer Kermode and Darin Higgins representing Neighbors for Strong and Sustainable Communities, approached Council. Ms. Kermode stated that the GVRHA Board of Directors adopted a resolution on June 13, 2018 that will ask voters to approve a property tax for affordable housing and supporting programs. The GVRHA's governing IGA requires that partnering jurisdictions must pass a resolution consenting to this item being on the ballot. Crested Butte and Mount Crested Butte passed resolutions the previous week. Therefore, GVRHA is seeking Gunnison's approval and if approved will then ask approval from Gunnison County on Tuesday, July 3, 2018. Ms. Kermode stated to Council that a vote in support of Resolution No. 4, Series 2018 does not specifically mean that they personally support the ballot question, but they support bringing GVRHA's ballot question to the public to allow voters to decide.

Councilor Miles stated his opposition to Council passing Resolution No. 4, Series 2018 for many reasons. His reasons included that landlords continue to have vacancies, the extra financial burden it would place on permanent residents and the elderly who are on fixed incomes as well as the builders whose livelihoods are fully invested in housing, the emergence of Vail Resorts in the Valley and that they could support the development of housing, the impacts of VRBOs and Airbnb's, that the passing of property tax would still result in a \$720,000 shortfall, possibly a sales tax could have been a better option, and that there were points overlooked in the housing assessment. Ms. Kermode responded to Councilor Miles comments. She stated that the GVRHA Board did not support a sales tax because it would make the sales tax too high, at over 10%, and that this property tax would give GVRHA \$850,000 more than they already have and it could be leveraged for more funding. Darin Higgins added that they there are asking Council to put the item on the ballot in order for the community to engage in more conversations and discussions about affordable housing in town halls meetings. Councilor Logan mentioned concern on behalf of commercial property owners. Ms. Kermode responded that this 1.5 mil levy would cost residential property owners \$10.43/\$100,000 evaluation and commercial property owners \$43.65/\$100,000 evaluation. She acknowledged that this property tax does ask more of commercial owners, but it would also be helpful in supporting the workforce.

Councilor Drexel and Councilor Logan supported bringing this question to the voters.

Council was addressed by a series of citizens:

Navid Navidi, a 35-year resident of Gunnison of business owner asked Council not to vote in favor of Resolution No. 4, Series 2018 because the GVHRA's referred measure is putting too much financial burden on the residents and business owners for nothing in return. He feels that housing isn't the real issue, but it is the fact that people in the Valley don't want to work full-time jobs to afford housing on their own. He expressed concerns about having the college students weighing in on this question in November.

Mayor Gelwicks replied to Mr. Navidi's comments about people not wanting to work and said that Gunnison is losing qualified workers at Western State Colorado University and the hospital because housing isn't available.

Peter Caloger, has lived in Gunnison for over 30 years, seconded Mr. Navidi's statements. Mr. Caloger told Council that he has many possibilities to turn some of his properties into housing, but doesn't because of the obstacles and costs within the current building codes. He stated that in his opinion tourism isn't a variable economy. Councilor Morrison asked Mr. Caloger if he is also concerned about allowing the Western population to vote. He said yes because it would allow many to vote who "don't have skin in the game."

Randy Boston, resident and Gunnison business owner, is adamantly opposed to putting this on the ballot. He objects to allowing people who don't own property to vote on this issue. He also thinks that when taxes are raised, more money goes out of the Valley as people bring in and buy goods outside of Gunnison, and that the government should not be involved in housing, but it is a responsibility of the private sector.

Randy Clark, owner of Trader Rendezvous, asked for clarification about the statistic on a slide that said there is a shortfall of 900 homes. He asked if this shortfall was in Gunnison alone or also up Valley? Mayor Gelwicks didn't know the answer. Mr. Clark expressed opposition to Gunnison subsidizing housing for others. Mr. Clark also has heard that many people in the area don't want to work enough to improve their ability to have housing and opposes having the college students available to vote on this issue.

Bill Adamich, repeated the feeling that people who don't own property in the Valley and don't seem to want to work hard enough to pay for their own housing should not have their housing supported by property owners who would be accountable for paying higher property taxes.

Andy Boston, explained that he tried to build a house but couldn't afford it, so he won't build it. He also shared with Council his conversations with second homeowners who bring in goods from outside of Gunnison because they feel the cost of goods is already high in Gunnison and that they are already paying a lot in property taxes. Mr. Boston agrees with much of what the previous speakers said.

Jim Starr, resident of Crested Butte and President of Gunnison Valley Housing Foundation, came to speak in favor of the putting this measure before the people. He stated that there is a gap between what people earn in the Valley and what it costs to build in the Valley. With increasing housing costs over the years, more housing assistance is needed for service and professional workers. As a business owner as well, Mr. Starr believes that this measure will help support businesses and institutions like Western and the hospital and can help provide workers with housing in the Valley.

Mayor Gelwicks stated that he has spent 18-months trying to establish enough private partnerships to make a difference in housing, but nothing has turned the tide. The Mayor suggested to Council that if this measure is on the ballot and if it were to pass that the City of Gunnison absorb 2/3 of the property tax, which would be allowed under TABOR, to off-set some of the cost to businesses and elderly. He expressed concerns about possible higher costs of housing in the area as well as having housing available that is livable and efficient for a variety of incomes.

Council thanked everyone who came to the meeting to share their thoughts on this topic. Councilor Morrison moved and Councilor Drexel seconded the motion to adopt Resolution No. 4, Series 2018.

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

Roll call vote, no: Miles.

Council went to break and returned at 7:29 P.M. After returning from break, Mayor Gelwicks stated that he, Councilor Drexel, and City Manager Russ Forrest received a letter from the

Colorado Housing and Finance Authority (CHFA) with a request to comment on the GardenWalk of Gunnison LIHTC project on North Colorado Avenue. CHFA is willing to send a representative to Gunnison to discuss the LIHTC project. Council agreed to let the Mayor and City Manager fill out the comment sheet on the LIHTC project.

Ordinance No. 8, Series 2018: An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Sections: 2.4, Principal Use Table; 2.6, Base Zone District Dimensional Standards; 3.3 Residential Use Standards; 3.7 (B), Retail Sales Establishment Standards; and 4.4 Off-Street Parking and Loading, of the City of Gunnison Land Development Code. Interim Community Development Director Andie Ruggera stated that she added in the Municipal Code reference, 9.40, to Section 3.12 of the *Land Development Code* where license agreements are referenced. The department has not received any comments or inquires about the proposed amendments.

Councilor Morrison introduced Ordinance No. 8, Series 2018 and asked that it be read by title only. Councilor Morrison moved and Councilor Drexel seconded the adoption of Ordinance No. 8, Series 2018 on first reading.

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

Roll call vote, no: None.

Award Bid for Street and Pavement Marking. Public Works David Gardner approached Council and told them that the City received three bids for the pavement marking job. This bid included work for both the City and County. Two out of the three companies that placed a bid included the cost of using acrylic or epoxy paint. The acrylic paint is better than CDOT's standards, but not as lasting as the epoxy paint. Based on the bids received, it is more cost effective to proceed with the acrylic paint for the City and the County. The lowest bid from Strip-A-Lot bid did not include epoxy paint because they are not set up to do that kind of work. The next lowest bid did include a cost for epoxy paint, but it was outside the \$80,000 budgeted amount. After reviewing all of the bids with the County, Mr. Gardner and Marlene Crosby of the County recommended that the City proceed with Strip-A-Lot for acrylic paint at the City cost of \$49,998. Discussion ensued about budgeting for and using the epoxy paint in key areas in the future.

Councilor Logan moved and Councilor Morrison seconded the motion to award Strip-A-Lot the Street and Pavement Marking job, using acrylic paint, not to exceed \$50,000.

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

Roll call vote, no: None.

Award Bid for Concrete Improvements Project. Public Works Director David Gardner explained to Council that the City received three bids for a multitude of concrete and gutter work. \$132,379 was budgeted amount for this work and all of the received bids exceeded that amount. The lowest bid and base bid from United Companies was \$172,788. Mr. Gardner met with the representative from United Companies to negotiate a lower price that didn't include a mobilization cost for the crew, since United Companies is a Gunnison-based company and the company reduced some of the unit section costs to \$137,832 for the base work and Alternate #1. Mr. Gardner would move funds from the pavement marking budget to cover the extra cost of the concrete work.

Councilor Morrison moved and Councilor Drexel seconded the motion to award United Companies for the base work and Alternate 1 not to exceed \$137,832.

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

Roll call vote, no: None.

At the request of the City Manager, Mr. Gardner reported to Council that because of the high costs of asphalt and concrete at this time, City recommends tabling their proposed project to do a 1" overlay in the Palisade area. The City tentatively budgeted about \$267,938 for the work. After more investigation, it was determined that much more work would be required, including a full-depth reclamation of the street with a 2" overlay, costing an estimated \$470,000. Therefore, Public Works suggested to Council that this project get tabled for 2018, but put on the high priority list for 2019 with additional funding in order to successfully complete the work. Council supported tabling this project at this time.

Purchasing Policy Amendment for Bond Requirements. Finance Director Ben Cowan reported to Council that our current purchasing policy does not include any minimum requirements which are required by the State. Currently, the City's purchasing policy only requires a bid bond. State Statute requires a performance bid bond for projects over \$50,000 and requires a payment bond for projects over \$50,000. Staff recommends incorporating the State Statute minimums into the purchasing policy and include a requirement to have 80% Colorado labor unless there is a waiver in place. Above those minimums, Staff would like to create contract guidelines to work with administratively for individual projects and wants the option of the hold back payment until it is confirmed that the work has been successfully completed. Discussion ensued. These changes are to help protect the City, but could add challenges to those submitting bids because of the requirements. The City Attorney stated that putting the minimum State Statutes into the Code would make it easier for businesses to find and therefore, to follow. Council directed Staff to proceed with drafting an Ordinance to strengthen the City's purchasing policies.

Bicycle Dismount Zones. Police Chief Keith Robinson approached Council while the City Manager summarized a meeting that he and Police Captain Chris Wilson had with interested citizens. From that discussion, it was concluded that bike dismount zones are a good idea within three blocks north of Tomichi on both Main and Wisconsin and one block south on Main and Wisconsin. There was discussion if the dismount zone should go one block east on Tomichi to Iowa. The other issue was the crosswalk and what people should do with their bike in the crosswalk, ride it or walk it? State Statute does allow people to ride a bike across a crosswalk. The group didn't feel that more regulation was needed at this time. Chief Robinson explained that he did some additional research on dismount zones and resolved that dismount bikes in crosswalk areas don't really work. The Chief recommends enhancing the current signs and language to make it clearer that people are not allowed to ride their bikes on the sidewalks downtown, but they are allowed to walk their bikes on the sidewalks. Councilor Morrison stressed the importance of communicating the actual City's laws regarding bikes for clarification with the public. An increased police presence has also helped raise awareness of this issue. Council directed Staff to proceed with a better communication plan on bike laws and develop a logo for that communication.

Coordinating City of Gunnison Elections with Gunnison County. Staff reminded Council that if they are interested in amending the Charter to change the regular election day from May to November through a ballot question this November in a coordinated election, then they also need to consider how to handle Council terms which are scheduled to expire in May 2019 and May 2021 according to the Charter. One option would be to link the Charter amendment question with a request to extend the current Council's terms by six (6) months. The second option would be to ask the voters for a Charter amendment in November 2018 and then if passed, hold an election in May to elect new Councilor members for those Councilor's terms who expire and then hold another Council election in November to get onto a November election cycle. The City Clerk stated that Council had received two letters regarding this topic. One letter was in support of the City's amending its Charter to hold elections in November and one letter was in opposition to the Charter amendment. Discussion ensued about the history, timing, and experience of May elections, the pros and cons moving to coordinated elections in November, and working out the details surrounding Charter changes. Council directed Staff to proceed with developing a resolution to amend the City of Gunnison Municipal Home Rule Charter to a November election date and seek approval to extend the current Council's terms by six (6) months.

Community Survey. Staff presented Council with three finalists for the Community Survey. The three finalists were Corona Insights, National Research Center, and RRC Associates. Staff recommended RRC Associates to Council because during the review of the firms they best expressed the ability to create a survey that could contain a strong, balanced series of customized questions to gather feedback on the strategic plan and City's direction as well as benchmark City services within the assigned budget. Council encouraged Staff to reach out to Western for their input as well. RRC Associates also specializes in working with mountain towns and communities and conducted a Parks and Recreation survey for Gunnison in 2014.

Councilor Logan moved and Councilor Drexel seconded the motion to approve RRC Associates to conduct a community survey for the City of Gunnison in an amount not to exceed \$18,000.

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

Roll call vote, no: None.

Adjourn Regular Session Meeting and moved into Discussion/Work Session. With no further discussion for the Regular Session Mayor Gelwicks adjourned the Regular Session Meeting and Council went into discussion/work session at 8:29 P.M.

(Mayor)

(Attest)

City Clerk