

May 12, 2020

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

5:30 P.M.

The City Council Regular Session meeting was called to order on May 12, 2020 at 5:30 p.m. in Council Chambers located at 201 W. Virginia Avenue, Gunnison, Colorado, by Mayor Jim Gelwicks with Councilor Jim Miles physically present, along with City Manager Russ Forrest and City Clerk Erica Boucher. Councilors Boe Freeburn, Mallory Logan, and Diego Plata were remotely present along with City Attorney Kathy Fogo, Finance Director Ben Cowan, Public Works Director David Gardner, City Engineer Cody Tusing, Police Chief Keith Robinson, Interim Parks and Rec Director Dan Vollendorf, Community Development Director Anton Sinkewich, and Senior Planner Andie Ruggera. Public hearing applicant Alex Joyce of Cascadia Partners attended remotely along with his associate Jamin Kimmell. Two dozen individuals attended the meeting online to participate in the public hearing or in an agenda item. The press was present online. A Council quorum was present.

PUBLIC HEARING

Mayor Gelwicks called the public hearing to order on Tuesday, May 12 at 5:31 p.m. in Council Chambers located at 201 W. Virginia Avenue. This is a continuation of the April 28, 2020 public hearing on the merits of a Major Change to a PUD application, ZA 20-1, to revise zoning designations and amend the Gunnison Rising PUD Development Standards. Mayor Gelwicks stated that Councilor Logan, Freeburn, and Plata were present remotely along with City Attorney Fogo, Finance Director Cowan, and Community Development Director Anton Sinkewich. Councilor Miles was physically present in Council Chambers along with City Manager Forrest and City Clerk Boucher.

Mayor Gelwicks stated that the purpose of the public hearing is to receive input on the merits of a Major Change to a PUD application, ZA 20-1, to revise zoning designations and amend the Gunnison Rising PUD Development Standards. This hearing will focus on the Commercial District Design Standards and Infrastructure.

The mayor confirmed with the Clerk that the public hearing was properly noticed. Mayor Gelwicks stated to the applicant, Cascadia Partners, that the residential districts standards could include standards for wheelchair access and solar usage where appropriate.

City Manager Forrest stated for the members of the public who are interested in participating in later agenda items that the continuation of the public hearing is scheduled for 90 minutes.

Community Development Director Sinkewich stated that this is a continuation of the public hearing related to Gunnison Rising. He turned the presentation over to Alex Joyce of Cascadia Partners. Alex Joyce checked that everyone could hear him and see his screen. He noted that his colleague Jamin Kimmell would also be presenting tonight. Topics already addressed were Land Use and Residential Districts Dimensional and Design Standards. Tonight's topics include Commercial Districts Design Standards and Infrastructure, which will include transportation and road standards, parks and performance-based park standards, sewer, water, and electrical. Mr. Joyce started his presentation on Commercial Districts Design Standards.

Commercial Districts Design Standards are specific to commercial, mixed use, and special purpose districts. Key design features for commercial buildings are to have a base-middle-top, building orientation, ground floor height, windows, and articulation. The purpose of these design standards is to have architecture that engages with the street. He noted that the historical downtown buildings contain many of these design features. These design features will also be important as the City considers large commercial retail buildings in Gunnison Rising. Most national retail chains can meet these design standards and there is enough area in Gunnison Rising to accommodate large commercial businesses at specific gateway sections along the highway.

Mr. Joyce transitioned to Transportation and Public Facilities. He started with streets and the street plan. The proposed street plan includes the arterial street (Highway 50), Georgia Avenue (east to west), gateway streets (north to south), local streets, and dirt roads. Georgia Avenue is an essential connector through Gunnison Rising to Western. The access points to these streets are consistent with the 2013 Highway 50 Access Plan and are etched in stone. Mr. Joyce reviewed the specific

street designs. Georgia Avenue (100' Right-of-Way (ROW)) would have large sidewalks on either side, a 12' bike lane on the north, parallel parking on the north side, and diagonal parking on the south side. Landscaping lanes allow for snow removal. Cascadia Partners created this design with input from Public Works. The gateway streets (90'-100' ROW) have pedestrian and bike lanes off of the street for safety and are easily accessible to the businesses. Mayor Gelwicks asked if there would be room for sidewalk seating on Georgia Avenue and the gateway streets. The clear zone on a sidewalk is 6'. The proposed sidewalks on these streets is 15'; therefore, 9' would be available for outside seating or outdoor sales. Community Development would regulate the City ROW.

Ralph "Butch" Clark was called upon to speak. He referred to the letter he submitted to Council that included his explanation for why Georgia Avenue is not the best choice to be the main connector street for Gunnison Rising. There is a lot of traffic on that street. He recommended Virginia Avenue because there is not as much traffic, it is a wide road, and could be extended across College Avenue. He also suggested that they consider Escalante Drive. Mayor Gelwicks stated that the applicant does not have control over those roads. Virginia Ave will not be extended because of the geothermal activity. Mr. Clark suggested that the road could continue one block south. The local streets are designed to have flexibility based on their location and purpose. Public Works Director David Gardner stated his support for the proposed design of Georgia Avenue. With no questions asked, Cascadia Partners transitioned to Open Space.

Cascadia Partners suggested a different approach to open space from the current PUD. It included significantly more dedication to open space. This PUD included more than 100 acres of open space and 12+ miles of trails and multi-use paths to connect to existing trails and streets in all directions. Gunnison Rising would contain enough parks that all homes are within a short walk of pocket parks or a short bike ride to a community park. In the current PUD, open space is outside of the residential area and requires a highway crossing. Mr. Clark suggested that a bridge could be built over the highway and he called for ADA accessibility. Mr. Joyce noted that a bridge had not been considered. All intersections at Highway 50 would be ADA accessible. City Manager Forrest noted that the City currently has an underpass under Highway 50. The underpass is outside of the applicant's land ownership.

Mr. Joyce passed the presentation over to Jamin Kimmell of Cascadia Partners to discuss the Public Facilities plan. Mr. Kimmell stated that the map in the presentation is the high-level conceptual plan and more detail will be added in the future.

He started with electric. The audio for Mr. Kimmell was lost for 3 minutes. When resumed, Cascadia Partners used the recent electric extension study to help identify needs for Gunnison Rising. The primary trunk line connection will be to the north Gunnison substation and will be able to serve the initial phase of Gunnison Rising. After 1,000 new units are built, a new substation and transmission line north of the PUD may need to be added to relieve some pressure from the North Gunnison substation. It was clarified that "units" included both commercial and residential. Public Works Gardner shared that the City is conducting a new electric study that may adjust or clarify electric capacity and needs for Gunnison Rising. Mr. Clark noted that municipalities are looking at ways to generate more electricity locally for self-sufficiency. He shared with Council that places in Europe are using plasma arc to consume trash and provide local electricity and heat.

The next topic was the water system. The main trunk lines are from the water towers on the hill at Western. They have the capacity to serve the initial phase of development for Gunnison Rising. The recent water study conducted by the City revealed a need for additional pressure zones for service over 7,000'. The current water storage has the capacity to serve up to 175 new units, and a new storage facility or generator would be needed to serve as a backup to the wells to support future development. Public Works Director Gardner agreed with Cascadia Partners' information and noted that the City is currently involved in a Master Water Plan. City Engineer Tusing stated that the City has 24 hours of backup capacity to run without power, in case of an emergency. Mr. Clark recommended having water tanks in the middle gulch to provide for increased density and emergencies in Gunnison Rising. Mayor Gelwicks asked about the developable acreage in the lower gullies. Mr. Joyce thought it would be less than 10%.

The last topic was sewer. The current sewer lines could serve the initial development of Gunnison Rising, about 200 units, extending off Georgia Avenue. Development of more than 200 units would require new trunk lines on the southern end. They would be gravity connected to the main

trunk lines. Two options were presented. One, the preferred method, would be to connect to the gravity main line through the airport. There are challenges with this option. The alternative would be to install a lift station connection to San Juan Avenue. Mr. Clark spoke again about the plasma arc. It is a system which removes all sewer, manure, and trash by burning at 1000 degrees. It eliminates the need for sewer plants and generates electricity. There is additional information on the web.

With the slides concluded, Mr. Joyce asked for questions. City Manager Forrest stated that the City is completing utility studies so the City understands development impacts and can accommodate services in the future. Public Works Director Gardner confirmed the City is conducting the comprehensive studies. He also noted that there are a few issues regarding sewer gravity spots that still need to be addressed. Overall, the City understands its capacity related to Gunnison Rising.

Mr. Clark commended Cascadia Partners and the work they have put into Gunnison Rising. He encouraged everyone to think about another route into Gunnison Rising from the north for safe crossing of the highway. Mr. Clark recommended the book, *Rural by Design*, to the group. It focuses on all aspects of annexations. Councilor Freeburn thanked Cascadia Partners and Mr. Clark for his comments. Councilor Plata had no specific questions and thanked Mr. Clark for his comments. Councilor Logan agreed that the plasma arc is an interesting idea to explore. She asked Cascadia Partners if they have had time to explore solar standards. Mr. Joyce said the design team has started to look into this topic and has created some diagrams for residential units. Further discussion on solar will occur when the sketch plan application is submitted next month. Councilor Miles appreciated the information on the electric and sewer lifts. The sewer lift stations issues must be resolved.

Mayor Gelwicks asked Council for feedback on the progress being made on Gunnison Rising. Council could move faster if more meeting times were scheduled. A few other dates and times were mentioned. City Attorney Fogo stated that Council could continue to a special date or different time provided it was continued to a date and time certain. As long as the public hearing is continued to a date and time certain, a public hearing notice is not required, but staff could do a notice or an announcement for the benefit of the public. Council discussed having a work session earlier in the day on Tuesday, May 26, but concluded that would not work. The mayor continued the public hearing to the certain time and date of 5:30 p.m. on Tuesday, May 26, 2020. Written comments should be sent to the City Clerk.

At 6:53 p.m., the Mayor continued the public hearing until Tuesday, May 26, 2020, at 5:30 p.m.

Citizen Input:

Mayor Gelwicks reminded the audience that Citizen Input is reserved for the public to speak with Council about non-agenda items. He called twice for citizens to speak. No one came forward.

Action Items:

Approval of the April 28, 2020, Regular Session meeting minutes.

Councilor Logan asked for confirmation that Dustin Brown of Scenic River Tours did state in the April 14 meeting that Scenic River Tours would "pay the going rate for a site." The mayor stated that he remembered it being said and the Clerk stated that information was received through the Chat feature during the meeting. The Clerk agreed to double-check the accuracy Mr. Brown's statement.

Councilor Logan moved and Councilor Miles seconded the motion to approve the April 28, 2020, Regular Session meeting minutes with review of Mr. Brown's statement that Scenic River Tours would pay the going rate for a site at the campground.

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

Roll call, no: None.

Contract for Taylor Canyon Campground Host. Mayor Gelwicks stated that Council has received many comments regarding the contract for the campground host at the Taylor Canyon Campground. City Manager Forrest reviewed the process for selecting a campground host. He stated that it is an administrative process and typically one proposal for the job is submitted. Because more than one party was interested in the position of campground host at the City-owned campground, the City issued a request for proposal. Two proposals were received. Council met

with both candidates and discussed the proposals during the April 14 meeting. After selecting Campfire Ranch, Council directed staff to finalize a contract with the organization. Additional discussion occurred at the April 28 Regular Session meeting for contract clarification. Staff is presenting Council with a revised and final contract for Campfire Ranch for their consideration and it has been reviewed by the organization and the City Attorney.

Sam Degenhard, owner of Campfire Ranch, noted that the proposed land management plan for the campground has not changed since the April 14 meeting. He reviewed Campfire Ranch's proposed management structure that would increase recreational benefits, maintain a welcoming environment, and maintain the uses that occur now. Campfire Ranch is proposing an additional 19 walk-in, tent-only campsites, the ability to rent camping equipment, refuse/recycling collection, gravity-feed camp showers, and shuttle service to and from Almont, online reservations, payment by credit card, a website to promote the campground, and staffing to manage the campground and assist campers. A few temporary structures would also be constructed. Mr. Degenhard confirmed that there would be no change for day-use of the area. The City Manager stated that this contract is for one season only, unless Public Health Orders do not allow the campground to open until late in the camping season. Mayor Gelwicks confirmed that the City is not selling the property.

City Manager Forrest read questions submitted by Peri Gore and responded to them. Topics of the questions focused on the length and renewal process of the contract, environmental impact or traffic flow, beetle kill, increased infrastructure, and who is responsible for paying for the enhancements. Pine beetle management is a part of the contract and the campground host is responsible for any new infrastructure. Additional campsites are subject to review from Colorado Parks and Wildlife (CPW) and Gunnison County. The Gunnison Parks and Recreation Director will give final approval of additional campsites after review.

Mr. Degenhard clarified that sound and lighting service would only be provided with a special event request from guests, as it happens now. This would not be a regular service. Councilor Logan asked about liability to the City related to the adjacent climbing area. The climbing area is separate from the campground and would not be the responsibility of Campfire Ranch. The City could post "at-own risk" signs. Councilor Logan thanked everyone for their comments. The City went through a transparent process to award the contract to Campfire Ranch. Campfire Ranch will be headquartered in Gunnison and will provide a few year-round jobs.

Dustin Perkins stated his support for Campfire Ranch through Chat. Interim Parks and Rec Director Vollendorf confirmed that the City receiving 2% of gross revenues is fair split based on research and discussions with CPW. Christopher Esterlein expressed concerns about Campfire Ranch's proposal. His greatest concern was the nightly fee of \$55, as it could prevent local taxpayers from using the campground. Andrea Freeman stated her opposition. Peter Horgan stated "Thank you for maintaining public access." Darcie Perkins stated her support through Chat for Campfire Ranch's proposal.

Dustin Brown of Scenic Rivers Tours stated that his business has had a long-standing verbal agreement with Parks and Recreation to rent campground sites for their guides at a reduced rate for the season. Mr. Brown asked Council to continue that verbal agreement. City Manager Forrest stated that the agreement will be the decision of Campfire Ranch as the new campground host, and not a decision for Council. Council thanked the public for all their input and commended Mr. Degenhard for his efforts and willingness to take on the position of campground host at this time. This was a transparent process and the public will still have access to the area. Interim Parks and Rec Director confirmed that all improvements to the campground are temporary. Staff will debrief with Campfire Ranch at the end of the one year contract to determine future actions.

Councilor Plata moved and Councilor Logan seconded the motion to authorize the City Manager to execute any and all documents with Campfire Ranch, including the contract.

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

Roll call, no: None.

Mayor Gelwicks encouraged the public to give feedback to Council and staff about Campfire Ranch's operations of the campground at the conclusion of the contract.

Council recessed at 7:35 p.m. and returned at 7:46 p.m.

Ordinance No. 4, Series 2020; Second Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, for the regulation of traffic by the City of Gunnison, Colorado; adopting by reference the 2020 edition of the "Model Traffic Code for Colorado"; repealing all ordinances in conflict therewith; and providing penalties for violation thereof*

Councilor Logan introduced Ordinance No. 4, Series 2020 and read it aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to adopt Ordinance No. 4, Series 2020 on second and final reading.

Police Chief Keith Robinson appeared before Council to discuss Ordinance No. 4, Series 2020. Councilor Freeburn expressed his appreciation for the police chief's work, but did not want staff to lose focus on addressing speed limits throughout town. He was concerned about the 15mph speed limit for bicyclists to approach an intersection. He emphasized the importance of completing the traffic study to possibly reduce speed limits and asked that it be a future agenda item. Chief Robinson noted that the 15mph is state statute. The police department intends to start the traffic study in June and plans to report back to Council in July.

Chief Robinson clarified the language in Part 14 1 (a) that it is the responsibility of the bicyclist or vehicle driver to safely approach and if necessary stop at a yield sign in order to not cause an accident or harm. This language is out of the state statute.

Roll call, yes: Gelwicks, Logan, Plata, Freeburn. Motion carried.

Roll call, no: Miles.

Resolution No. 9, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado adopting the City of Gunnison construction standards revised May 1, 2002*

Councilor Freeburn introduced Resolution No. 9, Series 2020, and read it aloud by title only. Councilor Freeburn moved and Councilor Miles seconded the motion to adopt Resolution No. 9, Series 2020.

Public Works Director David Gardner stated that the purpose of this resolution is to update the construction standards for the City of Gunnison to have more consistency with other City codes and provide more clarity to builders and developers. The new standards comply with updated technology and materials. The current code is out-of-date. The referenced standards in the resolution are nationally recognized.

A brief discussion occurred with City Engineer Cody Tusing and Bret Guillory of JUB Engineers, Inc. who conducted the examination and spearheaded the revisions. They confirmed the City's need to update the construction standards and by doing so, building will be more cost-effective and efficient for developers. They will have more clarity and consistency. JUB Engineers received input from contractors on the standards and materials used.

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

Roll call, no: None.

Resolution No. 10, Series 2020: *A Resolution of the City Council of the City of Gunnison, Colorado elevating the local status of Bromus Tectorum (commonly known as Cheatgrass) from List C to List B Noxious Weed within the City of Gunnison*

Councilor Plata introduced Resolution No. 10, Series 2020, and read it aloud by title only. Councilor Logan moved and Councilor Freeburn seconded the motion to adopt Resolution No. 10, Series 2020.

Sam Liebl thanked Council for considering the change in local status of cheatgrass. Mayor Gelwicks asked if this resolution would cover the management of the noxious weeds on City-owned land outside of the City limits. Staff and the attorney will follow up with an answer. Mayor Gelwicks explained that changing the local status of cheatgrass allows for stricter management of the weed and could possibly open up more funding opportunities. The City works with Gunnison County to help mitigate noxious weeds.

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

Roll call, no: None.

COVID-19 Business Relief Grant Update and Discussion. Mayor Gelwicks shared with Council that Western Colorado University's President Greg Salsbury submitted a letter to Governor Polis to ensure that small rural colleges and universities are not forgotten in the state's COVID-19 recovery efforts. In the letter, President Salsbury spoke about the economic impact that Western has on a rural, western community. He stressed the importance of funding for such institutions. Council briefly discussed the importance of Western to the City of Gunnison and the City to Western. Council directed staff to draft a letter to Governor Polis in support of Western Colorado University and its economic importance to Gunnison. The letter will be signed by the mayor.

Council transitioned to the COVID-19 Business Relief Grant program. Finance Director Cowan noted that the City had received 44 applications. As of May 12, five applications had been rejected, 38 had been approved, and one was pending. A total of \$173,016 had been distributed. Mr. Cowan explained the reasons for the rejections. They were businesses that had not demonstrated loss during the specific time period, but are expecting losses in the coming months; one business was outside of the eligible zoning district; one business that was outside the specified industry sector; and one business that, prior to COVID-19, had added a new source of revenue, which didn't cause their revenues to be down 20%, but their overall net income was down. Net income can be challenging to analyze. A few options were presented to Council on how to proceed with the remaining funds. They could revise the criteria and continue to accept applications under the new criteria, or hold onto the funds for a future use, or do nothing and set a closing date.

Shaun Matuszewicz, owner of Wanderlust Hostel on Boulevard, explained how his business has been financially harmed by COVID-19 and that the business was not eligible for the grant funding in the first round because it is zoned in a residential area by one house. He explained to Council that Wanderlust Hostel is not a home-based business and they are a commercial business that must comply with all business codes and expenses. It is likely that this property was intended to be zoned in the B1 District, but a zoning error was made in the past.

Deven Bennett, one of the owners of Powerstop, explained to Council that because the business added a new revenue stream to the business (selling fuel), their revenues do not meet the grant criteria of being 20% down compared to last year. If the new revenue source was removed for comparison, the business would meet the 20% down threshold. The profit margin on the selling of fuel is very slim.

Council and staff discussed ideas on how to revise the COVID-19 Business Relief Grant program to make the program more inclusive. They also discussed the pros and cons of those ideas. Council directed staff to revise the grant program by removing the zoning district requirement, making the funds available to businesses regardless of industrial sector, and allow retailers that cannot clearly demonstrate the required 20% loss on a revenue/income basis to appeal to a review committee to demonstrate a need for funding. Councilors Miles and Freeburn volunteered to serve on an appeals committee with Finance Director Cowan. Council decided to close the program on Friday, May 22 at midnight. Staff will re-advertise the program to promote the revised, broader eligibility criteria. Because the revisions to the program include expansion of criteria, it is not necessary to close and re-open the program. The new criteria will be applied to the currently rejected applicants for an automatic second review.

It was noted that the City may need to look for ways to support local businesses who have received government loans. There was a recommendation to work with other similar-sized communities to write letters to federal leaders to ask for loan extensions through next fall to give businesses more time to recover economically. A survey is going out to the local business community through the COVID-19 Recovery Team to understand how they are doing.

Reports: A brief discussion occurred to clarify the next steps for Gunnison Rising in relation to the annexation agreement and PUD. Staff and Council gave brief reports.

With no further business for the Regular Session, Mayor Gelwicks adjourned the Regular Session Meeting at 9:50 p.m.

Attest:


City Clerk




Mayor