

GUNNISON COUNCIL AGENDA – AMENDED
MEETING IS HELD AT CITY HALL, 201 W. VIRGINIA
AVENUE GUNNISON, CO, IN THE 2ND FLOOR COUNCIL
CHAMBERS

Approximate meeting time: 3.5 hrs.

June 12, 2018 **REGULAR SESSION** **5:30 P.M.**

I. Presiding Officer Call Regular Session to Order: (silent roll call by City Clerk):

II. PUBLIC HEARINGS - 5:30 P.M.

Please see the e-packet for each Public Hearing's format.

- A. **Public Hearing to receive input on Retail Marijuana Products Manufacturer License Application from Cosmic Foods Holdings LLC dba Cosmic Kitchen, 419 S. 10th Street, Gunnison, CO 81230**
Staff contact: City Clerk Erica Boucher
Estimated time: 10 minutes

- B. **Public Hearing to receive input on a Transfer of Ownership for a Retail Marijuana Products Manufacturer License Application and to receive input on a Transfer of Ownership Retail Marijuana Cultivation Establishment License Application from Cosmic Foods to Cosmic Culture LLC**
Staff contact: City Clerk Erica Boucher
Estimated time: 10 minutes

- C. **Public Hearing to present the findings and recommendations of the Project Needs Assessment (PNA) on the Wastewater Treatment Plan facility and to update council on the general status of the Wastewater Treatment Plant (Infrastructure Result #4).**
Staff contact: Public Works Director David Gardner
Estimated time: 30 minutes

- D. **Public Hearing to receive input on City's Text Amendment application ZA 18-1, proposing to amend 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 with the *Land Development Code*.**
Staff contact: Interim Community Development Director Andie Ruggera
Estimated time: 30 minutes

Public Hearings are the formal opportunity for the City Council to listen to the public regarding the issue at hand. Citizens giving input must identify themselves. Anonymous testimony will not be considered. In a Quasi-judicial public hearing, the Council is acting in much the same capacity as a judge. Most land use applications including marijuana/liquor license applications are types of quasi-judicial actions. The council must limit its decision consideration to matters which are placed into evidence and are part of the public record at the hearing. Legislative and

administrations public hearings include those that are a formal opportunity for Council to listen to the public regarding the issue at hand, i.e. increases in utility rates or the annual city budget.

III. Citizen Input: (estimated time 3 mins.)

At this agenda time, non-agenda scheduled citizens may present issues of City concern to Council on topics that are not to be considered later in the meeting. Per Colorado Open Meetings Laws, no Council discussion or action will take place until a later date; unless an emergency situation is deemed to exist by the City Attorney. Each speaker has a time limit of 3 minutes to facilitate efficiency in the conduct of the meeting and to allow an equal opportunity for everyone wishing to speak.

IV. Council Action Items:

- A. Action on Retail Marijuana Products Manufacturer License Application**
from Cosmic Foods Holdings LLC dba Cosmic Kitchen, 419 S. 10th Street, Gunnison, CO 81230
Background: On June 23, 2015, City Council passed Ordinance No. 5, Series 2015, establishing the regulations and process for approving medical and retail marijuana establishments in Gunnison. The State Marijuana Enforcement Division (MED) has approved a Conditional Retail Marijuana Products Manufacturing License for the above-sited application. City Staff has reviewed and processed all local requirements for Cosmic Foods Holding LLC and they have received departmental approval.
Staff Contact: City Clerk Erica Boucher
Action Requested of Council: A motion to approve or deny the Retail Marijuana Products Manufacturer License Application from Cosmic Foods Holdings LLC dba Cosmic Kitchen, 419 S. 10th Street, Gunnison, CO 81230
Estimated time: 10 minutes
- B. Action on a Transfer of Ownership for a Retail Marijuana Products Manufacturer License Application and on a Transfer of Ownership Retail Marijuana Cultivation Establishment License Application from Cosmic Foods LLC to Cosmic Culture LLC.**
The State Marijuana Enforcement Division (MED) has approved the requested Change of Ownership application.
Background: On June 23, 2015, City Council passed Ordinance No. 5, Series 2015, establishing the regulations and process for approving medical and retail marijuana licenses in Gunnison. The State Marijuana Enforcement Division (MED) has approved the requested Change of Ownership application and his has received departmental approval.
Staff contact: City Clerk Erica Boucher
Action Requested of Council: A motion to approve or deny a transfer of owner for a Retail Marijuana Products Manufacturer License Application and a Transfer of Ownership Retail Marijuana Cultivation Establishment License Application from Cosmic Foods to Cosmic Culture LLC
Estimated time: 10 minutes

- C. Action on approval of May 22, 2018, Regular Session meeting minutes**
Background: per City Charter, the city clerk produces minutes of the Council actions for all regular and special session meetings. Minutes are approved or amended at the following regular session meeting and become a permanent city record. If a city councilor was not present at the meeting, they must abstain in the vote and action on approval of the minutes.
Staff contact: City Clerk Erica Boucher
Action Requested of Council: Approval of the May 22, 2018 Regular Session meeting minutes
Estimated time: 0 minutes
- D. Excuse Councilor Miles from the May 22, 2018 Regular Session meeting**
Staff contact: City Clerk Erica Boucher
Action Requested of Council: To excuse Councilor Miles from the May 22, 2018 Regular Session meeting.
Estimated time: 0 minutes
- E. Multi-day Event Application for Gunnison Farmers' Market**
Background: The Gunnison Farmers' Market is scheduled for Saturdays, from June 16, 2018, through October 6, 2018, from 6:00am (set up) to 3:00pm, on the 1st three quarters of the 100 block of East Virginia Avenue and the IOOF Park. The Farmers' Market is also scheduled for Wednesdays, from July 11, 2018 through September 12, 2018 from 3:00pm (set up) to 7:00pm in IOOF Park.
Staff contact: City Clerk Erica Boucher
Action Requested of Council: Approve the multi-day event applications for the Gunnison Farmers' Market to be held on Saturdays from June 16 through October 6, 2018, AND on Wednesdays from July 11 through September 12, 2018 and authorize the Mayor to sign applications.
Estimated time: 5 minutes
- F. Elections Discussion with Gunnison County Clerk's Office**
Background: To gather information about the current election processes and requirements. Diane Folowell, Chief Deputy Clerk and Election Specialist, will give a presentation on the state of elections with topics including, but not limited to, cost, security, personnel, equipment, processes, responsibility/accountability, legislation, and execution.
Staff contact: Erica Boucher
Action requested of Council: No action is requested of Council. No packet information is included.
Estimated time: 30 minutes
- G. Text Amendment application ZA 18-1, proposing to amend 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 with the *Land Development Code*.**
Background: These purposed text amendments have been recommended through

the Gunnison Vibrancy Initiative. A draft ordinance is provided for reference only in the packet materials.

Staff contact: Interim Community Development Director

Action requested of Council: To review and discuss text amendments and to provide direction to staff on next steps. A draft ordinance is provided as reference.

H. Main and Tomichi Discussion

Background: Staff will discuss with City Council accident history at Main and Tomichi and potential next steps for improving safety at this intersection.

Staff contact: City Manager Russ Forrest

Action Requested of Council: No formal action is requested. No packet materials are included.

Estimated time: 15 minutes

I. Ordinance No. 7, Series 2018: An Ordinance of the City Council of the City of Gunnison Amending Title 5 General Offenses, Chapter 5.20 Traffic, Section 5.20.020 of the Gunnison Municipal Code, Additions or Modifications

Background: On May 22, 2018, Council discussed modification to the City of Gunnison Municipal Ordinance addressing the use of sidewalks in the downtown area by bicycles and wheeled devices.

Staff contact: Police Chief Keith Robinson

Action Requested of Council: Introduce, read by title only, motion, second, and vote to pass and order to publish Ordinance No. 7, Series 2018 on first reading.

Estimated time: 15 minutes

V. Council Work/Discussion Items:

A. Property Maintenance and Nuisance Code
Staff contact: Building Inspector Eric Jansen

B. Update on Hazard Mitigation
Staff contact: Police Chief Keith Robinson

VI. Reports:

City Attorney Report:

City Manager Strategic Projects Update and Report

City Councilors with City-related meeting reports; discussion items for future Council meetings

Meeting Adjournment

The City Council Meeting agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at www.gunnisonco.gov. Discussion Sessions are recorded; however, minutes are not produced. For further information, contact the City Clerk's office at 970-641-8140. **TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970-641-8140.**