

NOVEMBER 8, 2011

CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES

7:00 P.M.

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 Manager Coleman, City Clerk Davidson, Finance Director Hanson, Community Development Director Westbay, WSC Liaison Edwards, several interested citizens and the press. City Attorney Landwehr was absent. A Council quorum was present.

NOVEMBER 9, 2010

PUBLIC HEARING

7:00 P.M.

Mayor Houck stated the time is 7:01 P.M. on Tuesday, November 8, 2011, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison, Colorado, and in attendance are all of City Council, the City Manager, City Clerk, and the Finance Director. The purpose of the Public Hearing is to receive input on the Proposed 2012 City Budget.

Mayor Houck asked for Proof of Publication. City Clerk Davidson stated that proof of publication was provided in Council's packets and the publication affidavit is available for the record.

Mayor Houck called for City Staff comment and recommendation. City Manager Coleman thanked Council for all of their hard work on the budget and for being the decision makers in the consideration of each item. The budget reflects the community's interests and will maintain the level of City services for the citizens in 2012.

Finance Director Hanson stated that Council received several updated budget pages in their packets. There was a change to the Wastewater collection I/I (inflow/infiltration) line item. The total budget is \$15,435,705 including all capital and operating expenses. All of the funds are balanced except for the planned expenditures out of capital reserves that have been discussed and approved. The total budget is very conservative and reflects a decrease of approximately \$500,000 from the 2011 budget.

Mayor Houck called for public comment and asked that anyone wishing to comment to please step up to the microphone, state their name and sign the sign-in sheet for the record. Sue Uerling, Executive Director of Six-Points Evaluation and Training Center came forward and identified herself for the record. Ms. Uerling thanked Council for their past support and know that Council values the program. They couldn't offer the programs they do without City Council support. There are programs in other communities but the quality of life is better here for their clients. Each dollar received changes lives. They understand that this is a really difficult time. Like everyone, they have a bare bones budget. They received \$3,084 last year and five years ago, they received around \$5,000 from the City. This has been a steady decrease and they are concerned with this trend. Every single dollar does change lives. The Six-Points Board is projecting that when the capital building project for the new thrift store is complete, the program will be more sustainable. But they are still reliant on City funds. They are hoping their is some wiggle room in the funding and are requesting the same amount of funding, \$3,084, as last year. Ms. Uerling then paraphrased Winston Churchill: "The measure of our government's greatness is how it treats the weakest and most vulnerable members of our society." Ms. Uerling stated that she thinks Gunnison is a great place and we have great leadership.

Mayor Houck thanked Ms. Uerling for her input. He explained that Council had a lengthy budget discussion last week concerning Grants and Contracts for Service. Some of the items will be transitioning into less funding and others will have even more dramatic cuts in the future. There was no discussion to eliminate funding to Six-Points. Many hard decisions had to be made for next year's budget.

Mayor Houck asked for any letters, emails or other comments received. City Clerk Davidson stated that no additional comments were received.

Mayor Houck called for any further comments, and hearing none, closed the Public Hearing at 7:11 P.M. Mayor Houck thanked Staff and Finance Director Hanson for their hard work and leadership on developing the budget. City Manager Coleman thanked all of Council for their continued support of the employees.

Mayor Houck amended the Agenda to include: New Business, Item C. "Discussion and Action on City Response to UGRWCD "Findings of Fact, Conclusions of Law, and Order", Re: Petition to Reopen and Revise Organizational Decree".

Consideration of Minutes:**Regular Session Meeting Minutes of October 25, 2011.**

Councilor Nesbitt moved and Councilor Seymour seconded the motion to approve the Regular Session Meeting minutes of October 25, 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:

2012 Budget Items (not individually scheduled). Finance Director Hanson reviewed the Budget memo that was included in the Council packets. There is a decrease of \$12,000 in the Sewer Capital Investment Fees at 2011 year-end and that consequently decreases the Franchise Fees in the General Fund by approximately \$600. There is also an increase from \$44,000 to \$175,000 in the Enterprise Fund Wastewater Division I/I Reduction line item in the 2012 Budget. This is the same funding level as 2011 and will come from cash reserves in the Wastewater Division. The personnel costs in the City Manager's fund should be increased by \$10,000 to a total of \$152,434 to reflect the WSC internship funds. The Mayor and City Manager will work with the WSC SGA on the internship program. Lastly, the Capital Investment Fees for 2011 year-end are decreased by \$12,000 due to recalculation of the fees for the Tomichi Village Inn sewer line project. A short discussion ensued concerning the loss of some regional bus service between Montrose and Grand Junction.

New Business:

Action on License Agreement with Fran Wilson, Downtown Woodshop, 222 N. Main St. for Hanging/Projecting Sign Over City Sidewalk. This item was discussed at last week's Council Work Session meeting.

Councilor Harriman moved and Councilor Drexel seconded the motion to approve the License Agreement with Fran Wilson, dba Downtown Woodshop, 222 N. Main St., for a hanging/projecting sign over the City sidewalk right-of-way, and authorize the Mayor to sign said License Agreement.

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

Roll call vote, no: None.

Action on Letter to Colorado Department of Natural Resources Regarding CDPW Transition Reports. This item was presented by CD Director Westbay and discussed at last week's Council Work Session meeting. Director Westbay explained to Council that the information concerning economic impact was obtained from Dick Bratton but that the data hadn't been verified as of this time. If Council is comfortable approving the letter with the condition that if the data isn't verifiable then the last paragraph on page two and the data table on the top of page three will be removed and the letter will be redrafted for Council's signatures, then he will proceed with that action.

Councilor Nesbitt moved and Councilor Harriman seconded the motion to approve the Letter to the Colorado Department of Natural Resources as submitted and if the data isn't verified then they will sign the re-drafted letter without the economic data table and the last paragraph on page two, and for all of Council to sign said letter.

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

Roll call vote, no: None.

Discussion and Action on City Response to UGRWCD "Findings of Fact, Conclusions of Law, and Order", Re: Petition to Reopen and Revise Organizational Decree. City Manager Coleman explained that he, Councilor Drexel and Councilor Nesbitt, attended this morning, the District Court Public Hearing concerning the Upper Gunnison River Water Conservancy District's Petition requesting reorganization of their organizational decree. The City Attorney was allowed to testify and read the City Council's letter into the record of the proceedings. Three letters were submitted on the petition. UGRWCD Attorney John McClow submitted the "Findings of Fact, Conclusions of Law, and Order to Judge Patrick for his ruling and asked that he act solely on the legality of the petition as presented under the Water Conservancy Act. The Judge will allow responses to the submitted Findings until 5:00 P.M. Wednesday. Discussion ensued on the hearing. Mayor Houck stated that he hopes logic and

common sense will ensue regarding this issue. Our growth hasn't increased substantially but it hasn't decreased either. We should maintain the present representation.

Councilor Nesbitt moved and Councilor Seymour seconded the motion to approve the response letter to Judge Steven Patrick as submitted, to attach the letter from Water Attorney Patricia DeChristopher to the City's letter, authorize the Mayor's signature on said letter and submit it to Judge Patrick.

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

Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 11, Series 2011; Re: Amending City Code Regarding Fees for Special Event Liquor Permits; 1st Reading. Councilor Harriman introduced Ordinance No. 11, Series 2011, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Ordinance No. 11, Series 2011, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING SECTION 8.40.10, LIQUOR LICENSE APPLICATION FEES, OF THE CITY OF GUNNISON MUNICIPAL CODE**, be introduced, read, passed, and ordered published on first reading this 8th day of November, 2011.

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

Roll call vote, no: None.

Resolution No. 19, Series 2011; Re: Special Event Liquor Permit City Option. Councilor Harriman introduced Resolution No. 19, Series 2011, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Resolution No. 19, Series 2011, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ELECTING NOT TO NOTIFY THE STATE LIQUOR LICENSING AUTHORITY TO OBTAIN ITS APPROVAL OR DISAPPROVAL FOR A SPECIAL EVENT PERMIT**, be introduced, read, passed and adopted this 8th day of November, 2011.

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

Roll call vote, no: None.

Resolution No. 20, Series 2011; Re: Canceling November 22, 2011, Regular Session Meeting and Rescheduling it for November 29, 2011. Councilor Harriman introduced Resolution No. 20, Series 2011, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Resolution No. 20, Series 2011, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, CANCELING THE REGULAR SESSION MEETING DATE WHICH WAS ORIGINALLY SCHEDULED FOR NOVEMBER 22, 2011, AND RESCHEDULE IT FOR NOVEMBER 29, 2011**, be introduced, read, passed and adopted this 8th day of November, 2011.

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

Roll call vote, no: None.

City Attorney: Rod Landwehr was absent from the meeting.

City Manager: Ken Coleman. City Manager Coleman reported on the following: he was out of town the end of last week and there was no staff meeting today due to the Court session; the utility work on the Clarke property is nearly completed with the waterline connection being disinfected; street cut patching is taking place all around town; water line work at the Wet Grocer and the neighboring cleaners business is underway; the solar system pump problems at the Community Center have been resolved; and the 2011 Christmas tree has been selected. The tree will be lit on the Night of Lights on December 2nd and the tree came from the Schwarz property on South Colorado Street. Thanks to the Schwarz's for their donation.

Acting City Manager: Finance Director Wendy Hanson. Director Hanson stated she had nothing further to report.

City Clerk: Gail Davidson. Informed Council there will be a meeting of the Youth City Council on Sunday evening at 5:30 pm and Council is always welcome to join them. The City Clerk also requested that Council look at their December calendars and to let her know if they will be out of town for any of the scheduled meetings.

WSC Liaison: Nicholas Edwards. Reported on the following: WSC will be holding it's first annual Film Fest featuring extreme sports films on Wednesday, Thursday and Friday in the movie theater; there will be several scholars speaking on the Mayan Calendar and the 2012 end of the world predictions on Saturday at the Aspinall-Wilson Center; he had a favorable initial response to discussions on the City's internship proposal and he will work with the City Manager and WSC staff to develop the internship process; and the Western Responsible Alcohol Program (WRAP) grant is ending but WSC has agreed to continue funding next semester since it is a valuable program.

Non-Scheduled Citizens: None.

City Council General Discussion, Meeting Reports, Items for Work Sessions:

Councilor Drexel: reported on the following: he attended the Region 10 meeting on October 27th and the Board discussed the funding issue with Ouray County and developed a grievance process; and the first meeting of the Gunnison County Broadband Committee will be next Monday, November 14th in the Commissioners Room if anyone on Council would like to attend.

Mayor Pro Tem Harriman: reported she had no meetings so far this week. There may be a Housing meeting on Thursday. Mayor Pro Tem Harriman brought up a webinar on recycling asphalt in-place and asked the City Manager if the City was aware of this. City Manager Coleman will get with Public Works Director Bradford about the webinar. The Mayor Pro Tem also mention there will be a BPAC meeting on Thursday at 9am and a Historic Preservation Roundtable meeting will be held in Gunnison on Tuesday, November 15th at 2pm at the Firebrand. City Manager Coleman will pass the information on to City Planner Ruggera.

Mayor Houck: apologized that he missed the Mayors'/Managers' meeting last Thursday. Finance Director Hanson stated that she represented the City and she will forward the memo on the meeting to all of Council. In brief, sales tax is up in CB and Mt. CB; CBMR is finishing up some capital project and winter bookings are down 1 to 2% at this time; the Town of Pitkin is dealing with livestock causing damage in town; the Library District reported on the failed vote; REIJ, WSC and the GVH had no representatives at the meeting; and the GVF spoke on how non-profits are struggling and some are failing in this economy. Mayor Houck then reported he attended the RTA meeting last Friday and the RTA is tightening its budget and there has been some modification to the scheduled flights from Houston to Gunnison. The ski season starts on November 23rd and last night over 25% of the freshmen class signed up for the Drug-Free program "Choice Pass" with CBMR. The Mayor then asked for an update from the City Manager on the thank you letter that Council received from Scottie Wylie. City Manager Coleman replied that the City worked with several business owners and several City bike racks were installed on the strip mall sidewalks and another City provided rack was installed at the southwest corner of the City Market building. Mayor Houck thanked Staff for their follow-through on this matter.

Councilor Seymour: reported on the following: he attended the very successful Halloween event at the Community Center and he sends his thanks to Dan Ampietro and his staff; he attended the Tourism Association meeting this morning, and although there wasn't a quorum, they had a good discussion concerning their by-laws and the issue of Board members having to be Chamber members. City Manager Coleman informed Council he has been meeting with TA Director Jane Chaney and they are discussing generating marketing information that focuses on the City to be provided to the TA.

Councilor Nesbitt: reported on an email he received from Senator Bennett regarding the Gunnison County Library being included in a new computer network system. He also attended the Water Roundtable meeting last night and they discussed a statewide water "Tool Kit" program. The program that is nearing completion is an engineering tool that will include ditches,

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diversion structures, streams, reservoirs, rivers, etc. that can be utilized for different scenarios. The CWCB is also working on water educational materials that will cover a wide variety of water issues such as water resources, drought, etc. Approximately 32,000 copies will be made available.

Adjournment: Mayor Houck called for any further comment and hearing none, the Regular Session meeting was adjourned at 8:23 P.M.



Mayor



Gail A. Davidson
City Clerk