

APRIL 22, 2014

**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 Drexel, with Councilors Riggs, Ferguson, Steinbeck and Hagan present along with City Attorney Fogo, City Manager Coleman, City Clerk Davidson, Public Works Director Bradford, Finance Director Collins, Police Chief Robinson, WSCU Liaison Leal, several citizens and the press. A Council quorum was present.

Mayor Drexel asked that New Business agenda item A. "Excuse Councilor Hagan from the Meeting" be removed from the agenda since Councilor Hagan returned from his trip and is present this evening. Council concurred with the removal.

Consideration of Minutes:**Regular Session Meeting Minutes of April 8, 2014.**

Councilor Ferguson moved and Councilor Steinbeck seconded the motion to approve the Regular Session Meeting minutes of April 8, 2014, as submitted.

Roll call vote, yes: Riggs, Ferguson, Drexel, Steinbeck, Hagan. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on Establishing Law Enforcement Advocate Program. Chief Robinson informed Council the revised program budget was included in their packets. He has confirmed the participation from the other governmental entities. City Manager Coleman congratulated Chief Robinson for all of his efforts and good work on establishing this program. Council thanked Chief Robinson and his staff for their work on the program and their willingness to go to full-time positions to accomplish the advocacy program jobs.

Councilor Ferguson moved and Councilor Riggs seconded the motion to approve the establishment of the Gunnison Police Department Law Enforcement Advocacy Program, and to authorize the City to enter into an interagency agreement to provide Law Enforcement Advocacy Service to the Gunnison County Sheriff's Office, the Hindsdale County Sheriff's Office, the Crested Butte Marshals Office and the Mt. Crested Butte Police Department with the Police Chief to sign said Agreement for the City of Gunnison.

Roll call vote, yes: Ferguson, Drexel, Steinbeck, Hagan, Riggs. So carried.

Roll call vote, no: None.

Action on Personnel Changes for Law Enforcement Advocate Program.

Councilor Ferguson moved and Councilor Steinbeck seconded the motion approve a staffing adjustment for the Police Records Office from two, three-quarter time positions to two full-time positions, add a half-time Law Enforcement Advocate position when funding is confirmed, and to establish a Law Enforcement Advocate Department with identified funds transferred into that Department.

Roll call vote, yes: Drexel, Steinbeck, Hagan, Riggs, Ferguson. So carried.

Roll call vote, no: None.

Action to Award 2014 Street Improvements Bids. Public Works Director Tex Bradford addressed Council and stated he had sent them a memo that identified additional street improvements if funds are available. This includes the new Police Building parking areas. The \$50,000 cost he cited in the memo may be a little high. The half block of Leroy Avenue will also be paved if funds are available. Councilor Ferguson asked if the paving is needed for the DOLA Grant matching funds. The City Manager stated yes, it is important for the grant match. Director Bradford informed Council that curb and gutter will also be placed at the Police Building. Finance Director Collins informed Council with the use of the proposed funds, it will leave 45.7% in cash reserves of operating expenses in the General Fund. The State auditors recommends at least a quarter of operating expenses be available as cash reserves.

Councilor Riggs moved and Councilor Steinbeck seconded the motion to award the 2014 Street Improvements to United Companies as the low qualifying company for an amount not to exceed \$712,097.

Roll call vote, yes: Steinbeck, Hagan, Riggs, Ferguson, Drexel. So carried.

Roll call vote, no: None.

Action on Approval of Waiver for Slurry Seal Bids “Keep Jobs in Colorado Act”.

Public Works Director Tex Bradford informed Council some provisions of the “Keep Jobs in Colorado Act” allow municipalities to authorize a waiver to the Act under some conditions. He discussed those provisions with Council at last week’s Work Session meeting. City Attorney Fogo prepared the waiver that is under consideration this evening. City Attorney Fogo informed Council that a waiver seems appropriate in the case. A short discussion ensued. Councilor Riggs stated that while she would prefer the bid go to a local or at least a Colorado company, in this instance it doesn’t seem prudent. The city does need to be more accommodating for local contractors in the future. Director Bradford explained that in the past there was a 3% preference for local companies and then 3 to 4 years ago, that preference was changed to 10% for locals on projects up to \$250,000 and kept at 3% for projects over \$250,000. In this case, even 10% preference wouldn’t have changed the outcome. The challenge is to spend more dollars for a project or reduce the scope of work. A short discussion took place on local entities working together on projects to have a higher quantity of work for local contractors to bid.

Councilor Steinbeck moved and Councilor Hagan seconded the motion to approve the waiver of the eighty percent (80%) Colorado labor requirement pursuant to the “Keep Jobs in Colorado Act” and for the Mayor to sign the Waiver.

Roll call vote, yes: Hagan, Riggs, Ferguson, Drexel, Steinbeck. So carried.

Roll call vote, no: None.

Action to Award 2014 Slurry Seal Bids.

Councilor Hagan moved and Councilor Riggs seconded the motion to award the 2014 Slurry Seal bid to Intermountain Slurry Seal of Salt Lake City, Utah, as the low qualifying bidder, in the amount not to exceed the budgeted \$100,000.

Roll call vote, yes: Riggs, Ferguson, Drexel, Steinbeck, Hagan. So carried.

Roll call vote, no: None.

Action on Directing Staff to Proceed with November 4, 2015, Coordinated Election with Gunnison County; Re: Retail Marijuana Questions. City Manager Coleman asked Council to give Staff direction on possibly placing a ballot measure on an upcoming election to ask our citizens what their preference is for allowing marijuana sales to occur within the jurisdiction of the City of Gunnison. He informed Council a ballot measure that includes taxation can be placed on a General Election coordinated with the County or on the City’s scheduled election in May 2015. Prior to an election, legal questions regarding the previous medical marijuana dispensary ban, the prohibition in-place on retail sales, formulation of regulations necessary to enforce the sale of marijuana within the City need to be answered and decisions need to be made if additional taxation is warranted and for what purposes those funds would be utilized.

Discussion ensued. Councilor Riggs stated it is important to place the question on the November Ballot. The City Manager stated it is staff’s intent to move forward and not hinder the process. However, the City also has to determine an implementation date for sales if the question passes to allow for the regulations for those businesses to be set in-place prior to the first sales.

Councilor Ferguson moved and Councilor Riggs seconded the motion to direct staff to develop a plan of action that will result in appropriate measures related to marijuana businesses being placed on an upcoming election ballot.

Councilor Steinbeck moved and Councilor Ferguson seconded the motion to amend the first motion above to state: with a preference for the November, 2014 Election.

Vote on Amendment:

Roll call vote, yes: Ferguson, Drexel, Steinbeck, Hagan, Riggs. So carried.

Roll call vote, no: None.

Vote on original motion as amended:

Roll call vote, yes: Drexel, Steinbeck, Hagan, Riggs, Ferguson. So carried.

Roll call vote, no: None.

Action to Accept Amended Employee Handbook. City Manager Coleman asked Council if they had any questions regarding the changes in the employee Handbook, as outlined in the memo included in their packets. There were no questions.

Councilor Riggs moved and Councilor Ferguson seconded the motion to accept the Amended Employee Handbook, dated April 22, 2014, and to replace all previous versions of the City of Gunnison Employee Handbook.

Roll call vote, yes: Steinbeck, Hagan, Riggs, Ferguson, Drexel. So carried.

Roll call vote, no: None.

Council thanked Finance Director Collins and her staff for their work on the revised Handbook.

Council Input on Community Builders Task Force Scope of Work. City Manager Coleman informed Council he wants them to be aware the Community Builders Task Force (CBTF) is working on an RFP for their community action planning document. Once it is worked out, the CBTF Committee Members will take it back to community members for input. Councilor Riggs stated she asked for this item to be on the agenda and the CBTF committee members want to discuss the draft plan RFP at their May 7th meeting. She will have more information after that meeting and will bring that back to Council.

Ordinance and Resolutions: None.

City Attorney Kathleen Fogo: no report this evening.

City Manager: Ken Coleman reported on the following: the ditches will be turned on May 12th and there is some work on the main ditch north of town left to complete; the trails on the VanTuyl Ranch have been bladed and are in good shape; the City's Community Clean-up was held this past Saturday; the annual Egg-atics event was held at the Community Center on Saturday and there were around 160 kids participating; the annual Easter egg hunt was held at Legion Park; the ICE Project held an Open House at Escalante Hall; there will be a meeting in Gunnison regarding state-wide water planning and the Colorado River Compact states; please be aware the emergency services exercise will be held tomorrow on Gold Basin Road and Highway 50; he attended the Courthouse groundbreaking; there is a Southwest Tourism Summit tomorrow in Mt. Crested Butte; planning work continues on the dog park and the senior addition; and the City phones change-over has been a challenge.

Acting City Manager: Public Works Director Tex Bradford Semi-Annual Departmental Report. Director Bradford asked Council if they had any questions regarding his report that was included in their packets. There were no questions. Director Bradford then reported on the following: he will be participating in a phone conference with MEAN staff regarding the support energy portion of our power contract; he will then be attending a MEAN meeting on May 20th in North Platte, Nebraska; he met with SGM Engineering yesterday regarding the nutrient analysis at the Wastewater Treatment Plant; and he is continuing the planning for the CAMU Conference that will be held here in Gunnison in July. Gunnison is this year's host City.

City Clerk: Gail Davidson reported she is submitting the final WSCU Top of the World Newspaper article from the City for this school year. She is also researching marijuana licensing procedures and policies in anticipation of the upcoming ballot measures.

WSCU Liaison: Amber Leal reported on the following: she will be graduating on May 10th; she has accepted the position as the Assistant for the new University President; the Western team to the Model UN Program in New York received a top position paper award; SpringFest went off great with hundreds of students participating; the Western Mountain Rescue Team has been re-certified making it the only certified collegiate rescue team in the nation; the Student Film Night will be held next Wednesday in the Ruby Theater on campus; and she then thanked Council for allowing her to serve as the Western Liaison to Council. All of Council thanked Amber and wished her well in the future.

Non-Scheduled Citizens: City Planning Commissioner Sharon Cave reported she attended the Gunnison Memorial Scholarship Committee meeting today as the City's representative. They will announce the scholarship winner at a later date.

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

Regular Session Minutes
April 22, 2014
Page Four

Councilor Riggs: reported this past Saturday was an amazing day with so much going on in town. She attended the ICE Fest, Western SpringFest, the Community Clean-Up and the Garden Festival. She informed Council that CBMR has announced they will be open this weekend and will feature \$20.00 lift tickets from 10am to 5pm. It is the first time in the ski area history that they are re-opening after their regular season. CBMR also announced Peak Passes will be \$599 for next year.

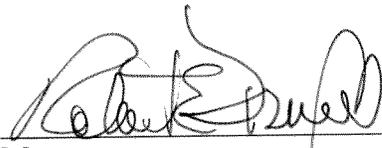
Mayor Pro Tem Ferguson: reported he will be attended the UGRWCD dinner next week. He attended the Chamber Board meeting this morning. The Chambers and the TA are struggling a bit. The Board of County Commissioners will be hiring a facilitator to evaluate the existing tourism marketing process and make recommendations on how the Chambers and TA can function at a higher level. The IGA that created the Local Marketing District/TA may be re-evaluated. He also attended the Courthouse groundbreaking.

Councilor Steinbeck: reported she attended the Gunnison Valley Regional Housing Authority meeting. They hosted a group from Chaffee County that wants to form a similar authority. There were 25 people in attendance at that meeting. She attended the Garden Festival where she worked with the Western State garden group and sold produce. She also picked up a sack for the Community Clean-Up. She too attended the Courthouse groundbreaking today.

Councilor Hagan: reported he attended the Courthouse groundbreaking as well. He didn't attend any meetings as he was in Montana the last two weeks. He thanked Council for their kind thoughts and stated he is glad to be back.

Mayor Drexel: reported he attended the Region 10 meeting. It was announced the City received a \$22,000 grant. City Manager Coleman explained this is a Safe Route to Schools Grant and Joellen Fonken, with the Bicycle and Pedestrian Advisory Committee (BPAC), submitted that grant for the City and it will be used for education on biking and walking to promote better and healthy lifestyles in Gunnison. The BPAC is working with REIJ Schools to get some expert speakers on the education component.

Adjournment: Mayor Drexel called for any further discussion, and hearing none, adjourned the meeting at 8:19 P.M.



Mayor



City Clerk