

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Jonathan Houck with Councilors Drexel, Harriman, Seymour and Nesbitt present along with City Attorney Landwehr, City Manager Coleman, City Clerk Davidson, Parks & Recreation Director Ampietro, Water Supervisor Doherty, Finance Director Hanson, and several interested citizens. A Council quorum was present.

Consideration of Minutes:**Regular Session Meeting Minutes of June 14, 2011.**

Councilor Nesbitt moved and Councilor Harriman seconded the motion to approve the Council Regular Session Meeting minutes of June 14, 2011, as submitted.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business:

USA Pro Cycling Challenge Agreement with the City. City Manager Coleman informed Council that he and City Attorney Landwehr have been working with Medalist Sports and Classic Racing on the Agreement. City Landwehr stated that the remaining issue was whether the City requires every third party vendor at the race to indemnify the City against claims. While large vendors would be able to do this, this clause may eliminate some of the smaller local vendors. Staff has taken the position not to require the third party vendors to indemnify. There may be some push-back from the organizers on this. City Manager Coleman stated that Staff has put in writing what we feel we can live with. We should sign it and get the agreement back to the organizers. Discussion ensued on working with other entities and City Attorney Landwehr stated he has been working with many of the community attorneys facing this contract.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the USA Pro Cycling Challenge City Participation Agreement and authorize the Mayor to sign said Agreement.

Roll call vote, yes: Houck, Seymour, Nesbitt, Drexel, Harriman. So carried.

Roll call vote, no: None.

New Business:

Action on Gunnison Arts Center "Sundays at 6" Multi-Day Special Events Permit. GAC Board Member Maryo Ewell and GAC Interim Director Jennifer Morgan addressed Council. Ms. Morgan stated they have been having over 200 participants at the recent events. They would like to include food vendors in the events. Discussion ensued. City Clerk Davidson stated the Special Events Permit Application could be amended to include food vendors. Public Works Director Ampietro stated the Parks Department might have to charge a fee for water or electric depending upon what services the vendors require and he wants to make sure vendors do not drive on the lawn at Legion Park.

Councilor Nesbitt moved and Councilor Harriman seconded the motion to approve the Multi-Day Special Events permit for the Gunnison Arts Center "Sundays at 6" Events and to amend the application to include food vendors with the approval of the Parks & Recreation Department.

Roll call vote, yes: Harriman, Houck, Seymour, Nesbitt, Drexel. So carried.

Roll call vote, no: None.

Action on Sewer Slip Lining Contract. This item was discussed at the June 21, 2011, Work Session meeting.

Councilor Harriman moved and Councilor Seymour seconded the motion to award the sewer slip lining contract to TES Inc., in an amount not to exceed \$175,00.00 as budgeted in the 2011 Budget.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.

Roll call vote, no: None.

Action on Letter of Support for American Legion Building Historic Designation. This item was discussed at the June 21, 2011, Work Session meeting. Water Superintendent Joe Doherty was present to answer any questions.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to approve the letter to the Board of County Commissioners supporting the historic designation of the American Legion Building and authorize the Mayor's signature on said letter.

Roll call vote, yes: Nesbitt, Drexel, Harriman, Houck, Seymour. So carried.

Roll call vote, no: None.

Action on Agreement with Jeffrey and Charmaine Clarke. City Manager Coleman explained the location of the existing utility lines and the historic building located in the Bidwell Avenue right-of-way. The street width isn't wide enough to open it for vehicular traffic. Manager Coleman further explained the Agreement was drawn up by Attorney Kathy Fogo, as City Attorney Landwehr has a conflict of interest in this issue. All utilities will run in an easement in the vacated Bidwell right-of-way. The City Manager explained the Agreement is a multi-party Agreement. Both Bob and Christine Gydesen and Dale Thomas, the property owners to the north of Bidwell, will quit claim deed the north half of the right-of-way to Jeff and Charmaine Clarke. Included in the Agreement is a trail easement to the City on property located to the east of the existing depot property. This easement would tie the proposed loop trail east to the W-Mountain Subdivision property. The Agreement has been in the works for many years. There will be a land survey done prior to all of the agreements and deeds being recorded. Mayor Houck and the entire Council thanked and commended City Manager Coleman for his years of working on this issue with the Clarke's.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to approve the Agreement and authorized the Mayor to sign said Agreement and associated documents.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.

Roll call vote, no: None.

Action on Expenditure of Funds for Ice Rink Zamboni. This item was discussed at the Work Session on June 21st. Parks & Recreation Director Ampietro and Finance Director Hanson explained the appropriations amount to Council. Of the projected 2011 year-end rink revenues, \$10,700 was expended for rink building improvements associated with the rink incident this winter. The new zamboni will cost \$87,541.34. Deducted from this are the parts, labor, and transportation costs that have been expended on the zamboni that will be returned due to its defects. This leaves \$81,191.34. There is \$37,650.00 remaining for the zamboni purchase budgeted in the 2011 budget. This creates the need to appropriate an additional \$43,542.00 for the purchase of the new zamboni and \$10,642.00 will remain in rink reserves. Discussion ensued regarding cash reserves, maintenance on the machines, the creation of carbon monoxide, and equipment maintenance training on the new machine. Council thanked Directors Ampietro and Hanson.

Councilor Nesbitt moved and Councilor Drexel seconded the motion to approve the expenditure of \$43,542.00 for the purchase of a new gas-powered zamboni.

Roll call vote, yes: Harriman, Houck, Seymour, Nesbitt, Drexel. So carried.

Roll call vote, no: None.

Ordinances and Resolutions:

Resolution No. 10, Series 2011; Re: Approving GOCO Grant Agreement for Teller Ballfield Renovation and Authorize Mayor to Sign Said Agreement. Councilor Nesbitt introduced Resolution No. 10, Series 2011, and it was read by title only by the City Attorney.

Councilor Nesbitt moved and Councilor Drexel seconded the motion that Resolution No. 11, Series 2011, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING THE AGREEMENT BETWEEN THE CITY OF GUNNISON AND THE STATE BOARD OF GREAT OUTDOORS COLORADO TRUST FUND**, be introduced, read, passed and adopted this 28th day of June, 2011.

Roll call vote, yes: Houck, Seymour, Nesbitt, Drexel, Harriman. So carried.

Roll call vote, no: None.

Resolution No. 11, Series 2011; Re: Approval of Transfer of Budgeted funds. Councilor Nesbitt introduced Resolution No. 11 Series 2011, and it was read in its entirety by the City Attorney.

Councilor Nesbitt moved and Councilor Harriman seconded the motion that Resolution NO. 11, Series 2011, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, TRANSFERRING UNENCUMBERED APPROPRIATED BALANCES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011**, be introduced, passed and adopted this 28th day of June, 2011, with the following changes: City Attorney Landwehr stated that the words “wishes to” should be removed from both Sections 1. and 2.; and the word “Parks” be removed from the third sentence in Section 2. Both the first and second motions approved of the changes.

Roll call vote, yes: Seymour, Nesbitt, Drexel, Harriman, Houck. So carried.

Roll call vote, no: None.

City Attorney: Rod Landwehr. Nothing to report.

City Manager: Ken Coleman reported on the following: he is working with an intern, going door-to-door to the businesses and giving out information on closures during the USAPCC, so far the information has been well received; paving began today on West Tomichi and should be finished tomorrow; rotomilling is taking place on S. Boulevard with paving to follow; slurry sealing is underway at various location around town; the concrete scarifier is in use and the crew is grinding down high spots on the sidewalks; bids for replacement of the dugouts at the Teller Ballfield are out and bids for the infield mix and fencing will be going out soon; there will be a conference call with David Owen, attorney with Caplan & Ernest regarding the RHPI indictment; the Emergency Safety Expo was held this past weekend and the event will be re-evaluated in light of the lower attendance; and the Whitewater Festival this past weekend was well attended with Councilor Nesbitt making opening remarks. Councilor Harriman stated she saw several new booths at the Safety Expo and she learned some new things. City Manager Coleman then discussed with Council potential dates and visitation sites for the proposed City Council tour. Each Councilor will get any suggestions for tour sites back to the City Manager by next Tuesday. The proposed date is Tuesday, July 19th. This will be an all-day work session meeting following their joint meeting with the Board of County Commissioners. Council will not meet that evening.

Acting City Manager/City Clerk: Gail Davidson. Clerk Davidson stated that her semi-annual report is in their packets. She commended her staff for their excellent customer service and stated the success of the department is largely attributed to their service. The big news for the first six months of this year was the successful completion of the City Regular Election. We had a good voter turn-out of over 55%. The 2010/2011 Youth City Council session was a success with the participation of 10 students. The students held many interesting and informative sessions about municipal government with the highlights being the “mock” city council session and the “mock” municipal court session. Judge McDonald participated and mentored the student judge. The students also introduced a Youth Tobacco Ordinance proposal to Council that will be discussed once again in the coming weeks. Special events permitting and liquor licensing are on par with past years, however, Municipal Court revenues and caseloads are down from past years. This may be attributable to a lower Police Officer staffing. Also, the Parking Enforcement Officer was absent for much of the spring months. Hence, there were lower citations written. City Clerk then asked Council if they had any questions. City Manager Coleman and Mayor Houck both commended the Clerk’s Department staff for their good service in providing requested information.

Non-Scheduled Citizens: None.

City Council Discussion, Meeting Reports, Items for Work Session:

Councilor Drexel: reported that he has had several citizens express to him about their concerns regarding kids on bikes riding into traffic. City Manager Coleman stated that he has passed this information along to the Police Chief. We also need education in the schools, perhaps a bike rodeo, to educate children about safe bike riding. There may be some educational opportunities through the Bicycle Pedestrian Advisory Committee for biking safety education. A short discussion ensued about education starting with adults demonstrating safe and courteous biking.

Lastly, Councilor Drexel asked the other Councilors if he should attend the Region 10 Executive Board meeting this week. Consensus was that it is a good opportunity and, if he has time, he should attend.

Mayor Pro Tem Harriman: reported she went to the Farmers' Market on Saturday and it was well attended. There were over 30 vendors in attendance. Mayor Pro Tem stated that in talking with a local bike shop owner there is some confusion over where people can ride on sidewalks. City Manager Coleman stated the only restriction is downtown where it is posted. She also attended the Safety Expo on Saturday and today the Housing Foundation Meeting. At the Housing meeting they discussed the Butch Clark land donation. The land may be going to the Land Trust and a parcel kept under a conservation easement. This will require action by the County Planning Commission and County Commissioners. The cabin may eventually be managed by the Nordic Council.

Mayor Houck: reported that the RTA is still working with CBMR on the Continental/United Airlines contract for flights from Houston. The Mayor then thanked the Electric Crew for their assistance and use of the bucket truck today for the Partners' "egg drop" activity. Tom Pollard, Robert and Logan were a great help and everyone had a great time. Lastly, congratulations to Jefe Branham, a Gunnison biker, who took second in the Continental Divide Tour Mountain Bike Race. The ride is from Canada to the Mexican border along the Continental Divide. He averaged 170 miles a day, with no outside support, on a single speed mountain bike. Congratulations to him.

Councilor Seymour: reminded everyone that the Library Board will be holding a public meeting tomorrow night on the new library facilities proposal. The meeting will be at 7pm at the Aspinall-Wilson Conference Center. He then reminded Council he will be gone for the July 5th and July 12th Council meetings.

Councilor Nesbitt: reported he attended the Water Board meeting last night. Lake Powell has come up 22' in the last 26 days. That is good news. The Governor has made a comment that he wants a water plan completed within the next 5 years. He also had a conversation regarding the Denver Water Board not needing water from the Colorado River.

Adjournment: Mayor Houck called for any further discussion, and hearing none, adjourned the meeting at 8:32 P.M.

Mayor

City Clerk