

APRIL 27, 2021

CITY OF GUNNISON COUNCIL  
REGULAR SESSION

5:30 P.M.

The City Council Regular Session meeting was called to order at 5:00 p.m. by Mayor Jim Gelwicks with Mayor Pro Tem Jim Miles, Councilor Boe Freeburn, Councilor Mallory Logan, Councilor Diego Plata present in Council Chambers along with City Manager Russ Forrest, City Clerk Erica Boucher and City Attorney Kathy Fogo. There were no online attendees.

**Executive Session.** Mayor Gelwicks stated that Council desired to enter into an Executive Session and stated that no formal action or motion may be taken during the Executive Session. The Executive Session is to gather information only. Councilor Plata moved and Councilor Miles seconded the motion to go into an Executive Session pursuant to §C.R.S. 24-6-402(4)(e) for the purpose of negotiations related to the acquisition of land for electrical substation expansion.

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

Roll call, no: None.

For the record, Mayor James Gelwicks stated at 5:02 p.m. on Tuesday, April 27, that he is the presiding officer of the Executive Session. As required by the Open Meetings Law, it is being electronically recorded. Present at the Executive Session in Council Chambers were Mayor Gelwicks, Mayor Pro Tem Miles, City Manager Forrest, City Attorney Fogo, Councilors Freeburn, Plata, and Logan. No one attended the Executive Session remotely. The Executive Session is for the purpose of having a negotiations discussion related to the acquisition of land for electrical substation expansion pursuant to CRS Section 24-6-402(4)(e). The Mayor reminded participants that each person must confine all discussions to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session. If at any point in the Executive Session, any participant believes that the discussion is going outside the proper scope, please interrupt the discussion and make an objection. The Regular Session will begin at 5:30 p.m. City Clerk Boucher was excused from Council Chambers.

City Clerk Boucher returned to Council Chambers at 5:17 p.m. on Tuesday, April 27, at the request of the Mayor and at the conclusion of the Executive Session. Mayor Gelwicks restated that present in the Executive Session in Council Chambers were himself, Mayor Pro Tem Miles, City Manager Forrest, City Attorney Fogo, Councilors Freeburn, Plata, and Logan. The Mayor attested that the recording reflected the accurate contents and discussion of the executive session in lieu of any written comments. The City Attorney will retain the recording for 90 days. The Mayor stated that if at any point in the Executive Session any participant felt that the discussion went out of the proper scope they should make their objection known. No one objected.

Council returned to Regular Session. Council went into recess at 5:19 p.m.

At 5:30 p.m., the Mayor returned to the Regular Session in Council Chambers, located at 201 W. Virginia Avenue, in-person and online. Finance Director Ben Cowan joined the staff listed above and council members in Chambers. City Attorney returned to the meeting remotely along with Community Development Director Anton Sinkewich, City Engineer Cody Tusing, Water Superintendent Mike Rogers, and Western Liaison Adam Engleman. Also attending the Regular Session remotely were Erica Rasmussen and Lauren Kugler, Cassia Montgomery, Ricardo Esqueda, and Chris Klein. The press was present online. A Council quorum was present.

Mayor Gelwicks stated that no formal business took place during the Executive Session, but asked if Council would like to make a motion during the Regular Session. Councilor Plata moved and Councilor Logan seconded the motion to authorize the City Manager to negotiate and execute a contract using the appraisal as the basis on the purchase price, plus closing costs, and contingent upon successful annexation and subdivision of the property located east of HWY 135 and north of the City of Gunnison. The Mayor noted this does include the property owned by the City and adjacent to this property, but is currently not in the city limits.

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

Roll call, no: None.

**Citizen Input.** The Mayor called for Citizen Input twice from those in the audience and in person. No one came forward.

**Council Action Items.**

**Community Foundation of the Gunnison Valley Update.** Erica Rasmussen and Lauren Kugler of the Community Foundation of the Gunnison Valley attended the meeting remotely and presented to Council. They asked for feedback on how the organization could do better. Erica Rasmussen gave a quick presentation on the Community Foundation including that 2020 was one of the Foundation's most successful years, even with COVID-19. She then posed two questions to Council. First, she asked what comes to mind when they think of the Community Foundation. Council said they think of the Foundation as an umbrella organization that assists and provides support throughout the valley. Others mentioned the connection and networking between many non-profits, the "Welcome" sign in many languages, and a centralized organization for non-profits. The second question asked of Council was what the Foundation could do better to help the Gunnison Valley. Suggestions were a leadership program, education about how to get involved with non-profits, and support for mental health services, child care, and the elderly. Council and the Foundation leaders expressed their appreciation for each other's work and commitment to the community.

**Consent Agenda.** Mayor Gelwicks read the items on the Consent Agenda aloud. Council made no motion to separate the items. Councilor Miles moved and Councilor Logan seconded the motion to approve the Consent Agenda as presented, with the following items: Approval of the April 13, 2021, Regular Session meeting minutes; Approval of the License Agreement for 300 North Main Street; Approval of the License Agreement for 121 South Taylor Street; and Authorization for the Mayor to sign the Grant of Easements document for Access and Public Utilities within Gunnison Rising.

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

Roll call, no: None.

**Resources for Public/Immigrant Outreach and Engagement Services.** City Clerk Erica Boucher introduced the agenda item and explained this was follow-up to the discussion on better, holistic community outreach from the October 27, 2020, Regular Session meeting. At that meeting, the City Clerk mentioned that the City has a need for a part-time translator and interpreter in order to access a wider range of residents. Since October 2020 and the presentation of the Inclusive Communication Plan, the Clerk met with leaders in the LatinX community and with Parks and Rec staff to discuss ideas. Additionally, the Clerk was connected to Ricardo Esqueda, who could help provide these needed services throughout the City. Some of the feedback that the Clerk received during the meeting with LatinX leaders was that having a person with established office hours who could meet with Spanish speaking residents for translation or interpretation services would be very helpful along with translating city documents and program flyers. Staff acknowledged that this hire would be on a temporary part-time basis for the remainder of the year. Funding for this position of 1560 hours would come from the refund the City received from its insurance company, CEBT.

Ricardo Esqueda attended the meeting remotely introduced himself to Council. He shared some of his academic and professional experience. He explained how translation and interpretation services is a great need within the community. He is eager to assist Spanish-speaking residents and the City. Council shared some ideas with staff and Mr. Esqueda on ways to assist the LatinX residents and overall supported this pilot program.

Councilor Logan moved and Councilor Plata seconded the motion to authorize the use of the CEBT refund to hire a temporary part-time individual for an amount not to exceed \$23,530 for oral and written translation services through December 31, 2021.

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

Roll call, no: None.

City Clerk Boucher mentioned that the first outreach event could occur in May to coincide with the release of the 2021 Community Survey. The Mayor suggested an event later in the summer to celebrate Immigrant Heritage month.

Councilor Logan moved and Councilor Plata seconded the motion to authorize \$2,000 from Council's Strategic Priorities Fund for the City to host two outreach events.

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

Roll call, no: None.

**Ordinance No. 4, Series 2021, Second Reading:** *An Ordinance of the City Council of the City of Gunnison, Colorado Repealing and Reenacting Title 12 of the City of Gunnison Municipal Code.*

Councilor Plata introduced and read Ordinance No. 4, Series 2021, aloud by title only. Councilor Plata moved and Councilor Miles seconded the motion to pass and adopt Ordinance No. 4, Series 2021, on second reading. No discussion occurred.

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

Roll call, no: None.

**Resolution No. 3, Series 2021:** *A Resolution of the City Council of the City of Gunnison, Colorado, Adopting the City of Gunnison Construction Standards Revised April 2021.* Councilor Logan introduced Resolution No. 3, Series 2021, and asked the City Attorney to read it aloud by title only. City Attorney Fogo read Resolution No. 3, Series 2021, aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 3, Series 2021. No discussion occurred.

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

Roll call, no: None.

**Resolution No. 4, Series 2021:** *A Resolution of the City Council of the City of Gunnison, Colorado, Adopting City of Gunnison Industrial Waste Control Enforcement Response Guide Dated 03-23-2021.* Councilor Logan introduced and read Resolution No. 4, Series 2021, aloud by title only. Councilor Logan moved and Councilor Miles seconded the motion to adopt Resolution No. 4, Series 2021. No discussion occurred.

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

Roll call, no: None.

**Resolution No. 5, Series 2021:** *A Resolution of the City Council of the City of Gunnison, Colorado, Adopting Fees.* Councilor Freeburn introduced and read Resolution No. 5, Series 2021, aloud by title only. Councilor Freeburn moved and Councilor Plata seconded the motion to adopt Resolution No. 5, Series 2021. No discussion occurred.

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

Roll call, no: None.

**Resolution No. 6, Series 2021:** *A Resolution of the City Council of the City of Gunnison, Colorado, Rescinding Resolution No. 15, Series 2007, A Resolution Adopting Annexation Policies for the City of Gunnison.* Councilor Plata introduced and read Resolution No. 6, Series 2021, aloud by title only. Councilor Plata moved and Councilor Miles seconded the motion to adopt Resolution No. 6, Series 2021. Mayor Gelwicks explained that the initial resolution was adopted to primarily deal with the size of Gunnison Rising. This updated resolution will put the City under its Charter and State Statutes for annexation procedures.

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

Roll call, no: None.

**Palisades Sidewalk.** City Manager Forrest shared with Council that there were duplicated expenses in the initial bid from United Companies. Currently there is just over \$2.9 million dollars in the streets improvements budget. This money was accumulated over multiple years. The base bid for the Palisades project was \$2,477,004. To include the additional sidewalk work would bring the cost to \$2,944,604, leaving approximately \$39,000 in the streets budget. If sidewalks are included it would be few years before the streets department could afford to do a large project. However, to put the sidewalks project out to bid at another time and separate from the street improvements project would make the costs higher in the future. There is no timeframe to do the sidewalks in the future. Other ideas for using the \$467,170 were laying eight blocks of sidewalks for Safe Routes to School, do slurry seal on 100 blocks around the city, construct approximately

eight blocks with full depth reclamation of the road, complete new overlay with three inches of asphalt, or do 16 blocks of two inch overlay. Engineer Tusing shared a few photos of how much space the sidewalk with an attached curb would require. The sidewalk would be ADA and be one foot from the right-of-way. Sidewalks would assist with access to the trails and parks in the area and to the new library.

Council discussed the installation of sidewalks and how landscaping and yards could be impacted. Council discussed the pros and cons of installing sidewalks in Palisades. Topics that were considered were snow plowing, access to the trails and library, amount of use by the residents, safety, costs and other street maintenance priorities, and the impact on the streets budget. If sidewalks were not added, driveways would be extended and some landscaping would be done, such as grass and mulch. City Engineer explained that the department would like to get into a cycle of one year completing a large-scale project followed by a year of maintenance. Staff has a separate plan to address alleys. Staff decided against selecting just certain streets to install sidewalks on. United Companies' bid is good for 30 days, until May 15. After the thorough discussion, Council determined that they would like to receive input from those living in the neighborhood. Council directed staff to survey the neighborhood on their thoughts and interest in having sidewalks in the area and present the results at the next Council meeting before proceeding.

**CMAR Selection for Septage Receiving Station Improvements.** Water and Wastewater Superintendent Mike Rogers shared with Council that Public Works favored using a construction manager at-risk (CMAR) for the City's RV dump station improvement project. The department wants to have the work completed this fall. A Request for Qualification (RFQ) for a CMAR was issued to engage pre-construction services on April 8, 2021. The RFQ generated two responses. Staff recommended Hydro Construction based on their qualifications and the previous work they did with the City and the UV issues at the Wastewater Treatment Plant (WWTP). The City negotiated a price for pre-construction services and construction at 30%, 60%, and 90% for \$9,194. City Manager Forrest contributed that the dump station has been used freely for many years and that created a direct threat to the WWTP. The new system would create a specific plan for commercial haulers and use and pay would be based on volume. The cost to recreational vehicles would be minimal. This project requires a long lead time for the equipment. The CMAR would help protect the City and get a maximum guaranteed price. Construction would occur in late September or early October. Staff is confident that this expense would pay for itself in a few years. This new system also monitors what can be deposited into the WWTP and if it is not appropriate the value would shut off to protect the WWTP. Portable water would also be available. After Council expressed concern about the timing of the construction, Superintendent Rogers explained that the construction time is fairly short and staff is researching ways to keep the dump station in operation during construction.

Councilor Logan moved and Councilor Freeburn seconded the motion to authorize the preconstruction services of Hydro Construction Co. in the amount of \$9,194.00.

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

Roll call, no: None.

**Community Survey Discussion.** Council discussed the inclusion of new ballot initiative questions. Staff is working with Western to distribute an online version of the survey before they depart for summer break. Council discussed a few questions that asked specifically about the City's entrances and commercial areas to get direct responses from residents. It was suggested to ask a question about residents' interest in putting forth a Dark Skies ordinance or policy to address lighting. Council's goal is to learn as much as possible from the survey on services, priorities, and possible ballot initiatives. Council also discussed the inclusion of one or two questions directly related to COVID-19 and the vaccine to help determine what or if the communication holes are when the valley is trying to communicate with everyone. Using their feedback, Council directed staff to proceed with revisions and finalize of the survey for distribution.

**Discussion on Safety Infrastructure CDOT Grant.** City Engineer Cody Tusing returned to Council to discuss the City's potential to apply for an Opportunity 1 Safety Infrastructure CDOT grant for up to \$2 million dollars. Staff suggested applying for a grant to complete another phase of Ohio Avenue to assist with multimodal connectivity. Currently, the City doesn't have enough

funding to complete the project down to 11<sup>th</sup> Street. At this time, the City can only reach Spruce. This grant would help pay for the final four blocks from Spruce to 11<sup>th</sup> Street. The final four blocks would cost an estimated \$1.2 million dollars. The grant request would also include flashing crosswalk beacons for HWY 135. CDOT encourages a 20% match, which would be \$240,000. Phase 2 design work would occur in 2022, construction in 2023, and the funds must be exhausted in 2024. This multimodal project is a good fit for the grant application. Councilor Logan moved and Councilor Miles seconded the motion to authorize staff to pursue a CDOT Larger Safety Infrastructure grant to complete Ohio Avenue.

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

Roll call, no: None.

**COVID-19 Update and Recovery.** The County continues to be focused on reaching the goal of getting 10,000 residents vaccinated. Vaccination clinics are available regularly and appointments will soon be not necessary. People will have the options of a vaccination type. Western Colorado University will be holding an in-person graduation at the Mountaineer Bowl.

**Council and staff gave brief reports.**

**With no further business, Mayor Gelwicks adjourned the Regular Session at 7:40 p.m.**



City Clerk

A handwritten signature in blue ink that reads "Jim Gelwicks". The signature is written in a cursive style and is positioned above a horizontal line.

Jim Gelwicks, Mayor

