

**GUNNISON COUNCIL AGENDA  
MEETING IS HELD AT CITY HALL  
201 W. VIRGINIA AVENUE GUNNISON, CO  
IN THE 2<sup>ND</sup> FLOOR COUNCIL CHAMBERS**

**Approximate meeting time: 3 hours**

**October 9, 2018**

**REGULAR SESSION**

**5:30 P.M.**

*City of Gunnison Councilmembers gather for a light meal at 5:00 P.M. in Council Chambers. No City Council activity takes place.*

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

**I. Public Hearing – 5:30 P.M.**

*Please see the e-packet for the Public Hearing format.*

**A. Public Hearing to receive input on a Retail Marijuana Cultivation Establishment License Application from ALK Holdings LLC dba OhmGro, 800 West Rio Grande Avenue, Gunnison, CO 81230**

Staff contact: City Clerk Erica Boucher

Estimated time: 10 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 applications are types of quasi-judicial actions. The Council must limit its decision consideration to matters which are placed in evidence and are part of the public record at the hearing. Legislative administrative 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.*

**II. Citizen Input: (estimated time 3 minutes)**

*At this agenda time, non-agenda scheduled citizens may present issues of City concern to Council on topics on are not to be considered later in the meeting. Per Colorado, Open Meetings Law, 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.*

**III. Council Action Items:**

**A. Approval of the September 25, 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 follow regular session meetings and become 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:** To approve the September 25, 2018 Regular Session meeting minutes.

Estimated time: 1 minute

**B. Action on Retail Marijuana Cultivation Establishment License Application from ALK Holdings LLC dba OhmGro, 800 West Rio Grande Avenue, 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 ALK Holdings 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 Cultivation Establishment License Application from ALK Holdings LLC dba OhmGro, 800 West Rio Grande Avenue, Gunnison, Colorado 81230, based on the Staff findings and decisions with the stated conditions.

Estimated time: 10 minutes

**C. Update on the *Land Development Code* Diagnosis**

Background: Based on the City Council's Strategic Plan, priority of Livable and Affordable Housing, Alex Joyce of Cascadia Partners was secured to analyze the *Land Development Code* (LDC) and other City policies to identify housing barriers. Mr. Joyce will be present to update Council on the report and recommendations for modifications to the LDC and other City policies.

Staff Contact: Interim Community Development Director Andie Ruggera

**Action Requested of Council:** To provide Cascadia Partners and staff with feedback on the report and recommendations for modifications to the LDC and other City policies.

Estimated time: 20 minutes

**D. Ohio Avenue Safe Walk Project/Resolution No. 9, Series 2018; Re: A Resolution of the City Council of the City of Gunnison, Colorado, Supporting the Grant Application for a Planning Grant from the State Board of the Great Outdoors Colorado Trust Fund for the Ohio Avenue Safe Walk Project**

Background: Based on the City Council's Strategic Plan regarding Economic Prosperity and implementation of the *Gunnison Vibrancy Initiative*, a conceptual design has been completed for Ohio Avenue by Altitude Land Consultants based on public input that was garnered from multiple public meetings, walking audits, and design charettes.

Staff contact: Public Works Director David Gardner

**Actions Requested of Council:** 1) A motion to approve Resolution No. 9, Series 2018; 2) A motion to approve the conceptual design of the Ohio Avenue Safe Walk Project and to engage in the design, preparation of bid documents, and enter the construction phase of the project in an amount not to exceed \$50,000.

Estimated time: 30 minutes

**E. License Agreement-Jeffery and Thalia Oster at 409 North Colorado Street, Gunnison, Colorado**

Background: A building permit was issued for an Accessory Dwelling Unit at 409 North Colorado Street based off the site plan submittal indicating the structure was located on private property. A survey was performed indicating the unit

encroaches onto the north/south alley right-property owner for the existing structure and for a dormer extension of the roof to make the space more livable. A City electrical line is located within the alley and the minimum eight-foot clearance from the line to the structure is maintained.

Staff contact: Interim Community Development Director Andie Ruggera

**Action Requested of Council:** To approve a revocable License Agreement for a vertical dormer extension of an existing Accessory Dwelling Unit that encroaches into the Block 79, First Addition to Gunnison, City alley right-of-way.

Estimated time: 15 minutes

**F. Community Center Roof**

Background: The seam over the gym box roof has leaked every year since 2005. The City had contracted a roofer in the fall of 2017 to foam insulate the roof and then seal it with a top coat. The prospective contract offered a 10-year “no leak warranty.” The City was waiting on a specific recommendation from SGM, who was performing our facility maintenance assessment in the fall of 2017, with direction on how best to proceed. SGM’s report with the roof recommendation did not come through until mid-October 2017. Their best repair recommendation called for a total roof replacement at a potential cost in the hundreds of thousands of dollars. SGM’s opinion on the foam was nebulous and non-committal.

Staff contact: Parks and Rec Director Dan Ampietro

**Action Requested of Council:** A motion authorizing the City Manager to negotiate and sign a contract with Challenger Roofing in an amount to be specified at the October 9, 2018, Council meeting.

Estimated time: 10 minutes

**G. Second Reading of Ordinance No. 9, Series 2018; Re: An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Chapter 2.20, Purchasing Policy and Procedure, of the City of Gunnison**

Background: The purpose of this item is to simplify and amend the City Code to include performance and payment bonds for City projects exceeding \$50,000 to be in compliance with state statutes.

Staff contact: Finance Director Ben Cowan

**Action Requested of Council:** To introduce, read by title only, motion, second and vote to pass and adopt Ordinance No. 9, Series 2018 on second and final reading.

Estimated time: 5 minutes

**IV. Reports:**

City Attorney Report

City Manager Strategic Projects Update and Report

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

**V. Meeting Adjournment**

The City Council Meetings 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 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.**