

**GUNNISON CITY COUNCIL  
REGULAR SESSION**

**January 10, 2023**

**5:30 P.M.**

The Gunnison City Council Regular Session meeting was called to order on Tuesday, January 10, 2023, at 5:55 p.m. by Mayor Diego Plata in Council Chambers, located at 201 W. Virginia Avenue in Gunnison, Colorado. Present in Council Chambers were Mayor Plata, Mayor Pro Tem Logan, Councilor Boe Freeburn, Councilor Miles, Councilor Gelwicks, City Attorney Kathy Fogo, Acting City Manager/Finance Director Ben Cowan, City Clerk Erica Boucher, and Western Liaison KC Wenzel. Public Works Director David Gardner and Water Superintendent Mike Rogers were present in Chambers. Members of the public and presenters attended in-person and online. The press was present. A Council quorum was present.

**Public Input.** Mayor Plata called for comments from members of the audience in Chambers and from those attending remotely. Steve Schechter came before Council and stated that he hopes every city manager candidate that Council is interviewing has a quality climate action portfolio and strong ideas to move the City forward on this issue. Mr. Schechter stated that a sustainability coordinator should answer directly to the City Manager. A sustainability coordinator needs to be a part of new essential services plans related to electricity, water and sewer, and budget discussions. Hiring a sustainability coordinator should be a high priority at this time.

Laurie Gery supported the comments that Mr. Schechter made and stated that climate change is a huge issue for the community. Then, transitioning to another topic, Laurie Gery read a letter to Council on behalf of resident Joe Dix. In his letter, Mr. Dix thanked Public Works for their snow removal work after the first snow fall. He also acknowledged and thanked three city employees for the kindness and responsiveness they gave to him regarding a large snow berm in the alley. He publically recognized Deputy City Clerk Cassie Mason, the Public Works loader driver, and the administrative assistant at Public Works for their assistance in getting the berm cleared. He would be willing to assist on a ballot initiative in support of funding for the streets in the future.

**Council Action Items.**

**Consent Agenda.** Councilor Miles moved and Mayor Pro Tem Logan seconded the motion to approve the Consent Agenda with the following two items: Approval of the December 13, 2022, Regular Session Meeting minutes and Excuse Councilor Freeburn from the December 13, 2022, Regular Session Meeting.

Yes: Miles, Plata, Logan, and Gelwicks. Motion carried.

No: None.

Abstain: Freeburn.

**Official Posting Places for the 2023 Meeting Minutes, Agendas, and Notices.** Mayor Pro Tem Logan moved and Councilor Miles seconded the motion to designate the two bulletin boards in City Hall and the City website as the three official posting places for the City of Gunnison.

Yes: Miles, Plata, Logan, Gelwicks, and Freeburn. So carried.

No: None.

**2023 Grant Funding.** Mayor Plata briefly explained to the audience that this agenda item was to allocate the budgeted funding amount for public service and economic development grants to applicants because Finance Director Ben Cowan briefly stepped out of Council Chambers. Grant applications were discussed earlier in the day during a posted Work Session. Finance Director Cowan told the audience that he has copies of the funding allocations if anyone in the audience was interested. Councilor Miles shared that he did not actively participate in the Work Session because as a representative of his constituents, he supported the idea that the City should cut back on grant funding in order to have more money available for street maintenance. The City does not have money to pay for street maintenance as well as grants. He stated that the committees and non-profits that submitted applications do positive work within the community.

Mayor Plata stated that all of the organizations have meaningful missions, but Council should re-evaluate the whole grant process. However, because the grant cycle was open and applications were already submitted for 2023, it did not seem appropriate to withhold funding from the organizations this year. It was noted that the City received \$1.8 million dollars of requests for \$195,000 available funds.

Mayor Pro Tem Logan moved and Councilor Freeburn seconded the motion to direct the Finance

Director to prepare contracts for service according to the Council funding awards for the Mayor's signature.

Yes: Plata, Logan, Gelwicks, and Freeburn. Motion carried.

No: Miles.

**SCADA Presentation from Public Works.** Water Superintendent Mike Rogers and Public Works Director David Gardner approached Council with Supervisory Control and Data Acquisition (SCADA) project manager Kris Lantzy and engineer Nick Frank from Browns Hills Engineering and Solutions. Dallin Colgrove and Dave Stone from Browns Hill Engineering were in the audience along with Gunnison's water operator Nick Hill. Director Gardner started the presentation by stating he was proud of the overall project. For the first time, the Wastewater Treatment Plant (WWTP) is on a secure radio network, has internet, cell service, and is connected to the server. Now the Plant has a fully automated system that allows for automation at the Plant and enables operators to make adjustments remotely and immediately. Mike Rogers reviewed the fiber installation and connectivity details of the project, which includes fiber linkage to the RV Dump Station, the treatment plant for Gunnison Rising, and to the water tanks.

Superintendent Rogers transitioned to displaying the Plant's SCADA system that was developed and executed by Browns Hill to tie together the water treatment system and wastewater treatment plant under a single license, which leads to cost savings. He showed real-time functionality of the system's software. The software contains a sophisticated alarm system that monitors all aspects of the water treatment system. The system can also produce detailed water reports. The software also is used for the WWTP. It shows how every area of the WWTP is operating and each process of the Plant in real time. Mr. Rogers highlighted the camera feature of the system. He mentioned that the software can generate a variety of reports.

Kris Lantzy from Browns Hill Engineering shared with Council that the Water Department was a pleasure to work with and that together they pushed the technology forward. Browns Hill will continue to work with the Water Department on new technology for the maintenance and for a work order system. Many of the advancements that have been made will make the system more energy efficient and resilient. Mr. Lantzy explained that this system is a cost-sharing system and how that benefits the City financially. Browns Hill Engineering is a long-term partner with Gunnison and provides whole operation support for the system. This system is also increasing the security at the WWTP and at the water wells. Gunnison has a five-year contract in place with Browns Hill Engineering. Council thanked everyone for the information and presentation.

**Purchase of a New Trash Truck.** Public Works Director David Gardner spoke to Council about the need to purchase and promptly order a 2023 Western Star trash truck. The purchase consists of two parts. One part of the purchase is the truck chassis and the second part of the purchase is the truck body. The approved budget for the truck is \$350,000. Staff wants to place the order as soon as possible in order to receive the truck by the end of the year. A trash truck is equipment that the City uses every working day of the year. The City's trash truck is a specialized piece of equipment because of the side-load capability. The trash truck must have a low profile to move through the alleys and avoid utility interferences. If it isn't ordered now, the City would not receive this equipment until 2025. The total cost of the chassis and body is \$346,471. Director Gardner recommended purchasing the extended warranty package. This included an extended engine warranty of 5 years or 100,000 miles for \$3,100; extended chassis warranty for 5 years or 100,000 miles for \$3,600; and the towing package warranty for 5 years with unlimited miles for \$2,600. The towing package allows the City to transport the truck long distances for repairs. The total cost of the extended warranty is \$9,100, which exceeds the \$350,000 budgeted amount by \$5,771. Councilor Miles moved and Mayor Pro Tem Logan seconded the motion to approve the purchase of the 2023 Western Star truck with a G&S trash body in the amount not to exceed \$355,771, including the extended warranty.

Yes: Logan, Gelwicks, Freeburn, Miles, and Plata. So carried.

No: None.

Councilor Miles moved and Councilor Gelwicks seconded the motion to direct the Finance Director to make an additional appropriation of \$5,771 to cover the additional cost of the extended warranty.

Yes: Gelwicks, Freeburn, Miles, Plata, and Logan. So carried.

No: None.

**DOLA Administrative Planning Grant for WWTP Compost Facility.** Public Works Director Gardner shared with Council that staff met with Gunnison's Department of Local Affairs (DOLA) representative who expressed support for the City's efforts and the need to upgrade the compost pad at the Wastewater Treatment Plant. The City has budgeted \$25,000 for the project. The Clerk's Office drafted a letter to request \$25,000 from the DOLA Energy and Mineral Impact Assistance Fund grant. This grant requires a 1:1 match. City funding would come from the Wastewater Fund. The funding would be used to help complete a master plan which will be helpful for the City to apply for larger construction grants. Currently, there are multiple infrastructure issues with the pad that need to be addressed and construction work needs to be done to make the equipment more efficient. Much of the design work can be done by staff, but the City needs external help with the master planning and some engineering services. Having a strong master plan will help with the application for a construction grant.

Councilor Miles moved and Councilor Freeburn seconded the motion to authorize the mayor to sign a letter requesting a \$25,000 administrative planning grant from DOLA for compost site master planning.

Yes: Freeburn, Miles, Plata, Logan, and Gelwicks. So carried.

No: None.

**Resolution No. 1, Series 2023: *A Resolution of the City Council of the City of Gunnison, Colorado, Adopting Fees.*** Councilor Freeburn introduced and read Resolution No. 1, Series 2023, aloud by title only. Councilor Freeburn moved and Mayor Pro Tem Logan seconded the motion to adopt Resolution No. 1, Series 2023. Finance Director Cowan acknowledged that the resolution passed at the last meeting contained the previous years' amounts and the correct amounts before them tonight have already been reviewed and discussed by Council. This resolution is to adopt the current fee amounts for 2023.

Yes: Miles, Plata, Logan, Gelwicks, and Freeburn. So carried.

No: None.

**Resolution No. 2, Series 2023: *A Resolution of the City Council of the City of Gunnison, Colorado, Authorizing the Purchase of Lot 1, Lazy K Subdivision, From Lazy K Development, LLC.*** This resolution is an administrative item as Council has already authorized the purchase of Lot 1 in the Lazy K subdivision. The City is scheduled to close on the property on Thursday, January 12, 2023. This resolution is required to complete the title work. The intention of the property is to be used as temporary housing for new and in-coming, full-time employees. The City plans to hold the unit for a new city manager to ensure that he has a place to live upon the start date.

Councilor Gelwicks introduced and read Resolution No. 2, Series 2023, aloud by title only. Councilor Gelwicks moved and Mayor Pro Tem Logan seconded the motion to adopt Resolution No. 2, Series 2023.

Yes: Plata, Logan, Gelwicks, Freeburn, and Miles. So carried.

No: None.

**Ordinance No. 13, Series 2022, Second Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Title 3 Finance, Chapter 3.10 to Establish an Exemption from Sales and Use Tax for Certain Retail Delivery Fees and Carryout Bag Fees Enacted by the State of Colorado.*** Councilor Gelwicks reaffirmed his comments from the last Regular Session meeting. Councilor Freeburn introduced Ordinance No. 13, Series 2022, and read it aloud by title only. Councilor Freeburn moved and Mayor Pro Tem Logan seconded the motion to pass and adopt Ordinance No. 13, Series 2022, on second reading.

Yes: Logan, Freeburn, Miles, and Plata. Motion carried.

No: Gelwicks.

**Ordinance No. 1, Series 2023, First Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Title 3 Finance, Chapter 3.10 to Establish an Exemption for Charitable and Certain Small Sales.*** Councilor Freeburn introduced Ordinance No. 1, Series 2023, and read it aloud by title only. Councilor Freeburn moved and Mayor Pro Tem Logan seconded the motion to pass and adopt Ordinance No. 1, Series 2023, on first reading.

Staff clarified for Council that the purpose of this ordinance is exempt sales tax on occasional sales by certain non-profit entities, like schools or churches, and/or individual online market sales. Historically, the City has not collected sales tax when non-profit organizations, like Girls Scouts, the schools, or churches, etc., conduct fundraisers because they can be considered charitable organizations. Nor has the City collected sales tax or required a resident to get a \$20 sales tax license to hold an occasional garage sale. However, with the advent of social media sites like Facebook and Craig's List, there has been an increase in the number of people regularly selling goods online, resulting in a lucrative business. Staff wanted feedback from Council as to when sales by individuals or charitable organizations become businesses and are not properly supporting City services through sales tax. Staff suggested the thresholds of selling more than \$2,500 per year worth of items and/or having more than 52 listings per year. Many municipalities have lower thresholds. It was noted that vehicle sales would not be included in the exemption. Finance Director Cowan stated that this exemption is only for items that were originally purchased for and used in the home. An individual cannot be making new goods and products, selling them, and qualifying for the sales tax exemption.

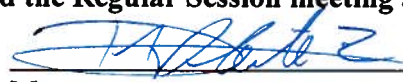
Yes: Gelwicks, Freeburn, Miles, Plata, and Logan. So carried.

No: None.

**City Clerk Semi-Annual Report.** City Clerk Erica Boucher presented the City Clerk Semi-Annual report. Clerk Boucher shared some of the changes the department spearheaded for the City as well as successes, and gave an update on communication and outreach. Highlights of the report were that Clerk's Office continues to provide administrative support to Council and for departments on grants. In 2022, the City of Gunnison was awarded \$3,656,129 in grant funding. The Clerk's Office was also involved in education/information components for the November 2022 ballot initiative for street funding. The Department continued to focus on external communication and outreach through a variety of methods. The Community Outreach Liaison translated over 30 documents into Spanish and provided interpretation services at multiple community events. City Clerk Boucher informed Council that the City of Gunnison was selected to participate in the Rural Welcoming Initiative for a second year and shared first year successes of increased inclusion and welcoming efforts in Gunnison. The Clerk told Council that there have not been any issues of concern raised by the public consumption permits, and community events are returning to the community at near pre-COVID levels. The Clerk is planning to recruit new members for Youth City Council. The Clerk's Department has been fully staffed since the hiring of new Court Clerk/Communications Assistant Laura Stanley in August 2022. Council thanked the Clerk for the department's work.

**Staff and Council gave brief reports.** Acting City Manager Ben Cowan shared that the Victim Advocate recently resigned. The City is exploring ways to possibly adjust the compensation and staffing for the position to encourage more longevity. Staff is following up with CDOT to determine if it is possible to add more speed signs to a certain area that already has speed signs. A new Parks and Rec Program Assistant was hired. Council directed Acting City Manager Cowan to explore what a master lease may cost the City for a free-market unit in Lazy K that would be rented out to city or government employees for transitional housing.

**With no further business, Mayor Plata adjourned the Regular Session meeting at 7:35 p.m.**

  
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Mayor

ATTEST



SEAL:

  
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Clerk