

March 20, 2020

CITY OF GUNNISON COUNCIL
SPECIAL SESSION MEETING MINUTES

3:00 PM

The City Council Special Session meeting was called to order at 3:01 P.M. in Council Chambers at 201 W. Virginia by Mayor Jim Gelwicks with Councilors Boe Freeburn, Jim Miles, and Mallory Logan physically present. Councilor Diego Plata was present remotely along with City Attorney Kathy Fogo and Finance Director Ben Cowan. City Manager Russ Forrest, City Clerk Erica Boucher, and Community Development Director Anton Sinkewich were also physically present in Council Chambers. The press was physically present. A Council quorum was present.

For the record, Mayor Gelwicks stated that Council is testing out remote participation during this Special Session.

Resolution No. 5, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado, establishing a policy for electronic participation during City Council meetings.* Councilor Logan introduced and read Resolution No. 5, Series 2020 aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 5, Series 2020. City Attorney Fogo stated that Resolution No. 5, Series 2020 tracks with the Local Disaster Emergency Declaration and will maintain in effect until Council chooses to amend or revoke the resolution. Mayor Gelwicks stated that every councilmember will have a chance to voice their perspectives one at a time throughout the meeting. Councilor Plata, who called in, stated that he supports the resolution. Mayor Gelwicks stated that since Resolution No. 5, Series 2020 has not been passed, Councilor Plata cannot vote, but Councilor Plata's support is noted.

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

Roll call, no: None.

Abstain: Plata.

City Attorney Fogo stated that since Resolution No. 5, Series 2020 has passed it is now in effect and Councilor Plata is eligible to fully participate.

Resolution No. 6, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado, extending the Local Disaster Emergency Declaration.* Councilor Logan introduced and read Resolution No. 6, Series 2020 aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 6, Series 2020.

Mayor Gelwicks clarified that with passage of Resolution No. 6, Series 2020, the City of Gunnison is in state of emergency status until this status is amended by the State of Colorado or by Gunnison County, if the City chooses to continue to follow their lead.

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

Roll call, no: None.

Discussion and Direction on City Sales Tax Deferral. City Finance Director Ben Cowan summarized the research he compiled after speaking with and polling other Colorado municipalities as to whether or not they are deferring sales tax collection during the state of emergency. Municipalities are choosing to handle this in a variety of ways. Some municipalities are deferring sales tax for all businesses for a certain amount of time, others are not at all, and the majority of businesses are not giving a blanket deferral but will be lenient on penalties and interest. Sections 3.10.050 and 3.10.090 of the *Gunnison Municipal Code* outlines the discretion available to the Finance Director and City regarding deferring sales tax and collection. Finance Director Cowan recommended to Council that the City of Gunnison not participate in a blanket "no-deferral" practice but allow for the Finance department to be lenient on penalties and interest for those businesses that may be in need. Some businesses in the City, such as large corporate retail stores, do not need a deferral. The City depends on city sales tax to support its operations of essential services and payroll. Allowing for widespread deferrals could result in a cash flow issue for the City. Finance Director Cowan suggested to Council that the Finance department work with businesses on a case-by-case basis or allow for restaurants, miscellaneous retail stores, and lodging to have a blanket deferral. It was confirmed that the Finance Director currently has the authority for allow for deferrals on a case-by-case basis.

It was emphasized by Council the importance of consistent communication with business owners about their sales tax payment options during this time and the processes required for assistance that the City can offer.

Discussion occurred about businesses that may need a deferral, which businesses do not likely need a deferral, establishing a time frame for when the payments are due, and the options that the Finance department can use to work with businesses on an individual basis as outlined in the *Gunnison Municipal Code*. Council asked about the additional workload that deferring sales taxes could add to the Finance department. Mr. Cowan mentioned that businesses should have February returns prepared as they were due March 20 and at this time only a few businesses have reached out to the department with payment concerns. City Manager Forrest noted that the situation will continue to evolve and adjustments may need to be made in the future to best serve residents. Finance Director Cowan mentioned that the Finance department is following a similar process for utility billing. The department is willing to work with residents on a case-by-case basis. Council supported the Finance Director's recommendation and his ability to be lenient on requiring penalties for businesses, as outlined in the *Code*. The City is not offering a blanket deferral to all businesses. Council directed the Finance Director to draft messaging to all local, physically-present businesses in the City of Gunnison and communicate to them that they have the option to reach out to the Finance department for more time or assistance regarding their sales tax payment.

Discussion and Update on the Coronavirus and 2020 Census Impacts. City Manager Forrest stated that the City of Gunnison is working at a new, faster tempo and has developed stronger partnerships throughout the valley as everyone supports the Emergency Operations Center (EOC). In addition in being a part of the EOC, the City is working under its own Incident Command System. The City is committed to providing the community with a high level of service while doing all it can to keep employees safe.

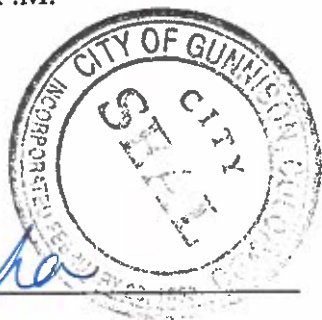
The City Manager will be working with Senior Planner Ruggera and Community Development Director Sinkewich to develop ways to promote the 2020 Census, especially among Western students, seasonal workers, and immigrant population. Gunnison needs to ensure the community is not undercounted in order to receive maximum future resources from the 2020 Census.

The City has also created specific task forces on economic recovery, community wellness, and 2020 Census communication. Councilor Plata agreed that lines of communication have begun to open up more, especially with the Spanish-speaking population. It was suggested to look at local and national best practices regarding outreach and communication for the census.

For the record, Council stated the importance of supporting all Gunnison residents in innovative and feasible ways.

City Attorney Fogo noted the need for councilors and meeting attendees to interact safely with each other and review the Council materials as much as possible, especially for public hearings.

With no further business for the Special Session, Mayor Gelwicks adjourned the Special Session meeting at 3:48 P.M.



Attest:

E. Boudra
City Clerk

Jim Gelwicks
Mayor