

OCTOBER 13, 2015

**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 Hagan, with Councilors Ferguson, Drexel, Morrison and Schwartz present along with City Attorney Fogo, City Manager Coleman, City Clerk Davidson, Acting City Manager Ampietro, Finance Director Cowan, Police Chief Robinson, Public Works Director Bradford, Community Development Director Westbay, many citizens and the press. WSCU Liaison Davis was absent. A Council quorum was present.

OCTOBER 13, 2015

PUBLIC HEARING

7:00 P.M.

Receive Public Input on Retail Marijuana Store License Application from Pure Industries LLC dba SOMA Wellness, 500 W. Highway 50 Unit #101, in Gunnison, CO.

Mayor Hagan called the Public Hearing to order and stated it is 7:00 P.M., on Tuesday, October 13, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison, Colorado. Present at the Public Hearing are myself, Mayor Richard Hagan, City Councilors Stu Ferguson, Robert Drexel, Leia Morrison and Matt Schwartz, City Attorney Kathleen Fogo, City Manager Ken Coleman, City Clerk Gail Davidson, Police Chief Keith Robinson, Finance Director Ben Cowan, Public Works Director Tex Bradford, Parks & Recreation Director Dan Ampietro and Community Development Director Steve Westbay.

Mayor Hagan stated the purpose of this Public Hearing is to receive input on the merits of a Retail Marijuana Store License Application from Pure Industries LLC dba SOMA Wellness, 500 W. Highway 50 Unit #101, in Gunnison, Colorado, and then called for proof of publication. City Clerk Davidson stated a copy of the Notice of Public Hearing was included in their packets as well as a copy of the newspaper publication. The Affidavit of Publication is included in the official application file. The Mayor entered the Notice of Publication into the record.

Mayor Hagan asked the Applicant to stand and identify themselves. Co-owner Chuck Reynolds and LLC representative Will Browne introduced themselves.

Mayor Hagan called for City Staff Comments, and Recommendations. City Clerk Davidson stated the City Council of the City of Gunnison, approved and adopted Marijuana Establishment rules and regulations and these are found in the Gunnison Municipal Code and the City of Gunnison *Land Development Code*. To operate a Marijuana Establishment in the City, a license from both the State of Colorado and the City of Gunnison must be obtained. The City application and licensing regulations are outlined in GMC Section 8.40. Pure Industries, LLC dba SOMA Wellness, PO Box 3581, Crested Butte, CO 81224, completed and submitted the required State Marijuana Enforcement Division and the City of Gunnison Marijuana Establishment License Application forms for a retail marijuana store to be located at 500 W. Highway 50, Unit 101. Lee Olesen, PO Box 3581, Crested Butte, CO 81224, is the principal in the LLC holding a 87.2% ownership. Other principals in the LLC are Charles Reynolds, 218 Blackstock Drive, Crested Butte, CO 81224, and is present this evening, and Marc Shen, 4365 Darley Ave., Boulder, CO 80305. The proposed store location property is owned by B&L Holdings, LLC with Kenneth Bergan as the principal in the LLC. Mr. Bergan has completed the Property Owner Consent for the City stating he authorizes the submission of the application for a retail marijuana store on property he owns. The proposed location is within the allowed zoning district for a retail marijuana store establishment within the City. The State Marijuana Division submitted their completed forms back to the City within the required seven days of their submission. Pure Industries paid the City-required \$2,000 license fee and the \$2,500 application fee, for a total of \$4,500 paid directly to the City of Gunnison. Once the State Application forms were received, they were forwarded onto the Police, Finance, City Clerk, Public Works, and Community Development Departments, as well as to the City Attorney for review.

A copy of the City of Gunnison Departmental Approvals form is included in the Public Hearing information packet. The results of that review include the following comments and findings:

- Clerk's Department: the required complete application was filed including the property owner consent form. All City-required fees have been paid.
- The Finance Department has issued a City Sales Tax License and has provided sales tax remittance information to the applicant.

- The Police Department has completed local background checks and investigations on the applicants - the LLC Principals.
- The Public Works Department has not identified any compliance issues with the City Utility Codes.
- The Community Development Department has received their internal Marijuana Site Development Application and has reviewed the application for compliance with the provisions of the City of Gunnison *Land Development Code* regarding allowed location, signage, control of marijuana-related odors, hours of operation, and City-adopted building standards. The CD Department has issued their retail marijuana establishment permit with the following conditions:
 - Marijuana establishment signage shall include only the registered business or trade name, address and telephone number of the marijuana establishment.
 - Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code*.
 - Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
 - Hours of Operation of the retail marijuana store establishment shall be anytime between 8 a.m. and 10 p.m. Monday through Saturday, and limited to the hours of 1 p.m. to 6 p.m. on Sunday.
 - The licensed marijuana establishment is subject to inspections by the Community Development Director or designee. Inspections may include review of operations and maintenance records.
 - The Retail Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
 - Off-premises retail marijuana establishment storage facilities are prohibited.
 - The Building Official and Fire Marshal shall conduct a site visit and verify the revised floor plan.
 - The Restricted Area occupant load is set at 1 person/60 SF. The Limited Area occupant load is set at 1 person/300 SF. The licensed premises shall be signed with the maximum allowed occupant load, and lastly,
 - A minimum of four parking spaces which are depicted on the *Condominium Plat of the West Gunnison Business Plaza Condominiums* shall be dedicated for the exclusive use of the licensed premises.

Per City Code, after the Conditional State Retail Marijuana Store License was received from the Colorado Marijuana Enforcement Division, the City Council set the Public Hearing for 7:00 P.M., Tuesday, October 13, 2015, the premises was posted with the Public Hearing notice for over the minimum of 10 days, and the public hearing notice was published as required in the Gunnison Country Times Newspaper. Based on the review and investigations of the license application, City Staff recommends approval of the Pure Industries LLC dba SOMA Wellness, 500 W. Highway 50 Unit #101, Gunnison, Colorado, 81230, Retail Marijuana Store License Application with the above-stated conditions.

Mayor Hagan called for the Determination of the Neighborhood within the City Limits. City Clerk Davidson stated the neighborhood is defined as the area within the incorporated City Limits of Gunnison, Colorado.

Mayor Hagan called for the Applicant's Testimony. Mr. Chuck Reynolds and Mr. Will Browne came forward. Mr. Browne passed out petitions from people who would like the retail marijuana store to open at their location. They run a good store in Crested Butte and will run a good store in Gunnison. Mr. Browne commended the City Clerk, Community Development Director, City Planner and the Building Official for being great to work with throughout the application process.

He wants to say that on the record. They have dealt with many other cities and towns and Gunnison was good to work with. The voters said through the vote that they wanted these establishments in Gunnison and they are looking forward to conducting business in Gunnison. Council thanked the applicants.

Mayor Hagan called for public comment in favor of the application and asked that anyone wishing to give input for the record to please step up to the microphone, state their name, and sign the sign-in sheet. He asked comments be kept to addressing the Retail Marijuana Store Application. There were no comments. Mayor Hagan called for public comment in opposition of the application. Once again he asked that anyone wishing to speak to step forward to the microphone, sign in the sign-in sheet and to keep their comments to only the Retail Marijuana Store Application. There were no comments. City Manager Coleman pointed out that only approximately 30 of the signatures on the petition were from City residents.

Mayor Hagan thanked all of the participants for their comments. Mayor Hagan then asked if any letters, emails, or other forms of comments had been received on the application to be entered into the record. City Clerk Davidson responded no other comments were received.

Mayor Hagan called for any further comments on the application. Hearing none, the Mayor closed the Public Hearing at 7:16 P.M. Mayor Hagan stated that action on the application will take place later in the Regular Session meeting. Since it was not yet 7:30 P.M., the scheduled time for the next Public Hearing, Mayor Hagan proceeded onto Consideration of the Minutes.

Consideration of Minutes of September 8, 2015, Regular Session Meeting.

Councilor Ferguson moved and Councilor Drexel seconded the motion to approve the Regular Session meeting minutes of September 8, 2015, Regular Session meeting as presented.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison, Schwartz. So carried.

Roll call vote, no: None.

Consideration of Minutes of September 15, 2015, Special Session Meeting.

Councilor Ferguson moved and Councilor Morrison seconded the motion to approve the September 15, 2015, Special Session meeting minutes as presented.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

The Mayor then went to New Business, Item.A, on the Agenda.

Action on Retail Marijuana Store License Application from Pure Industries LLC, dba SOMA Wellness, 500 W. Hwy 50 Unit #101, in Gunnison.

Councilor Schwartz moved and Councilor Morrison seconded the motion that the Retail Marijuana Store License for Pure Industries LLC, dba SOMA Wellness, 500 W. Hwy 50, Unit #101, Gunnison, Colorado, 81230, be approved for the following reasons and with the following conditions:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishment.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are the following existing other outlets:

0 – Medical Marijuana Center

- 0 – Optional Premises Cultivation Operation
- 0 – Medical Marijuana-Infused Products Manufacturing
- 0 – Retail Marijuana Store
- 0 – Retail Marijuana Cultivation Facility
- 0 – Retail Marijuana-Infused Product Manufacturing Facility
- 0 – Retail Marijuana Testing Facility

(6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.

(7) All fees necessary for the application have been paid.

(8) A Conditional Colorado State Retail Marijuana Store License has been issued.

CONDITIONS:

(1) Marijuana establishment signage shall include only the registered business or trade name, address and telephone number of the marijuana establishment.

(2) Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code*.

(3) Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.

(4) Hours of Operation of the retail marijuana store establishment shall be anytime between 8 a.m. and 10 p.m. Monday through Saturday, and limited to the hours of 1 p.m. to 6 p.m. on Sunday.

(5) The licensed marijuana establishment is subject to inspections by the Community Development Director or designee. Inspections may include review of operations and maintenance records.

(6) The Retail Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.

(7) Off-premises retail marijuana establishment storage facilities are prohibited.

(8) The Building Official and Fire Marshal shall conduct a site visit and verify the revised floor plan.

(9) The Restricted Area occupant load is set at 1 person/60 SF. The Limited Area occupant load is set at 1 person/300 SF. The licensed premises shall be signed with the maximum allowed occupant load.

(10) A minimum of four parking spaces which are depicted on the *Condominium Plat of the West Gunnison Business Plaza Condominiums* shall be dedicated for the exclusive use of the licensed premises.

Roll call vote, yes: Morrison, Schwartz, Ferguson, Drexel, Hagan. So carried.

Roll call vote, no: None.

OCTOBER 13, 2015

PUBLIC HEARING

7:30 P.M.

Receive public input on Retail Marijuana Store License Application from ACME Healing Center of Gunnison LLC dba ACME Healing Center of Gunnison, 620 S. 9th Street, in Gunnison.

Mayor Hagan called the Public Hearing to order and stated it is 7:25 P.M., on Tuesday, October 13, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison Colorado. Present at the Public Hearing are myself, Mayor Richard Hagan, City Councilors Stu Ferguson, Robert Drexel, Leia Morrison and Matt Schwartz, City Attorney Kathleen Fogo, City Manager Ken Coleman, City Clerk Gail Davidson, Police chief Keith Robinson, Finance Director Ben Cowan, Public Works Director Tex Bradford, Parks & Recreation Director Dan Ampietro, and Community Development Director Steve Westbay.

Mayor Hagan stated the purpose of this Public Hearing is to receive input on the merits of a Retail Marijuana Store License Application from ACME Healing Center of Gunnison LLC dba ACME Healing Center of Gunnison, 620 S. 9th Street in Gunnison, Colorado, and then called for proof of publication. City Clerk Davidson stated a copy of the Notice of Public Hearing was included in their packets as well as a copy of the newspaper publication. The Affidavit of Publication is included in the official application file. The Mayor entered the Notice of Publication into the record.

Mayor Hagan asked the Applicant to stand and identify themselves. ACME Owner Christopher Sanchez introduced himself.

Mayor Hagan called for City Staff Comments, and Recommendations. City Clerk Davidson stated the City Council of the City of Gunnison, approved and adopted Marijuana Establishment rules and regulations. These are found in the Gunnison Municipal Code (GMC) and the City of Gunnison *Land Development Code* (LDC). To operate a Marijuana Establishment in the City, a license from both the State of Colorado and the City of Gunnison must be obtained. The City application and licensing regulations are outlined in GMC Section 8.40.

ACME Healing Center of Gunnison LLC, dba ACME Healing Center of Gunnison, 157 Hwy 550, Ridgway, CO 81432, completed and submitted the required State Marijuana Enforcement Division (MED) and the City of Gunnison Marijuana Establishment License Application forms for a retail marijuana store to be located at 620 S. 9th Street in Gunnison. Christopher Sanchez, 14129 3100 Rd, Hotchkiss, CO 81419, is the 100% owner/principal in the LLC. The proposed store location property is owned by Donald L. Calhoun and is the current location of the Last Chance Saloon. Mr. Calhoun has completed the Property Owner Consent for the City stating he authorizes the submission of the application for a retail marijuana store on property he owns. The proposed location was approved by the City Planning and Zoning Commission as a Conditional Use within the zoning district for a retail marijuana store establishment within the City.

The State Marijuana Division submitted their completed forms back to the City within the required seven days of their submission. ACME Healing Center of Gunnison, LLC paid the City-required \$2,000 license fee and the \$2,500 application fee, for a total of \$4,500 paid directly to the City of Gunnison. Once the State Application forms were received, they were forwarded onto the Police, Finance, City Clerk, Public Works, and Community Development Departments, as well as to the City Attorney for review. A copy of the City of Gunnison Departmental Approvals form is included in the Public Hearing information packet. The results of that review include the following:

- Clerk's Department: the required complete application was filed including the property owner consent form. All City-required fees have been paid. The premise is currently licensed by the City and State Liquor Authorities as a Tavern by Donald Calhoun, dba as YDLC LLC. Mr. Calhoun must surrender the Tavern Liquor License prior to a Marijuana Establishment License being issued by the City or the State.
- The Finance Department has issued a City Sales Tax License and has provided sales tax remittance information to the applicant.
- The Police Department has completed local background checks and investigations on the applicants - the LLC Principal.
- The Public Works Department has not identified any compliance issues with the City Utility Codes.

The Community Development Department has received their internal Marijuana Site Development Application and has reviewed the application for compliance with the provisions of the City of Gunnison *Land Development Code* regarding allowed location, signage, control of marijuana-related odors, hours of operation, and City-adopted building standards. The proposed location was approved by the City Planning and Zoning Commission as a Conditional Use within the zoning district for a retail marijuana store establishment within the City.

- The CD Department has issued their retail marijuana establishment permit with the following conditions:
 - Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code*.

- Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
- Hours of Operation of the retail marijuana store establishment shall be anytime between 8 a.m. and 10 p.m. Monday through Saturday, and limited to the hours of 1 p.m. to 6 p.m. on Sunday.
- The licensed marijuana establishment is subject to inspections by the Community Development Director or designee. Inspections may include review of operations and maintenance records.
- The Retail Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
- Off-premises retail marijuana establishment storage facilities are prohibited.
- The applicant shall provide a revised floor plan that is legible and drawn to a standard scale for measuring dimensions. The floor plan shall identify public exit and emergency exit points with associated dimensions.
- The Restricted Area occupant load is set at 1 person/60 SF. The licensed premises shall be signed with the maximum allowed occupant load.
- The applicant shall provide a revised site plan that is legible and to a standard scale for measuring dimensions. The plan shall depict parking, buffering, landscaping and the building footprint.

The City has received the Conditional State Retail Marijuana Store License from the Colorado Marijuana Enforcement Division. Per City Code, after the Conditional State Retail Marijuana Store License was received, the City Council set the Public Hearing for 7:30 P.M., Tuesday, October 13, 2015, the premises was posted with the Public Hearing notice for over the minimum of 10 days, and the public hearing notice was published as required in the Gunnison Country Times Newspaper. Based on the review and investigations of the license application, City Staff recommends approval of the ACME Healing Center of Gunnison LLC dba ACME Healing Center of Gunnison, 620 S. 9th Street, Gunnison, Colorado, 81230, Retail Marijuana Store License Application with the above-stated City Clerk and Community Development Departments conditions.

Mayor Hagan called for the Determination of the Neighborhood within the City Limits. City Clerk Davidson stated the neighborhood is defined as the area within the incorporated City Limits of Gunnison, Colorado.

Mayor Hagan then called for the Applicant's Testimony. Christopher Sanchez addressed Council. He passed out a petition with over 100 signatures of people who would like the retail store to open. Mr. Sanchez stated he too appreciates all of the help he received from Staff and Council on their application. It is a streamlined process and he appreciates it. They are excited to be coming to Gunnison and open their new business. Council thanked Mr. Sanchez for his comments. City Manager Coleman pointed out that some of the signatures on the petition were not from City residents.

Mayor Hagan called for public comment in favor of the application and asked that anyone wishing to give input for the record to please step up to the microphone, state their name, and sign the sign-in sheet. He asked comments be kept to addressing the Retail Marijuana Store Application. There were no comments. Mayor Hagan called for public comment in opposition of the application. Once again he asked that anyone wishing to speak to step forward to the microphone, sign in the sign-in sheet and to keep their comments to only the Retail Marijuana Store Application. There were no comments. Mayor Hagan thanked all of the participants for their comments. Mayor Hagan then asked if any letters, emails, or other forms of comments had been received on the Ordinances to be entered into the record. City Clerk Davidson responded no other comments were received. City Clerk Davidson stated that no other comments on the application were received.

Mayor Hagan called for any further comments on the application. Hearing none, the Mayor closed the public hearing at 7:37 P.M. Mayor Hagan stated that action on the application will take place later in the Regular Session meeting.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on Retail Marijuana Store License Application from ACME Healing Center of Gunnison LLC dba ACME Healing Center, 620 S. 9th Street, in Gunnison.

Councilor Morrison moved and Councilor Schwartz seconded the motion that the Retail Marijuana Store License for ACME Healing Center of Gunnison LLC dba ACME Healing Center in Gunnison, 620 S. 9th Street in Gunnison, Colorado, 81230, be approved for the following reasons and with the following conditions:

- (1) There has not been a denial of an application at the same location, on the grounds that the reasonable requirements of the neighborhood were satisfied by the existing establishment.
- (2) It appears from the evidence submitted with the application that the applicant is entitled to possession of the premises where the license is proposed to be exercised.
- (3) Selling Retail Marijuana and Allowed Retail Marijuana-Associated Products, as proposed in the application, is not in violation of the zoning, fire, building, technical, and other applicable codes of the City of Gunnison or the laws of the State of Colorado.
- (4) The building where the application proposes to sell Retail Marijuana and allowed marijuana-associated products does not appear to be within 1000 feet of any public, charter, or parochial school, daycare school, center or home, the principal campus of any college, university or seminary, or mental health facilities.
- (5) Within the City Limits where Retail Marijuana and Marijuana-associated products are proposed to be sold, there are the following existing other outlets:
 - 0 – Medical Marijuana Center
 - 0 – Optional Premises Cultivation Operation
 - 0 – Medical Marijuana-Infused Products Manufacturing
 - 0 – Retail Marijuana Store
 - 0 – Retail Marijuana Cultivation Facility
 - 0 – Retail Marijuana-Infused Product Manufacturing Facility
 - 0 – Retail Marijuana Testing Facility
- (6) Based on the petitions of adult inhabitants of the City of Gunnison, the license applied for will meet the desires of the adult inhabitants of the City of Gunnison.
- (7) All fees necessary for the application have been paid.
- (8) A Conditional Colorado State Retail Marijuana Store License has been issued.

CONDITIONS:

- (1) Marijuana establishment signage shall include only the registered business or trade name, address and telephone number of the marijuana establishment.
- (2) Marijuana establishment shall comply with all provisions, standards and regulations of the *Land Development Code*.
- (3) Marijuana-related odors shall not be discharged or emanate from any licensed marijuana establishment.
- (4) Hours of Operation of the retail marijuana store establishment shall be anytime between 8 a.m. and 10 p.m. Monday through Saturday, and limited to the hours of 1 p.m. to 6 p.m. on Sunday.
- (5) The licensed marijuana establishment is subject to inspections by the Community Development Director or designee. Inspections may include review of operations and maintenance records.
- (6) The Retail Store front window glazing shall not be painted or covered with opaque material, but non-reflective tinted glazing is permitted on the building fenestration.
- (7) Off-premises retail marijuana establishment storage facilities are prohibited.
- (8) The applicant shall provide a revised floor plan that is legible and drawn to a standard scale For measuring dimension. The floor plan shall identify public exit and emergency exit points with associated dimension. The Building Official and Fire Marshal shall conduct a site visit and verify

the revised floor plan.

(9) The applicant shall provide a revised site plan that is legible and to a standard scale for measuring dimensions. The plan shall depict parking, buffering, landscaping and the building footprint.

(10) The Restricted Area occupant load is set at 1 person/60 SF. The licensed premises shall be signed with the maximum allowed occupant load.

Roll call vote, yes: Schwartz, Morrison, Ferguson, Drexel, Hagan, Morrison. So carried.

Roll call vote, no: None.

Councilor Drexel stated he voted yes because he did not hear any dissenting opinions but he still has concerns about the safety and well-being of the youth and young adults in Gunnison.

Presentation of Proposed 2016 City Budget to City Council. City Manager Ken Coleman informed Council the letter that is included with the proposed budget is a “Readers Digest” version of the budget. The Council and Staff Work Session on the 2016 Budget, scheduled for October 20th, will provide more detailed information. Staff will be available to answer any questions Council might have on the Budget. Finance Director Ben Cowan informed Council he will have a detailed review of the Budget at the meeting on October 20th. Applicants for 2016 Contracts for Service and Continuing Challenge Grants are scheduled to make presentations at the October 27th Regular Session meeting. He will look at how many organizations are making additional requests. He will also be adjusting the projected marijuana sales tax figures. The overall sales tax revenue was projected at 5% over 2015.

Ordinance and Resolutions:

Resolution No. 16, Series 2015, Re: Providing Consent for the Transfer of Time Warner Cable Pacific West LLC to Charter Communications, Inc. Councilor Ferguson introduced Resolution No. 16, Series 2015, and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Drexel seconded the motion that Resolution No. 16, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, PROVIDING CONSENT TO THE TRANSFER OF CONTROL OF TIME WARNER CABLE PACIFIC WEST LLC TO CHARTER COMMUNICATIONS, INC,** be introduced, read, passed and adopted this 13th day of October, 2015.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison, Schwartz. So carried.

Roll call vote, no: None.

Resolution No. 17, Series 2015, Re: Supporting the Grant Application for a Local Government Mini-Grant from GOCO for the Dog Park Project. Councilor Drexel introduced Resolution No. 17, Series 2015, and it was read by title only by the City Attorney.

Councilor Drexel moved and Councilor Ferguson seconded the motion that Resolution No. 17, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING THE GRANT APPLICATION FOR A LOCAL GOVERNMENT MINI GRANT FROM THE STATE BOARD OF GREAT OUTDOORS COLORADO FOR THE CITY OF GUNNISON DOG PARK PROJECT,** be introduced, read, passed and adopted this 13th day of October, 2015.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

Resolution No. 18, Series 2015, Re: Supporting the Gunnison Valley Regional Transportation Authority’s Ballot Issue 5A. Councilor Schwartz introduced Resolution No. 18, Series 2015, and it was read by title only by the City Attorney.

Councilor Schwartz moved and Councilor Morrison seconded the motion that Resolution No. 18, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING THE GUNNISON VALLEY REGIONAL TRANSPORTATION AUTHORITY BALLOT ISSUE 5A,** be introduced, read, passed and adopted this 13th day of October, 2015.

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

Resolution No. 19, Series 2015, Supporting the City of Gunnison Ballot Question 2C.
Councilor Morrison introduced Resolution No. 19, Series 2015, and it was read by title only by the City Attorney.

Councilor Morrison moved and Councilor Ferguson seconded the motion that Resolution No. 19, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING CITY OF GUNNISON BALLOT QUESTION 2C REFERRED TO THE REGISTERED ELECTORS OF THE CITY REQUESTING AUTHORIZATION TO RE-ESTABLISH THE AUTHORITY OF THE CITY TO PROVIDE ALL SERVICES, DESCRIBED AS “ADVANCED SERVICES” (HIGH SPEED INTERNET), “TELECOMMUNICATIONS SERVICES” AND “CABLE SERVICES”, RESTRICTED SINCE 2005 BY TITLE 29, ARTICLE 27, OF THE COLORADO REVISED STATUTES**, be introduced, read, passed and adopted this 13th day of October, 2015.

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

Ordinance No. 13, Series 2015, Re: Amending City Electric Rates, 1st Reading, and Setting the Public Hearing for 7:00 P.M., Tuesday, December 8, 2015. Councilor Drexel introduced Ordinance No. 13, Series 2015, and it was read by title along with Sections 1 and 2, by the City Attorney.

Councilor Drexel moved and Councilor Schwartz seconded the motion that Ordinance No. 4, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON REVISING A PROGRAM FOR RESIDENTIAL AND COMMERCIAL ELECTRIC CUSTOMERS WHO INSTALL PHOTOVOLTAIC OR WIND SYSTEMS, AND ESTABLISHING A RATE FOR THE ELECTRICAL ENERGY CONSUMED BY SUCH CUSTOMERS**, be introduced, read, passed and ordered published on first reading this 13th day of October, 2015, and to set the Public Hearing on the Ordinance for 7:00 P.M., Tuesday, December 8, 2015.

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

Ordinance No. 14, Series 2015, Re: Amending City Water Rates; 1st Reading.
Councilor Schwartz introduced Ordinance No. 14, Series 2015, and it was read by title along with Sections 1 and 2, by Public Works Director Bradford.

Councilor Schwartz moved and Councilor Morrison seconded the motion that Ordinance No. 14, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON FIXING THE AMENDED RATES TO BE CHARGED FOR WATER SERVICE WITHIN THE CITY OF GUNNISON, AND AMENDING THE RATE TABLES IN SECTION 12.40.020 OF THE CITY CODE OF THE CITY OF GUNNISON TO REFLECT THE NEW SERVICE RATES**, be introduced, read, passed and ordered published on first reading this 13th day of October, 2015.

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

Ordinance No. 15, Series 2015, Re: Amending City Sewer Rates; 1st Reading.
Councilor Ferguson introduced Ordinance No, 15, Series 2015, and it was read by title and Sections 1 and 2, by the City Attorney.

Councilor Ferguson moved and Councilor Drexel seconded the motion that Ordinance No. 14, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE MONTHLY RATES FOR SEWER SERVICE AND THE FEES CHARGED FOR RECREATIONAL VEHICLE, SEPTIC TANK, AND PORTABLE**

TOILET WASTE TREATED BY THE CITY OF GUNNISON, be introduced, read, passed and ordered published on first reading this 13th day of October.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

City Attorney Kathleen Fogo: No report.

City Manager: Ken Coleman reported the City irrigation ditches are off for the winter.

Acting City Manager: Parks & Recreation Director Dan Ampietro: reported he is working on partnerships for the dog park project. Generally, GOCO does not fund dog parks. He is working on the wetlands permits and collaborating with the Pioneer Museum folks to install as much fencing as possible this year. A four-day hockey clinic was held this weekend through today at the ice rink. The new red, white and blue zamboni is in and he is talking with Western State about advertising opportunities on the machine. The Senior Addition Grand Opening was a well attended success and he is now working on closing out the various project grants. He and Dan Vollendorf will be attending the Colorado State Park & Recreation Conference in Breckenridge starting tomorrow. It has been many years since Gunnison has attended this conference.

City Clerk: Gail Davidson reminded Council the Work Session meeting next week on the proposed 2016 budget will start at 4pm and a light dinner will be provided during the meeting.

Finance Director: Ben Cowan informed Council he will do a detailed review of the budget at the October 20th Work Session meeting. He has sent out information on the Contracts for Service and the Continuing Challenge Grants to requesting organizations. They will be scheduled on the October 27th Regular Session meeting. He will look at how many of the organizations have changed the amounts they are requesting and will get that information to Council. He will also adjust the project marijuana sales tax figures. A short discussion ensued on projected sales tax figures in the budget.

Public Works Director: Tex Bradford informed Council his Semi-Annual Departmental Report that was postponed from the September 22nd meeting is included in their packets. The contracted slip line crew is in town preparing to slip line the sewer pipes next week. He is advertising for the Fleet Parts Manager position and they are working on phone coverage for upcoming absences in the shop.

Western State Colorado University Student Liaison Amy Davis: was absent.

Non-Scheduled Citizens: None.

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

Councilor Ferguson: reported he attended the Senior Addition Opening and it was well attended.

Mayor Pro Tem Drexel: informed Council he too attended the Senior Addition Opening and was pleased with the variety of information tables for senior services included at the event.

Councilor Morrison: informed Council there will be a Ballot Issue 5A informational “Happy Hour” on Wednesday evening in Gunnison and another one in Crested Butte on October 15th. The Chamber People’s Choice Awards event is this Friday. The next Safe Streets Public Meeting will take place on Thursday, October 29th at 6pm at the Fred Field Center. The One Valley Prosperity Project meeting has been rescheduled to November 5th at 5:30pm in the WSCU Ballroom.

Councilor Schwartz: reported he attended the Trails Commission meeting and they discussed the request from the Tourism Association for letters of support for the TA’s grant application to the Colorado Parks and Wildlife Commission. The TA would like funds to continue their trails signage program. Councilor Schwartz asked for more information on what the TA is proposing before Council adds a letter of support. The Trails Commission is continuing with the trails

mapping project and needs City trails easement information for inclusion on the maps. The Hartman Rocks trails have been named one of the “Top 20 BLM Trails” in the nation. The BLM is looking at marketing that distinction. A fat bike summit is being proposed to promote Gunnison as a destination for winter fat biking.

Mayor Hagan: reported he too attended the Senior Addition Open House. He also thought the booths were nifty. The Boomers were appreciative of the coordination from Ken and Dan on the completion of the addition. He was going to attend the Gunnison Valley Housing Authority meeting but it was cancelled due to a lack of quorum. He called into the RTA meeting workshop on Friday.

Councilor Morrison then reported she was approached by a senior citizen who couldn't see the lane markings at the Main and Tomichi intersection at night. City Manager Coleman stated that CDOT is responsible for those markings and he will pass along that concern.

Councilor Schwartz then mentioned a camper that appears to be long-term camping at the south end of Teller Street by the gas pumping station. Police Chief Robinson state he would look into the issue.

Adjournment: Mayor Hagan called for any further discussion from Council, Staff or the public, and hearing none, adjourned the meeting at 8:23 P.M.

Mayor

City Clerk