

August 25, 2020

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES**

5:30 P.M.

The City Council Regular Session was called to order at 5:30 p.m. on Tuesday, August 25, 2020, remotely and in Council Chambers located at 201 W. Virginia Avenue in Gunnison, Colorado, by Mayor Jim Gelwicks. Mayor Pro Tem Jim Miles, City Manager Russ Forrest, Community Development Director Anton Sinkewich, Police Chief Keith Robinson, City Clerk Erica Boucher, and Dick Bratton of Gunnison Valley Properties were physically present in Council Chambers. Councilor Mallory Logan, Councilor Diego Plata, Councilor Boe Freeburn, City Attorney Kathy Fogo, Senior Planner Andie Ruggera, Finance Director Ben Cowan, new Western Colorado University liaison Hannah White and Alex Joyce of Cascadia Partners attended remotely. The press and five interested residents attended remotely. There was a Council quorum.

PUBLIC HEARING

Mayor Gelwicks called the public hearing to order on Tuesday, August 25, 2020, at 5:31 p.m. in Council Chambers located at 201 W. Virginia Avenue in Gunnison, Colorado. This is a continuation of the August 11 public hearing. It is being conducted in-person and remotely. Mayor Jim Gelwicks, Mayor Pro Tem Jim Miles, City Manager Russ Forrest, Community Development Director Anton Sinkewich, City Clerk Erica Boucher, and Police Chief Keith Robinson were present in Council Chambers. Attending remotely were Councilor Mallory Logan, Councilor Diego Plata, Councilor Boe Freeburn, Senior Planner Andie Ruggera, City Attorney Kathy Fogo, Western Liaison Hannah White, and Alex Joyce of Cascadia Partners.

Mayor Gelwicks stated that the purpose of the continued public hearing was to receive input on the merits of a Major Change to a Planned Unit Development application, ZA 20-1, which revises zoning designations and amends the Gunnison Rising PUD Development Standards and Annexation Agreement. He noted that the hearing was a continuation of a properly noticed public hearing, which was continued by Council on August 11, 2020.

Mayor Gelwicks asked if staff had any additional information. Community Development Director Sinkewich stated that this is a continuation of the public hearing, which was opened on March 24, 2020 and has been continued through the months of April, May, June, July and now into August. Hearings will be continued for public comment and discussion will continue until Council is ready to take action. Discussion and review to date has included the overall Zoning Plan, the PUD Standards with focus on land use and dimensional and design standards, infrastructure, transportation, phasing, sage-grouse, the Annexation Agreement addition of affordable housing and modifications to land dedications, and an overview of the Fiscal Impact Analysis.

City Manager Forrest said this public hearing is an opportunity to receive public comment. He also stated that if Council decides that they are ready to close the public hearing and take action then Council can no longer receive comments or feedback from the public. They should only close the public hearing when they are ready to take action. Council may still ask the staff additional questions.

Mayor Gelwicks said that they will be receiving a revised 3-dimensional diagram from Gunnison County on the airport zones required for safety by the FAA. The original Annexation Agreement from 2010 contained an Avigation Agreement. An avigation agreement is a navigational agreement for aircraft. This agreement was part of the 2010 and 2018 agreements. Applicant Dick Bratton of Gunnison Valley Properties checked on the avigation agreement in previous months with no issues. Recently, the Gunnison County attorney presented staff and the applicant with an updated easement and avigation agreement. With this new information, City Manager Forrest recommended to Council that they table approval of the Annexation Agreement until second reading of the PUD so that staff, the applicant, and the County could have more time to review the documents. Section 3 of the PUD ordinance, Ordinance No. 8, Series 2020, regarding the amended Annexation Agreement has been removed.

Mayor Gelwicks asked for comments from Mr. Bratton and Alex Joyce of Cascadia Partners. Neither had any comments, except for an expression of appreciation for City's staff diligence and engagement on the project.

Mayor Gelwicks called for members of the public attending remotely to give comment. Susan Kerns, 201 Gothic Avenue, Crested Butte, spoke. Susan Kerns thanked Council for extending the public hearing for as long as they have. She is speaking for herself and on behalf of the Valley Housing Fund. Gunnison Rising appears to be a nice plan. As an advocate for affordable housing, she asked why only 12.5% of the land is dedicated to affordable housing. Community Development Sinkewich explained that the City and applicant, under the advisement of housing consultant, Willa Williford, concluded that 12.5% is a good mid-point amount and allows for development and execution feasibility.

Mrs. Kerns noted that this area is experiencing a different real estate market than the community thought it would in March. She feels that the market is strong as people are working from home and earning high incomes. The community needs to preserve the Gunnison Valley for its workers and families. She questioned if 12.5% is enough for affordable housing and suggested that more land for affordable housing be added to the development, possibly up to 25%. Housing should be available for those who are here and earning lower incomes, than for those coming over from the Front Range. The Valley Housing Fund (VHF) supports the project and sees a need for it. She noted that the VHF partnered with the City on Lazy K and GardenWalk and is willing to collaborate on Gunnison Rising.

Ralph "Butch" Clark agreed with Susan Kerns. He agreed that Gunnison needs more than 12.5% of the land in Gunnison Rising dedicated to affordable housing. He referred to a community in California that possesses many of the same traits as Gunnison Rising, such as building housing on top of retail shops. He suggested that staff look at the community in California to see their successes. He stressed the need to provide housing for those workers who are building Gunnison Rising. Housing could be provided with mobile homes or adding residential units above retail shops. Those units could be extended along Georgia Avenue. He suggested that more planning and consideration needs to go into providing housing for community workers. Better planning now will keep more options open and provide the development with longevity in the future.

He noted the importance of appropriately landscaping the east entrance of Gunnison to maintain its beauty. A third point Mr. Clark made was that the affordable housing units above retail spaces should have parking and open space accessibility available to residents.

Mr. Clark suggested that Gunnison should have more land in Gunnison Rising developed for affordable housing. Lastly, Mr. Clark recommended that the City possibly work with Western Colorado University to understand and prepare for the impact of population growth. Gunnison needs to prepare for the large-scale growth of Gunnison Rising. This work should include planning for schools, hospitals, public services, and a funding source to pay for and maintain growth. He suggested that more planning and forethought needs to occur in this area.

Alex Joyce of Cascadia Partners reminded those attending the public hearing that the applicant in the PUD offered the City free land for affordable housing that can accommodate up to 200 of deed-restricted housing units. This is over half of the number of units suggested were needed in the 2016 Housing Needs Assessment. He also noted that the City has the discretion to dedicate up to 25% of additional land to affordable housing. This discretionary use by the City for the land dedications is outlined in the Annexation Agreement. Furthermore, the new PUD allows for a wider range of housing types and markets. The 12.5% dedication for affordable housing is a minimum standard, not a maximum amount.

Mayor Gelwicks asked the City Clerk if the City has received any written comments. City Clerk Boucher stated that two letters were received. The first letter was received from Ralph "Butch" Clark, dated August 15, 2020. It was read into the record. The letter in full is attached to the minutes (Appendix A). The second letter was received from the Valley Housing Fund, dated August 23, 2020. It was read into the record. The letter in full is attached to the minutes (Appendix B).

Mayor Gelwicks called for additional comments. Mr. Clark said that Mr. Joyce presented good points and encouraged Council to think about and plan for future growth and demand regarding resources with this project.

Mayor Gelwicks asked Council if they were ready to close the public hearing. Councilor Miles, with the information he received today, is ready to close the public hearing. Councilor Freeburn said everyone has been thorough. Mr. Clark brought up good points. It is not a perfect plan, but he is ready to move forward. Councilor Plata thanked Mr. Clark for his input and participation. He questioned if everyone who wanted to speak has had the opportunity to speak. He is comfortable with moving forward. Councilor Logan asked if Planning and Zoning has reviewed the PUD again after Council's discussions. Community Development Sinkewich replied that the Commission has not due to changes to the PUD which were minor. Councilor Logan made a few comments. She acknowledged VHF's input. Affordable housing and new residents with the ability to price out locals for housing was discussed at the Elected Officials' dinner. Projecting 200 affordable housing units was a good benchmark to set prior to COVID-19 and is better than not addressing the needs at all. It would be difficult to ask the applicant to establish more affordable housing, especially without knowing what the market will look like in five to ten years. Councilor Logan was not 100% comfortable with closing the public hearing but was willing to proceed.

Again, Mr. Joyce pointed out that the Annexation Agreement gives the City the discretion to utilize up to 25% of the additional Land Dedications for affordable housing. It was noted that 25% of the 12 discretionary acres would yield 3 additional acres or 125 units for affordable housing. This would bring the total to 18% of the land being used for affordable housing. The current affordable housing number and acreage is a minimum amount.

City Manager Forrest reminded Council about the communication the City did over the last 4 months to explain and promote the PUD and amended Annexation Agreement with the public. The press has also been helpful in communicating this process with the public.

Mayor Gelwicks said that hindsight is 20/20 with development like this. He concluded that Council may not be 100% comfortable but overall, the consensus was that Council was ready to close the public hearing and move forward. Council made no objections to this statement.

At 6:13 pm, hearing no additional final comments, the mayor closed public hearing.

Citizen Input: Susan Kerns thanked Council for their work on Gunnison Rising.

Action Items:

Approval of the August 11, 2020, Regular Session meeting minutes. Councilor Miles moved and Councilor Logan seconded the motion to approve the Regular Session meeting minutes of August 11, 2020.

Roll call, yes: Freeburn, Miles, Gelwicks, Logan, and Plata. So carried.

Roll call, no: None.

Resolution No. 13, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado, commending Adam Engleman for his semester of outstanding service as the Student Liaison on the Gunnison City Council, representing Western Colorado University from January 28, 2020 to May 12, 2020.*

City Clerk Boucher called former Western Colorado University liaison on the phone so Council could present Resolution No. 13, Series 2020 to Mr. Engleman. Councilor Logan introduced Resolution No. 13, Series 2020, and asked that the mayor read it aloud in full. Mayor Gelwicks read Resolution No. 13, Series 2020 aloud, in full. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 13, Series 2020.

Roll call, yes: Miles, Gelwicks, Logan, Plata, and Freeburn. So carried.

Roll call, no: None.

Council and City staff in Council Chambers thanked Mr. Engleman for his service as the Western Liaison to Gunnison City Council.

Ordinance No. 7, Series 2020, Second Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Chapter 5.20 Traffic, Section 5.20.020 Additions or Modifications of the Gunnison Municipal Code by the Modification of Part 11, Speed Regulations, 1101 Speed Limits.*

Councilor Logan introduced Ordinance No. 7, Series 2020 and read Ordinance No. 7, Series 2020 aloud by title only. Councilor Logan moved and Councilor Miles seconded a motion to adopt Ordinance No. 7, Series 2020 on second reading.

Mayor Gelwicks asked Police Chief Robinson when the ordinance would go into effect and how the staff will communicate with the public and enforce the reduced speed limit. Chief Robinson explained, after discussions with City Attorney Fogo, that according to the State Statute that once the signs are posted, the speed limit is changed and enforcement can occur. In order for a case to be defensible in court, the City must show that the whole street, going both directions, is posted with the new speed limit. As the signs are posted, the police department will begin warnings and enforcement on fully posted streets. Once all streets are posted, the police will switch from warnings to written citations. The City speed limit signs that announce "25mph unless posted" will have to be put up on the state's timeframe because CDOT's regulates Highway 135 and 50. Chief Robinson will make an application to the State for those signs the following day.

City Manager Forrest stated that there is some funding available in the signs budget. Public Works will begin purchasing the signs as soon as possible with adoption of Ordinance No. 7, Series 2020. Sign size will be a discussion with the State. Every intersection turning off the highway will have a speed limit notification. The sign cost, including the sign, pole, and mounts, is estimated to be around \$11,250.

Roll call, yes: Gelwicks, Logan, Plata, Freeburn, and Miles. So carried.

Roll call, no: None.

Ordinance No. 8, Series 2020; First Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Approving a Major Change to an Existing Planned Unit Development for the Gunnison Rising PUD Development and Map Amendment to Rezone the Pioneer Museum from PUD IM To C.*

Mayor Gelwicks reminded Council, as noted in the public hearing, that the ordinance distributed on the Friday prior to the Council meeting contained Section 3. The revised ordinance, which Council now has, removed Section 3 as it related to the Annexation Agreement and the following sections, were renumbered. Councilor Miles introduced Ordinance No. 8, Series 2020 and asked that it be read by title only by the City Attorney. The City Attorney read Ordinance No. 8, Series 2020 aloud by title only. Councilor Miles moved and Councilor Freeburn seconded the motion to pass Ordinance No. 8, 2020, on first reading. Councilor Miles seconded the motion.

Roll call, yes: Logan, Plata, Freeburn, Miles, and Gelwicks. So carried.

Roll call, no: None.

Approval of Gunnison Rising Amended Annexation Agreement. Mayor Gelwicks stated that staff recommended that Council table the Amended Annexation Agreement. This action is non-discussable. Councilor Logan moved and Councilor Freeburn seconded the motion to table the Gunnison Rising Amended Annexation Agreement.

Roll call, yes: Plata, Freeburn, Miles, Gelwicks, and Logan. So carried.

Roll call, no: None.

Ordinance No. 9, Series 2020, First Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Adopting an Additional Appropriation for the Fiscal Year Ending December 31, 2020.*

Councilor Logan introduced Ordinance No. 9, Series 2020, and asked that it be read aloud by the City Attorney. The City Attorney read Ordinance No. 9, Series 2020, aloud by title only. Councilor Logan moved and Council Miles seconded the motion to pass Ordinance No. 9, Series 2020, on first reading. Finance Director Cowan highlighted that Council's remaining amount in the Strategic Implementation budget is \$385,780 assuming reimbursement from the CARES Act for the Business Relief Grant. More budget changes may occur as the end of the year approaches, likely involving the Street Improvement budget.

Roll call, yes: Freeburn, Miles, Gelwicks, Logan, and Plata. So carried.

Roll call, no: None.

A recess was called at 6:34 pm. Mayor Gelwicks reconvened the session at 6:45 pm.

Resolution No. 14, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado, Adopting Strategic Plan, dated August 25, 2020.*

City Manager Forrest recommended to Council that they do not proceed with adoption of Resolution No. 14, Series 2020, at this meeting because Council's recent comments are still being incorporated into the Plan. Resolution No. 14, Series 2020 was not introduced or tabled. City Manager Forrest reviewed the comments and suggestions that he received from councilmembers

and then presented an update in the Strategic Plan. COVID-19 forced Council and staff to reexamine and revise the strategic priorities developed at the February retreat. The updated Strategic Plan includes what Council believes are the significant issues for residents and strategic results. Staff added strategies and actions in to achieve the strategic results. The finalized plan will provide staff with direction on utilizing resources and budget. Council has ownership of the priorities, but staff requested some flexibility as issues may change. The document will be reviewed again in January/February 2021. A metric will be developed and presented to Council at Regular Session meetings with status updates. Mr. Forrest reviewed the feedback and comments he received from councilmembers. Staff and councilors suggested the following items to be added or removed from strategic plan:

A new Section #4 was added to the Plan, which details COVID-19 and how the City is applying what it has learned through the pandemic.

Infrastructure and Public Safety

Under Section B.1:

Include the Three-Mile Plan in the context of utilities.

Remove the specific mention of Wilson Property and replace it with “immediate adjacent areas to the north and west.” It was discussed that specifically mentioning the Wilson Property is pre-mature, as nothing has come before Council at this time. Consultants who are working with Public Works on public services studies have been specifically asked to evaluate possible development areas adjacent to the City and make recommendations for infrastructure.

Economy Prosperity and Housing

Under C.2:

Replace “450 affordable housing units will be added” with “250 affordable housing units will be added” for consistency with the comprehensive plan.

Replace the Housing Authority’s definition of AMI (average median income). Use income levels instead of AMI. People can understand income levels in relation to affordable housing more easily than AMI. This is a key measurable result.

Mr. Forrest noted that progress creating affordable housing in the plan includes a focus on creating public and private partnerships and not on developing housing policies.

It was shared with Council that Community Development is preparing to send out a letter to property owners who have a property with asbestos issues or a need to renovate/demolish property to help address Result C.3: “By 2025, 100 existing substandard housing units will be renovated or replaced.” Director Sinkewich said that the letter is being sent to 30 property owners. Council approved \$35,000 from their Strategic Reserve to incentivize property owners to address these issues.

Under C.4:

Council discussed a job creation result similar to the ICELab’s. The City has many positives to promote to potential employers, such as affordable land and high-speed internet. It was suggested that the City should consider working with the Tourism and Property Partnership (TAPP) to communicate with those working remotely with additional homeowner population. The City needs to know that it could support an influx of second homeowners with more housing options and infrastructure. Council would like to give feedback to TAPP and the Gunnison County Commissioners on marketing strategies on this topic.

Under C.5:

The specific percentage amount of 12% was added, “By December 31, 2022, realize a 12 percent increase in lodging revenue as measured by sales tax data compared to 2019.”

Discussion ensued that the City may need to be a facilitator between the lodging industry and TAPP for progress to occur. Council shared ideas about how to support restaurants, ski resorts, and businesses in the winter because of limited accessibility due to COVID-19. Strategies that emerged were to help develop partnerships between lodging, restaurants, and outdoor activities for customers, including lift tickets. A second strategy would be to promote off-season conferences. TAPP recommended giving them the ability to increase promotion of Gunnison’s trail system.

Under C.6:

In order to compete with online retailers, there needs to be a shopping experience for customers. Improvements to IOOF Park were postponed due to COVID-19, but the City would be ready to move forward in the spring. Design work for Ohio Avenue needs to extend past Main Street and down to 11th Street. Ideas specifically mentioned to address safety and speed on Main

Street and Tomichi, such as bulb outages and landscaping as mentioned in the *Gunnison Vibrancy Initiative*, were added to the Plan. A completion date regarding improvements to Main Street and Tomichi prior to 2023 should be considered but this is an important and long-standing issue. Inclusion of the Highway Access Plan was also mentioned.

Director Sinkewich shared that the industry subgroups for businesses and restaurants have started to discuss how they will transition their businesses for the winter season. A few suggestions were using the City right-of-ways, increasing additional ventilation for indoor spaces, and bolstering carry-out business for restaurants. The City needs to pursue grant dollars to fund bigger projects for Ohio Avenue and Main and Tomichi.

Multi-Modal Transportation

Council's passage of Ordinance No. 7, Series 2020 aims to reduce the speed limit on residential streets by 5 mph. To assist with enforcement and have more police presence throughout the City, the department is offering officers overtime.

Under D.1:

Specific strategy added: By December 31, 2021, the average speed on City streets will be less than 5 miles per hour over the posted speed limit and progress moving towards this result will be demonstrated by April 1, 2021. Quite a bit of discussion occurred about Result D.1 and how the City and Council could assess what success is on this result, how long data should be collected to determine success, and how the police department can show that achievement is being made. Suggestions made were having an officer on the streets regularly, data collection from the traffic counter signs, stop speeders more, and install speed limit signs. Council would like to see fewer speeders over the next few months. The 85% speed limit from CDOT was mentioned and suggested that it should be a part of the data collection. The 85% speed limit is compelling data for CDOT.

Chief Robinson suggested that the police department set up the equipment for traffic data in the spring. The City has permission from CDOT to put up three data counter signs on the highways. Two signs can go on Tomichi and one sign can go on Main Street. By fall 2021, staff would have enough data to provide regular reports to Council and show any progress. The Chief recommends this being a long-term goal. Staffing from the police department to monitor speeding was discussed. In addition to seeing progress through data over the course of a year, Council would also like to hear from constituents if they feel or see that people are driving slower through town. A change in public perspective would also be considered a success. Early morning speeds need to be addressed. Council felt comfortable with the police department collecting more traffic and speed data as well as taking actions to have more of a visible police presence on the streets and holding those who are speeding accountable.

The suggestion was made to make the language throughout the plan more specific so that it is clear what Council and the City is intending to do. When appropriate, the language and actions should parallel the Comprehensive Plan.

An area that was missing from the Strategic Plan was the north-end businesses, particularly the Meadows parking lot (City Market and Walmart) and the entrance into the parking lot from Main Street. The Highway Access Plan with CDOT should help address this issue. It was also noted that there is no ADA access between City Market and Walmart. A brief discussion on the historical creation of the parking lots and the difficulties with vehicle movement in that area occurred. Additional brainstorming and work should occur regarding these areas.

Council recommended that the police department continue to make accident reports on private property for now.

Two other strategies were added to the Multi-Modal Transportation section of the Strategic Plan. They were: 1. By December 31, 2021, develop a conceptual plan for the Escalante Road by working with Gunnison Rising and Western Colorado University to improve multi-modal access. The mayor explained that Escalante should be deemed a City street, at some time in the future, as

it will be a critical piece to the development of the eastern portion of Gunnison. 2. Factored into the 2021 budget should be a foot path from Teller to Pitkin. This footpath is a priority because it could help connect to Georgia Avenue and to Gunnison Rising. This work could have been done in conjunction with Western, as they are already working on those streets.

Environmental Sustainability and Resiliency.

Under E.5:

Staff added in the strategies to present a dark skies policy or ordinance to City Council for their consideration by June 1, 2021, and to work with the Gunnison Valley Observatory on becoming a member of a Dark Skies organization. Councilor Logan will follow up with the GVO and private citizens on membership to a Dark Sky organization.

Mayor Gelwicks encouraged Western Liaison Hannah White to email the City Manager with any suggestions or comments she may have on the Strategic Plan.

City Manager Forrest will update and revise the plan based on tonight’s discussion and present it to Council for review at the September 8, Regular Session meeting.

COVID-19 Update. Cattleman’s Days intends to hold a 2020 rodeo with a limited number of spectators during Labor Day weekend, September 3-5. There will be a larger enforcement presence reminding guests to wear masks, social distance, and stay in their assigned area.

Mayor Gelwicks gave an update about the limited amount of COVID-19 testing that Gunnison County is able to at this time. The term “essential”, in regards to COVID-19 and workers, could have more precision. There are not enough tests available to keep up with the demand. The County asked Senator Bennett for assistance to get more quick turn-around tests. The business survey revealed that some businesses have been able to maintain while other businesses have struggled. Solutions for businesses are not one size fits all.

The Glenwood Springs fire, which closed I-70 and detoured through Gunnison, likely provided financial advantages to some businesses in Gunnison. The Mayor asked the City Attorney to attend a few specific sessions at the virtual CML meeting, August 25-27.

Reports. City Clerk Boucher presented the Clerk’s Department Semi-Annual report. Staff and the Western Liaison Hannah White gave brief reports. Council gave brief reports. Mayor Gelwicks suggested that Council review the up-coming ballot issues for the November at their next meeting.

With no further business for the Regular Session, Mayor Gelwicks adjourned the Regular Session meeting at 9:05 pm.

Attest:

E. Boucher
City Clerk



Jim Gelwicks
Mayor