JUNE 9, 2015 **CITY OF GUNNISON COUNCIL** **7:00 P.M.**
REGULAR SESSION MEETING MINUTES

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Hagan, with Councilors Ferguson, Drexel, and Schwartz present along with City Attorney Fogo, City Manager Coleman, City Clerk/Acting City Manager Davidson, Police Chief Robinson, Community Development Director Westbay, several citizens and the press. Councilor Morrison was absent. A Council quorum was present.

Consideration of Minutes of May 26, 2015, Regular Session Meeting.
Councilor Drexel moved and Councilor Schwartz seconded the motion to approve the Regular Session Meeting Minutes of May 26, 2015, as submitted.
Roll call vote, yes: Ferguson, Drexel, Hagan, Schwartz. Motion carried.
Roll call vote, no: None.

Consideration of Minutes of June 2, 2015, Special Session Meeting.
Councilor Schwartz moved and Councilor Drexel seconded the motion to approve the Special Session Meeting minutes of June 2, 2015, as submitted.
Roll call vote, yes: Drexel, Hagan, Schwartz, Ferguson. Motion carried.
Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:
Action to Excuse Councilor Morrison from Regular Session Meeting.
Councilor Ferguson moved and Councilor Schwartz seconded the motion to excuse Councilor Morrison from this evening's Regular Session meeting for personal reasons.
Roll call vote, yes: Hagan, Schwartz, Ferguson, Drexel. Motion carried.
Roll call vote, no: None.

Ordinance and Resolutions:
Ordinance No. 5, Series 2015, Re: *Gunnison Municipal Code* and *Land Development Code* Text Amendments Regarding Marijuana Facilities Regulations; 1st Reading. Councilor Ferguson introduced Ordinance No. 5, Series 2015; and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Schwartz seconded the motion that Ordinance No, 5, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AMENDING TITLES 3, 8 AND 14 OF THE CITY OF GUNNISON MUNICIPAL CODE AND THE LAND DEVELOPMENT CODE OF THE CITY OF GUNNISON, ESTABLISHING RULES, STANDARDS AND POLICIES FOR LICENSING AND REGULATING THE USE OF LAND WITHIN THE BOUNDARIES OF THE CITY OF GUNNISON FOR THE RETAIL SALE, CULTIVATION, MANUFACTURING, AND TESTING OF MARIJUANA AND MARIJUANA PRODUCTS,** be introduced, read, passed and ordered published as amended on first reading this 9th day of June, 2015.

Mayor called for any discussion on the Ordinance. Discussion ensued. Topics discussed included the following: changing the Sunday hours of operation of retail, medical and recreational, stores only to 1pm to 6pm as a consensus to the faith-based community; to provide a buffer around parks and churches; to delineate more clearly the funding of youth education programs out of the marijuana tax revenues; the language in the ordinance is the same as was on the ballot; Council has the authority every year through the budget development process to spend revenues generated by sales tax; the focus needs to be on youth education programs; the need to defray regulation costs by City staff; why local background checks are necessary since not every local violation is reported through the State reporting system; the ordinance is an evolving document and can be changed in the future if it needs to be amended on any level; business should be allowed to use their business logo even if it includes marijuana graphics in order to promote their business; too much regulation is burdensome to businesses; the Planning Commission had a lengthy discussion on the sign language and they agreed with the language in the Ordinance; the language included in the sign portion of the ordinance is the same as found in State Statutes; the possibility of remanding the ordinance back to the Planning Commission for further review and recommendation; other municipalities use the same signage language as the proposed text; the hours of operation should be 8am to 8pm since the State allows for them to be open until midnight;

many other municipalities allow businesses to be open 10am to 10pm; the welfare of kids is still the focus of the Mayor Pro Tem; and he will be voting with that in mind.

Council concession was to amend the Ordinance to allow for all marijuana businesses will be allowed to be open from 8 a.m. – 10 p.m., Monday – Sunday, except that retail marijuana establishments may only be open from 1pm-6pm on Sundays. The motion's first and the second agreed to the amendments.

Roll call vote, yes: Schwartz, Ferguson, Drexel, Hagan. Motion carried.
Roll call vote, no: None.

Ordinance No. 6, Series 2015, Re: *Gunnison Municipal Code* Text Amendment Regarding Noise/Idling Engines, 1st Reading. Councilor Drexel introduced Ordinance No. 6, Series 2015, and it was read by title only by the City Attorney.

Councilor Drexel moved and Councilor Schwartz seconded the motion that Ordinance No. 6, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING TITLE 5 GENERAL OFFENSES, CHAPTER 5.20 TRAFFIC, SECTION 5.20.020 ADDITIONS OR MODIFICATIONS, PART 12 PARKING, SECTION 1206 UNATTENDED MOTOR VEHICLES, OF THE CITY OF GUNNISON MUNICIPAL CODE,** be introduced, read, passed and ordered published on first reading this 9th day of June, 2015.

Roll call vote, yes: Ferguson, Drexel, Hagan, Schwartz. Motion carried.
Roll call vote, no: None.

City Attorney Kathleen Fogo: no report.

City Manager: Ken Coleman reported on the following: the City hosted the Mayors'/Managers' meeting last Thursday and Steve Westbay gave an overview of the City's Comprehensive Plan Development to the attendees; the Gunnison RiverFest will take place this weekend and the river is flowing high; work continues on the Community Center addition; there were two more leaks in the roof of the Community Center; preparations for the HOG Rally and the Diamonds in the Rockies softball tournament are underway for next week; there will be a meeting on the Highway Corridor Project with CDOT tomorrow; and Staff is working with the County on the conceptual ideas in the Airport Master Plan.

City Clerk/Acting City Manager: Gail Davidson informed Council the City Clerk's Department is hosting two upcoming liquor licensing workshops. The first is this Friday and is a day-long class. We have 17 municipal and county clerks signed up for that workshop. The second class is being co-hosted by the City, CB, Mt. CB and the County. The 4 hour session is being taught by the State Liquor Enforcement agent from Grand Junction. Valley-wide liquor licensees and non-profit groups are invited to attend the free workshop. The City board and commission vacancies have been advertised heavily for the past few weeks. As of this date, no letters of interest have been received. If any of Council knows of anyone interested in City government, to please encourage them to get involved and submit a letter of interest.

WSCU Liaison: Absent until fall semester.

Non-Scheduled Citizens: John Billingsley addressed Council. He thanked them and said the Marijuana Regulations Ordinance is a good compromise and assured them that kids will be protected.

City Council Discussion, Meeting Reports, Items for Work Session:
Councilor Schwartz: reported he attended the Mayors'/Managers' meeting last week and found it informative and the Planning Commission is working through the Comprehensive Plan preliminary information.

Councilor Ferguson: reported he too attended the Mayors'/Managers' meeting. He also attended his first the Community Builders Task Force meeting. That group discussed community values and there is some good information included in the materials.

Mayor Pro Tem Drexel: reported he visited family last week. He informed council that reports from Region 10 indicate that transit between Gunnison and Montrose has been tentatively approved but there is nothing in writing at this time. He thanked the City Manager for arranging to get the water wheel placed back in the ditch downtown. It is quite a show piece for the tourists.

Mayor Hagan: reported the Housing Authority meeting was cancelled due to lack of quorum. They may be meeting tomorrow. The groundbreaking for the Anthracite Apartments in Crested Butte took place and was attended by the City Manager. He attended the Trails Commission meeting last night and they talked about property above the City tree dump and potential trails. Blue Mesa is going to fill in the next 3 or 4 days and will remain full for 3 weeks. The dam structures have to be staffed if the lake is full. The Mayor then asked the City Manager to discuss the possibility of no right turns on red in Gunnison especially at the Tomichi and Main intersection. City Manager Coleman will broach the subject with CDOT at their meeting.

Mayor Hagan asked Council if they had any item they would like included on an upcoming Council meeting agenda. There were no requests.

Adjournment: Mayor Hagan called for any further discussion from Council, staff or the public, and hearing none, adjourned the meeting at 7:58 P.M.

Richard Hagan
Mayor

Gail A. Davidson
City Clerk