

August 28, 2018

**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 Councilors Mallory Logan, Jim Miles, Bob Drexel, and Leia Morrison present along with City Attorney Kathy Fogo, City Manager Russ Forrest, Finance Director Ben Cowan, and City Clerk Erica Boucher. Western State Colorado University Student Liaison Max Oldham made his first appearance. Public Works Director David Gardner, City Building Inspector Eric Jansen, sprout studio landscape architect Margaret Loperfido, and ALK Holdings LLC dba OhmGro owner Amanda Kelbert were also present along with several interested citizens and the press. A Council quorum was present.

**Citizen Input:**

Roland Mason came before Council. He is running for County Commission of District 3 and wanted to introduce himself to Council. He said that he would be interested and willing to sit down with Councilors to hear about the City and the direction it is headed. Council thanked Mr. Mason for coming to the meeting.

**Council Action Items:**

**Approval of the August 28, 2018 Regular Session Minutes.** Councilor Logan moved and Councilor Morrison seconded a motion to approve the August 28, 2018 Regular Session Minutes as presented.

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

Roll call vote, no: None.

**Set a Public Hearing on a Retail Cultivation Establishment License Application** from ALK Holdings, LLC dba OhmGro; 800 West Rio Grande Avenue, Gunnison, for 5:30 p.m. on October 9, 2018. Councilor Logan noticed a spelling inconsistency between the business address on the application and on the agenda. The City Clerk agreed to adjust the spelling on the application and confirmed that the address would be correct on all public hearing notices. Councilor Logan moved and Councilor Morrison seconded a motion to set a public hearing for ALK Holdings LLC dba OhmGro on Tuesday, October 9, 2018, at 5:30 p.m. in Council Chambers.

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

Roll call vote, no: None.

**Abatement and Removal of Vacant Mobile Homes.** City Manager Russ Forrest summarized the purpose of bringing the topic of abatement and removal of vacant homes before Council and set the stage for Council to discuss ways to be proactive with assisting property owners with their properties that are in disarray and/or are not habitable. The City looks to the policies outlined in the City's *Land Development Code* and Nuisance policies of the *Gunnison Municipal Code* as well as established enforcement guidelines if the policies are not followed to address uninhabitable structures. To meet some of the concerns, City Manager Forrest suggested to Council that they could begin with a voluntary incentive program to encourage property owners to address their decaying housing units prior to the end of year or to look for some funding to assist these owners in 2019 or begin the enforcement/removal process.

Eric Jansen, City Building Inspector, reviewed the policy procedures the City follows to notify and address property owners of uninhabitable units or structures. Building Inspector Jansen explained to Council that he surveyed the City and identified 30 units that seemed currently uninhabitable. He researched the cost to remove the units and learned that it would cost \$3,000-\$4,000 per unit if no asbestos is present. If asbestos is present, the cost would be an additional \$5,000-\$8,000 per unit. With costs identified, staff asked for Council's feedback on the best approach to following up with property owners. Options range from curtesy calls to incentive programs to enforcement and removal of property if safety concerns are present. City Manager Forrest summarized that it would cost the City \$120,000 to remove 30 units with no asbestos. Building Inspector Jansen guessed that nearly 100% of the homes he identified would have asbestos due to the time in which they were built. However, having the City assist with the clean-up costs of these properties may help motivate the owners to be more engaged with their properties. Further discussion and questions ensued regarding cost of housing unit removals, asbestos testing, incentives for removal or clean-up to property owners, density of units, timing doing the work, communication with the property owners, education, options for renovation versus destruction, and to discuss a variety of possible next steps. Mayor Gelwicks summarized four primary ways that the City could address these properties with the overall

goal being to increase the number of housing units. They are: 1. The City needs to continue to look at non-conforming uses through innovative land development ideas; 2. Encourage the removal of uninhabitable housing units, asbestos testing or salvage as many units as possible through an incentive program; 3. A replacement program in place to maintain a certain level of housing availability. Rebates from the City could be an option for property owners to renovate their units; 4. Examine the *Land Development Code* to possibly remove housing development barriers.

City Manager Forrest noted that the City could possibly help offset the cost of asbestos testing for property owners, provide a small rebate to property owners after the issues of the unit(s) have been addressed, or arrange for a contractor to come in to handle multiple housing units within a designated time for a lesser per unit cost. There was a mention that funding to assistance with this work may be possible through CHFA or DOLA.

Council directed staff to develop a plan in writing of next steps which would include addressing the housing units, City funding, communication, asbestos testing, and using the City Code and *Land Development Code* as guidelines.

**Approval of West Gunnison Park and Site Concept Master Plan and Resolution No. 8, Series 2018.** Councilor Logan introduced Resolution No. 8, Series 2018 and asked for the City Attorney read the resolution by title only. Councilor Logan moved and Councilor Morrison second a motion to approve Resolution No. 8, Series 2018: *A Resolution of the City Council of the City of Gunnison, Colorado, supporting the grant application for a local government grant from the State Board of Great Outdoors Colorado for the City of Gunnison West Gunnison Park and Site Concept Master Plan.* It was stated that Gunnison County is also looking at GOCO grants for funding opportunities and if appropriate it may be beneficial for the City and County to partner up on certain applications. Council Logan mentioned the importance of thoughtful planning regarding West Gunnison (Lazy K), which the City Manager responded that there would be a two part RFP process. The first RFP would focus on gathering community input and to develop a concept/vision for the property. The second RFP would focus on the development process. Discussion ensued on the possible funding sources for Lazy K and IOOF, which includes GOCO grants, partnering with the County, DOLA funds, and the City's Recreation fund.

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

Roll call vote, no: None.

**Final Draft of IOOF Park Preferred Conceptual Plan.** Councilor Drexel asked for clarification about the final budget amount presented. Sprout studio representative Margaret Loperfido said she would review the presented budget numbers. It was determined that the final amount was likely off due to a miscalculation of the amount of \$3,000 in the budget worksheet. The budget will be reviewed another time before proceeding. City Manager Forrest reminded Council that the Downtown Leadership Committee hoped that there could be an improvement made to IOOF Park sooner rather than later. He mentioned that funding could be available to support a lighting enhancement at the Park. Councilor Logan moved and Councilor Morrison seconded to approve the IOOF Park Preferred Conceptual Plan and to direct staff with securing funds for its construction.

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

Roll call vote, no: None.

**Utility Infrastructure Engineering Assessment.** Public Works Director David Gardner approached Council to give an update on utility capabilities and to confirm with Council that with the possibility of increasing development in the City, primarily in East Gunnison (Gunnison Rising), Lot 22, the University, it is time to do a full a utility assessment of electrical, water, and sewer in those areas to determine the utility capacity and to plan for infrastructure improvements over the next four to five years. Gunnison Rising agreed to pay for 50% of the assessment work costs. Gardner discussed specific capability examples relating to water, electricity, and sewer and how an assessment study using an engineer firm would help the City and future developers make informed decisions about what capability the City currently has now and where improvements should be made to create sustainable capability in the future. The funding for the City's half of the assessment can be reallocated from budgeted infrastructure overlays and from the savings of not doing electrical work in the Palisades this year. This assessment work is consistent with Council's strategic infrastructure priority. Discussion ensued about doing utility assessments in other areas of Gunnison, such as areas to the north and in west Gunnison which also have development potential. Council gave direction to staff to proceed with a utility assessment of electrical, water, and sewer.

**Mayor Gelwicks recessed the meeting at 6:53 P.M. for a short break. The Regular Session meeting began again at 7:00 P.M.**

**Discussion on Policy for Disposal of City-Owned Land/Ordinance No. 10, Series 2018.** Councilor Drexel introduced Ordinance No. 10, Series 2018 on first reading and asked that it be read by title only by the City Attorney. Councilor Drexel moved and Councilor Logan seconded a motion to adopt Ordinance No. 10, Series 2018: *An Ordinance of the City Council of the City of Gunnison, Colorado, adopting a policy for disposition of City-owned property.* The City Attorney confirmed with Council that she and the City Manager revised Ordinance No. 10, Series 2018 based on feedback they received from Council at the previous meeting. She highlighted the revisions and clarifications for Council, which they supported. Councilor Morrison emphasized a desire to still amend Section 2. Guiding Principles of the ordinance to also include Public-Public partnerships. The attorney agreed to add Public-Public partnerships to the ordinance which will amend the ordinance at the second reading. There was support for the ordinance because it would require the knowledge of specific details about an emerging development such as the number of possible housing units or who the developer is completing the project, etc at the time of a public hearing. This ordinance adds in another layer for public hearing and the opportunity for the Planning and Zoning Commission to offer feedback, at Council's discretion.

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

Roll call vote, no: None.

**Resolution No. 7, Series 2018 to Call a Special Election to put Lazy K on the Ballot and Lazy K ballot language.**

Councilor Morrison introduced Resolution No. 7, Series 2018 and asked that it be read by title only by the City Attorney. Councilor Morrison moved and Councilor Drexel seconded the adoption of Resolution No. 7, Series 2018: *A Resolution of the City Council of the City of Gunnison, Colorado, referring a ballot question to the Qualified Electors of the City of Gunnison to sell or otherwise convey a portion of real property owned by the City at a special election to be held on November 6, 2018.* Mayor Gelwicks stated that he would be voting no on Resolution No. 7, Series 2018, because he wants property issues to have more definition and clarity around a specific proposal in order to receive better public input. Council asked a few followed up questions to the Mayor for clarification. It was emphasized that Ordinance No. 10, Series 2018 was written so broadly and with enough flexibility that they City could dispose of property, if needed, in the most appropriate way for the situation after a specific discussion about the specific property before it is disposed of by the City.

Roll call vote, yes: None.

Roll call vote, no: Logan, Miles, Gelwicks, Drexel, and Morrison. Motion failed.

**Final Review of Community Survey Questions.** Council gave final feedback on the community survey to City Clerk Boucher. The Clerk stated that the tentative timeline included in Council's packet would be pushed back by a week in order to have more time to announce the survey to the public and promote it on social media, in the papers, and through an article in the *Gunnison Country Times*. Council had no objection to pushing the release of the survey to the week of September 10<sup>th</sup>.

**Adjourn Regular Session Meeting. With no further business for Council, Mayor Gelwicks adjourned the Regular Session Meeting at 7:44 P.M.**



  
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 Mayor

Attest:

  
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 City Clerk