AUGUST 25, 2015 CITY OF GUNNISON COUNCIL 7:00 P.M.
REGULAR SESSION MEETING MINUTES

The City Council Regular Session meeting was called to order at 7:04 P.M., by Mayor Hagan, with Councilors Ferguson, Drexel, and Morrison present along with City Attorney Fogo, City Manager Coleman, City Clerk Davidson, Acting City Manager/Community Development Director Westbay, Finance Director Cowan, a couple citizens and the press. Councilor Schwartz was out of town. A Council quorum was present.

Consideration of Minutes of August 11, 2015, Regular Session Meeting.
Councilor Drexel moved and Councilor Ferguson seconded the motion to approve the Regular Session meeting minutes of August 11, 2015, as presented.
Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison. Motion carried.
Roll call vote, no: None.

Consideration of Minutes of August 18, 2015, Special Session Meeting.
Councilor Morrison moved and Council Ferguson seconded the motion to approve the August 18, 2015, Special Session meeting minutes as presented.
Roll call vote, yes: Drexel, Hagan, Morrison, Ferguson. Motion carried.
Roll call vote, no: None.

Pre-Scheduled Citizens:
Funding Request for Gunnison County GOCO Inspire Initiative Grant Application – John Messner. Mr. Messner reviewed the Great Outdoors Colorado (GOCO) Inspire Initiative Grant. The Grant is intended to reverse the disconnect between today's youth and the outdoors. The Grant is a 2-Tier process. The first tier is a $100,000 planning grant for up to five communities that demonstrate readiness to serve as a pilot community. Grants in the amount of $25,000-$75,000 will also be granted to up to 10 additional communities for planning purposes. If a community is not selected for the higher level planning grant, they will automatically be considered for the lower-level funding. The $100,000 grant-awarded communities will have approximately 10 months to develop a plan before submitting an application for the full implementation grants that will range between $1 million and $5 million per pilot community. The GOCO Grant application is being submitted through the County and, as with all GOCO Grant applications, the more supporting partnerships there are, the more viable the grant application is for award. City Council has already signed a letter of support for the County's grant application. The grant application is for a Level 1 planning grant in the amount of $78,000 and will need $20,000 in matching funds and in-kind services. The proposal is to plan for an educational facility like the previously proposed CDPW Discovery Center adjacent to Tomichi Creek. The facility will offer programming specific to outdoor and environmental education for youth. The County is asking the City for $5,000 in the 2016 Budget to be used as part of those matching funds. Other entities that have committed are Western State Colorado University and the RE1J School District. He is awaiting hearing about support from a number of other partners including the USFS, BLM, NCRS, Mountain Roots, Gunnison Trails, CDPW, UGRWCD and the Crested Butte Land Trust.

Discussion ensued. City Manager Coleman stated he has attended one meeting regarding the grant application and he would like a broader financial support base because without firm commitments it is hard to move forward. Mr. Messner stated that the proposed facilities that would be planned would be adjacent to the City of Gunnison on property owned by Dick Bratton and his partners. He has had discussions with Mr. Bratton regarding the project. Of course, the planning could evolve and any facilities could be located in alternate locations. Council concurred there was a lot of interest in the Discovery Center project during the Gunnison Rising Annexation process. Councilor Morrison stated there is already City trail connectivity planned through that area. Mr. Messner indicated the grant application is due tomorrow by 3pm and the award will be made on October 23rd. Council concurred to place the requested funds in the 2016 Budget under Grants and Contracts for Service funds.

Unfinished Business: None.

New Business:
Mayor Hagan asked Council to deviate from the Agenda for the following two items:
Excuse Councilor Schwartz from the August 25, 2015, Regular Session Meeting.
Councilor Ferguson moved and Councilor Drexel seconded the motion to excuse Councilor Schwartz from this evening's meeting due to personal business.
Roll call vote, yes: Hagan, Morrison, Ferguson, Drexel. Motion carried.
Roll call vote, no: None.

Letter of Support for Bill Nesbitt's Reappointment as Municipal Representative to the Gunnison River Basin Roundtable. Mayor Hagan stated the City has been approached by Bill Nesbit requesting to be reappointed as the Municipal Representative to the Gunnison River Basin Roundtable. He would like to continue with the work that has been started, particularly on the Governor's Statewide Water Plan. At the Mayor's request, City Manager Coleman has drafted a letter and Council is now signing that letter. Council thanked Mr. Nesbitt for his service on the Water Roundtable.

Set Special Session for September 1, 2015; Re: November 3, 2015, Election Ballot Language Resolution.

Councilor Morrison moved and Councilor Ferguson seconded the motion to set a Special Session meeting of City Council for Tuesday, September 1, 2015, at 7:00 P.M. for consideration of Resolution No. 14, Series 2015, Re: Setting Ballot Language for the City of Gunnison Ballot Question in the November 3, 2015, Coordinated Election.
Roll call vote, yes: Morrison, Ferguson, Drexel, Hagan. Motion carried.
Roll call vote, no: None.

Ordinance and Resolutions:
Ordinance No. 10, Series 2015; Re: Vacating a Utility Easement Within Boundary Line Adjustment – Salmon Property, Tract B and D, West Gunnison Amended; 1st Reading. Councilor Ferguson introduced Ordinance No. 10, Series 2015, and it was read by title only by the City Attorney.

City Clerk Davidson informed Council the legal description of the utility easement being vacated was received today and is now included in the Ordinance that was placed on their desk this evening.

Councilor Ferguson moved and Councilor Drexel seconded the motion that Ordinance No. 10, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, VACATING A UTILITY EASEMENT WITHIN BOUNDARY LINE ADJUSTMENT – SALMON PROPERTY, TRACT B AND D, WEST GUNNISON AMENDED, RECEPTION #631561, CITY OF GUNNISON, STATE OF COLORADO,** be introduced, read, passed and ordered published as presented this evening on first reading this 25th day of August, 2015.
Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison. Motion carried.
Roll call vote, no: None.

Ordinance No. 11, Series 2015; Re: Mid-Year 2015 Additional Appropriations for the Fiscal Year Ending December 31, 2015; 1st Reading. Councilor Ferguson introduced Ordinance No. 11, Series 2015, and it was read by title along with Section 1 by the Mayor.

Councilor Ferguson moved and Councilor Morrison seconded the motion that Ordinance No. 11, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015,** including the $4,000 transfer for the bond arbitrage compliance, be introduced, read, passed and ordered published this 25th day of August, 2015.
Roll call vote, yes: Drexel, Hagan, Morrison, Ferguson. Motion carried.
Roll call vote, no: None.

City Attorney Kathleen Fogo: no report.

City Manager: Ken Coleman reported on the following: the public input session for the highway corridor/safe streets plan will be held on Thursday, September 3rd starting at 6pm at the Fred Field Center at the Rodeo Grounds; there will be a follow-up meeting with the DOLA representative regarding the City's Strategic Plan on September 22nd starting at 6pm; Mayor Hagan would like to equalize the Council and Staff's "votes" on the proposals and maintaining City services really isn't a Strategic Plan goal but a necessity for operations; the senior addition to the Community Center is getting closer to completion, and the seniors are pleased with the progress; local Architect Jody Reeser is developing a conceptual design of the dog park prior to budget development; and the City employee picnic will be this Friday starting at 4pm at the Legion Park pavilion.

Acting City Manager: Community Development Director Steve Westbay: reviewed the semi-annual report he included in their packets. Items reviewed included the following: it is a value to present these reports and review the past 6 months of work accomplished; he has a great staff who put their hearts and souls into projects; he has been participating in the One Valley Prosperity Project (OVPP); work on the Ridges to Rivers trails project continues; the biologic assessments of the river access trail has been undertaken and is moving forward; a digital aerial data set with a strip-map of the urban highway corridors with topographic data was undertaken; traffic counts of the highway corridors were completed in May; three telephone conferences were held with CDOT concerning permitting of the highway corridors project; the public workshop on the highway corridors/safe streets project will be held on September 3rd; work on the Safe Routes to Schools program took place and culminated in the annual Ana's Pledge bike rodeo with 140 children participating; Better Cities was selected by the County to complete the Federal and State-funded economic development assessment potion of the OVPP Project and the Gunnison Downtown Renaissance Feasibility Study was selected for further consideration; review of marijuana establishment applications and discussions with the applicants is on-going; the Comprehensive Plan update is on-hold at this time due to staff time limitations; the Building Department has been very busy with 32 permits processed since the beginning of the year and new residential construction accounts for 10 of the total number of permits; the City was recognized by FEMA for the upgraded Community Rating System Designation; the Fire Marshal is busy with design of the new training facility and site improvements; the Fire Marshal has been working on the design of the new pumper truck with delivery anticipated in May, 2016; public education on Fire Safety is a big component of Dennis' time; and there will be a Household Hazardous West Day scheduled for September 26th. City Manager Coleman stated the public always receives a positive reception in the Community Development Department, and Steve and his staff do a great job. Council thanked Director Westbay for his thorough report.

City Clerk: Gail Davidson reported the City has now received a total of five marijuana establishment applications for retail marijuana stores from the State Marijuana Enforcement Division. The City applications and fees have been paid and those applications are now being reviewed by City Staff. Inquiries and questions regarding the application process continue to be answered.

Non-Scheduled Citizens: Stephen Pierotti, Gunnison resident, addressed Council. Mr. Pierotti informed Council he thinks businesses have the right to depict what they are selling on their business signs. This is commercial freedom of speech. The issue is regarding the ban on the use of a marijuana leaf on a marijuana establishment sign. He is challenging the City Sign Code. It violates commercial free speech. City Manager Coleman informed Council he has talked with Mr. Pierotti several times regarding the issue. He consulted with the City Attorney and she has confirmed the City has acted in the best interest of the City in setting the provisions of the sign code regarding marijuana establishments. City Attorney Fogo informed Council that case law is being made at this time about these issues. There is a question about whether this issue of "freedom of speech" is protected when it is advertising an industry that is still illegal under federal law. She has determined there is no basis for change at this time and will continue to monitor the issue for any changes. Council consensus was to stay with the existing decision. The Marijuana Regulation Ordinance can be revisited at any time in the future. Council thanked Mr. Pierotti.

Bill Nesbitt, City resident, then addressed Council. He wanted Council to be aware of the great job Ginny Baylor, Faith Saltmarsh, Tracy Chandler, and other staff members have done at the Aquatics Facility regarding the Kids' Water Safety Program. It is an amazing program for kids and many sponsors, including the Water Board, are paying for the program. It teaches kids to be safe around ditches, open water and to beware of ice on ponds and lakes. The Upper Gunnison Board is very enthusiastic about the program and the staff is to be commended for the program.

City Council Discussion, Meeting Reports, Items for Work Session:
Councilor Ferguson: reported he attended a Chamber Board meeting this morning. Councilor Morrison was there as well. It has been a busy summer and fundraising efforts continue. At every Board meeting the members are seeking new and better ways to do things. The Board is looking at revamping their website and will include a calendar component as well. The People's Choice Awards are coming out this week. The Board discussed Visitor Center funding and understand Staff is evaluating funding options.

Councilor Morrison: reported the Chamber is looking at taking over the Gunnison Visitor Guide from the Tourism Association since they found it lacking in coverage this summer. The Governor's Conference on Tourism will take place in Mt. Crested Butte on September 13th through 15th. She also attended a last minute Citizens' for Safe Streets Meeting. That group is working with the Safe Routes to Schools project and are looking at using a graphic designer to produce a more kid-friendly safe routes map. The Bike Train Event will take place on September 9th and will acquaint kids with safer routes for kids to walk or bike to school. She also attended a phone conference meeting for the OVPP but there were technology problems and the meeting needs to be face-to-face between all of the entities.

Mayor Pro Tem Drexel: informed Council he attended the Town Hall meeting with the Governor in Montrose and also the meeting with Representative Scott Tipton in Gunnison. At both meetings health care, tourism, transportation, economic development, youth safety and the impact of the Endangered Species Act were discussed.

Mayor Hagan: reported he attended the Upper Gunnison Water meeting where they heard 2 scientists discuss water monitoring. The typical method currently used is largely inaccurate. They are working on new monitoring techniques. The Water Board also discussed concerns about the draft State-wide Water Plan and issues that need to be expressed by the local board to the Colorado Water Board. He also spoke with a school board member about suicide prevention.

Adjournment: Mayor Hagan called for any further discussion from Council, staff or the public, and hearing none, adjourned the meeting at 8:26 P.M.

Richard Hagan
Mayor

Hal A Davidson
City Clerk