

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Houck with Councilors Drexel, Harriman, Seymour and Nesbitt present along with City Manager Coleman, City Clerk Davidson, Community Development Director Westbay, a couple citizens and the press. A Council quorum was present.

Consideration of Minutes:**Regular Session Meeting Minutes of February 14, 2012.**

Councilor Harriman moved and Councilor Drexel seconded the motion to approve the Regular Session Meeting minutes of February 14, 2012, as submitted.

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

Roll call vote, no: None.

Roll call vote, abstain: Nesbitt.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on City Attorney Resignation. All of Council stated that they regretfully and respectfully accept Rod Landwehr 's resignation letter as the City Attorney. Mayor Houck stated he served the City for 21 years.

Councilor Nesbitt moved and the entire Council seconded the motion to accept, with deep regret, sadness and respect, the resignation of City Attorney Rod Landwehr and for staff to investigate a means to show Council's and the entire City's appreciation for his 21 years of outstanding service.

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

Roll call vote, no: None.

Action to Appoint Interim City Attorney. The City Manager discussed the new City Attorney selection process with Council. Rod has helped craft an advertisement that went out over the CML Attorney ListServe. The ad has been expanded and is being resubmitted to CML. An ad has also run in the local newspaper. There has been limited response. City Manager Coleman asked Council if they would like to expand the timeframe for submittals and they concurred with this. The announcement may also be submitted to the Colorado Bar Association. City Manager Coleman also has devised a selection matrix and gave each Councilor a copy. Discussion ensued. Council consensus was to look for more exposure for applicants and continue and extend the advertising process to obtain a larger pool of applicants. This is no reflection on the applicants that have applied to date. Council is not aware of who has submitted letters of interest thus far. As discussed at a prior meeting, the City Manager discussed with Alternate City Attorney Kathleen Fogo about serving as Interim City Attorney and she has agreed to continue in this capacity under her existing contract.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to appoint Kathleen Fogo as Interim City Attorney until the new City Attorney is appointed.

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

Roll call vote, no: None.

Discussion continued. A substitute for the Interim Attorney may be pursued at a later date and further advertising will take place. The City Manager will also be talking with Mt. Crested Butte Manager Joe Fitzpatrick on Thursday about their attorney search. We will also contact Geoff Wilson at CML tomorrow regarding other advertising avenues.

Letter to County Commissioners, Re: Support of Gunnison County Housing Authority. Before discussing the letter in Council's packets, Mayor Pro Tem Harriman stated the County Commissioners discussed the Housing Authority (HA) at their meeting today. Essentially, the letter is not appropriate at this time. KT Gazunis, current HA Director, has resigned. The Commissioners discussed the status of the HA and how the HA Board should be structured. This is a fresh start. The debt is paid down. Municipal entity participation was discussed. Both Crested Butte and Mt. Crested Butte questioned the value of the HA as they have their own housing policies in place. The HA has acted as our City affordable housing entity in the past. City Manager Ken Coleman suggested a three-year plan. This would require the

following: a director would be hired to continue the existing programs; the governance issue of how the board would be structured would be discussed and formulated; and financial commitments from all participating entities need to be established. City Manager Coleman stated he doesn't think the HA will be self-sustaining any time in the near future. The Gunnison Housing Foundation is in-place thanks to a generous donation from the Clark's. This is for housing projects not for operations. Discussion ensued. Topics discussed included: a possible mill levy to create a regional housing authority; the need for the County to be a player in the process; the existing housing policies in the Valley; the City's housing needs should be established; and the possible repercussions to the City if the HA folds. City Manager Coleman will be meeting with Susan Parker, Joe Fitzpatrick and Matthew Birnie to further discuss these issues. Mayor Houck stated the HA needs to be beneficial to all participants. Council consensus was to not act on the letter at this time.

Gunnison Rising Annexation Update. Community Development Director Westbay gave Council an overview of the memo they received in their packets. He reviewed the July 26th subdivision of the Colorado Division of Parks & Wildlife property and the northern portion of the Wilson Tract that went to the WSC Foundation. Other topics discussed included: City staff met with the Discovery design consultants and CDPW on October 24th; a Grant of Deed in Lieu of Foreclosure was issued by the Gunnison Valley Partners, that included the Schuck Group, who are no longer involved in the property; Gunnison Valley Properties now has ownership of the property; City Attorney Landwehr made a determination a RETA did not have to be paid for the foreclosure transaction; and Western State College Foundation has been granted deeds for real property in the Wilson Subdivision and Gunnison Rising PUD Commercial District for future WSC Faculty Housing. Lastly, in January 2012, the CDPW postponed any decision about the relocation of the Southwest Regional Headquarters and Discovery Center. Council thanked Director Westbay. City Manager Coleman informed Council he has talked with City Water Attorney Tim Beaton about a Stipulation Agreement for Water Rights on the transferred property. Council consensus was for the City Manager to sign the Stipulation agreement to protect the City's rights associated with the property transfer. A discussion on a possible conflict of interest regarding CREDA and Black Canyon water rights ensued.

City Manager Quarterly Update. City Manager Coleman reviewed the memo he included in Council's packets. He has worked on the following: WSC internships with the City; working with the Cindy McKee of the Gunnison Middle School on an 8th Grade local government project; work continues on the USA Pro Cycling Challenge Agreement and on the preparations for this year's event; the City Hall HVAC system; City Hall and the Community Center energy-efficient lighting upgrades; development of a Community/Student Athlete Engagement Plan; work with the CDOPW on fishing habitat enhancements adjacent to the Van Tuyl Ranch; working with City Engineer Terry Zerger regarding possible storm water issues south of the City limits adjacent to the airport property; and determining a course of action for transition with the City attorney services. He also attended the Colorado City & County Managers Association annual meeting in Glenwood Springs and got some great information.

Ordinances and Resolutions:

Ordinance No. 1, Series 2012; Re: Text Amendment to Gunnison Land Development Code, to Amend Table 15.70.030 (Schedule of Uses – Commercial/Industrial Zone Districts); 2nd Reading. Councilor Seymour introduced Ordinance No. 1, Series 2012, and it was read by title only by the Mayor.

Councilor Seymour moved and Councilor Nesbitt seconded the motion that Ordinance No. 1, Series 2012; **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AMENDING TITLE 15, OF THE LAND DEVELOPMENT CODE, OF THE CITY OF GUNNISON MUNICIPAL CODE, ALLOWING THE USE OF LAND IN THE INDUSTRIAL ZONE DISTRICT WITHIN THE BOUNDARIES OF THE CITY OF GUNNISON FOR RETAIL SALES ESTABLISHMENTS, SUBJECT TO CONDITIONAL USE REVIEW**, be introduced, read, passed and adopted on second and final reading, this 28th day of February, 2012.

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

Roll call vote, no: None.

Resolution No. 2, Series 2012; Re: Support for GOCO Grant Application for Jorgensen Skatepark. Councilor Harriman introduced Resolution No. 2, Series 2012, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Seymour seconded the motion that Resolution No. 2, Series 2012, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING THE GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND FOR THE GUNNISON SKATEPARK PROJECT**, be introduced, read, passed and adopted this 28th day of February, 2012.

Roll call vote, yes: Nesbitt, Drexel, Harriman, Houck, Seymour. So carried
Roll call vote, no: None.

Resolution No. 3, Series 2012; Re: Adoption of City Emergency Operations Plan. Councilor Harriman introduced Resolution No. 3, Series 2012, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Resolution No. 3, Series 2012, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING THE CITY OF GUNNISON EMERGENCY OPERATIONS PLAN**, be introduced, read, passed and adopted this 28th day of February, 2012.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.
Roll call vote, no: None.

Interim City Attorney: not present.

City Manager: Ken Coleman. City Manager Coleman informed Council of the following: Head Mechanic Larry Dagan has submitted his resignation and will be moving to Alaska; he will be attending the Mayors'/Managers' meeting at CBMR on Thursday at noon and the Economic Development meeting tomorrow afternoon at the Aspinall-Wilson Center; and the Young at Heart and the Boomers & Beyond Senior Groups have been discussing working together on senior lunches and programming. Councilor Harriman asked about the Spencer Avenue intersection project. City Manager Coleman responded that the City has received the preliminary information but we are having problems with accessing the data. Terry attended a CDOT meeting about the project last week. We will get Council further information as it becomes available.

Acting City Manager: Community Development Director Westbay – Semi-Annual Departmental Report. Director Westbay discussed the following with Council: they have been working on the CDOPW trail easement at the VanTuyl Ranch; the VanTuyl Ranch annexation application continues; the Certificate of Occupancy for the County's Safety Center was issued; employee evaluations were completed; 10 development applications including three conditional use applications, one exempt subdivision, one variance application one Code text amendment, and four license agreements were processed; the annual school inspections and Fire Prevention Week outreach took place; the Tri-Annual Airport exercise took place; a successful household hazardous waste collection day took place; the City's Emergency Operations Plan was developed and adopted; and the Fire Marshall is assisting with the hiring of a Fire Department maintenance technician. Building activity remains slow with new residential construction spending increasing slowly nation-wide. It is anticipated that new residential construction will increase state-wide approximately six percent in 2012 and eight percent in 2013. Council thanked Director Westbay for his report and for the work his department accomplishes. They look forward to meeting with the Planning Commission next week in a joint work session.

City Clerk: Gail Davidson. Reminded Council that next Tuesday's Work Session meeting has been cancelled and rescheduled for Wednesday evening at 7:00 P.M. with the Planning Commission.

WSC Liaison: Nicholas Edwards was not in attendance.

Non-Scheduled Citizens: None.

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

Councilor Drexel: reported he has made available the notes from the CML and Region 10 meetings he attended last week. The CML meeting was very interesting. At the meeting it was stated that by the year 2025, there will be no state funding for higher education. He then informed Council the State TBD (to be determined) regional meeting will be held in Montrose on March 7th.

Mayor Pro Tem Harriman: reported she attended the terrific Honor Band Concerts this past weekend. The Firemen were there for a fundraiser. She also attended the Town Hall meeting with Rep. Roger Wilson, State Senator Gail Schwartz and Rep. Millie Hamner on Saturday. She also attended a presentation to Maria Struble's WSC Class on education cuts and taxes.

Mayor Houck: informed Council he will attend the Economic Development meeting on Wednesday, the RTA meeting and retreat on Friday and the Mayors'/Managers' meeting on Thursday. He reminded Council of the employee appreciation lunch next Tuesday, March 6th, at the ice rink. Lastly, there is a full-page article in this month's Bike Magazine about the quality and quantity of the Gunnison Growler Race. It's great national recognition. Lastly, he will talk with Hap Channell regarding setting up a joint meeting with the County Commissioners.

Councilor Seymour: Nothing to report this evening.

Councilor Nesbitt: reported he attended a Water Board meeting last night. The basin is at 74% of normal. Blue Mesa is celebrating their 50 years anniversary this year and the Regional Basin Roundtable meeting will be in Gunnison on June 6th. John McClow is in line to be a CRWCD Director. Councilor Nesbitt further reported he attended a Chamber Board meeting this morning. He then told Council he received an email from Steve Schechter regarding solar easements. City Manager Coleman stated this information has been forwarded onto CD Director Westbay since the Planning Commission is currently re-evaluating the Land Development Code.

Adjournment: Mayor Houck called for any further discussion, and hearing none, adjourned the meeting at 8:35 P.M.

Mayor

City Clerk