

February 28, 2023

**REGULAR SESSION
GUNNISON CITY COUNCIL**

5:30 P.M.

The Gunnison City Council Regular Session meeting was called to order on Tuesday, February 28, 2023, at 5:30 p.m. by Mayor Plata in Council Chambers, located at 201 W. Virginia Avenue in Gunnison, Colorado. The Regular Session was also being held online. Present in Council Chambers were Mayor Pro Tem Logan, Councilor Freeburn, Councilor Miles, Councilor Gelwicks, City Attorney Fogo, Acting City Manager/Finance Director Cowan, and City Clerk Boucher. Western Liaison Wenzel attended online. Public Works Director Gardner, Parks and Rec Director Vollendorf, Municipal Judge McDonald, Court Clerk Stanley, and Gunnison County Commissioner Liz Smith were also in Chambers. Additional guest presenters and members of the public attended in-person and online. The press was present. A Council quorum was present.

Public Input. Steve Schechter, 912 N. Blvd., recommended that Council and staff receive training about electric utilities and vehicles and the electric market especially since the City has an electric department. As the primary electric regulators for the City, the more they know the better. There were no other public comments in-person or online.

Council Action Items.

Consent Agenda. Mayor Pro Tem Logan moved and Councilor Miles seconded the motion to approve the Consent Agenda, which included the following items: Approval of the February 14, 2023, Regular Session Meeting minutes and Approval to excuse Councilor Gelwicks from the February 14, 2023, Regular Session meeting. Councilor Gelwicks did not vote because he did not attend the February 14, Regular Session meeting.

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

Roll call, no: None.

Municipal Court Update. Municipal Court Judge Jim McDonald approached Council. He started by commending the professionalism and work quality of the new Court Clerk Laura Stanley. He also acknowledged the City Clerk and Deputy City Clerk's work quality during the transition of court clerks. Judge McDonald noted a decrease in citations, except for traffic and speeding violations in 2022, most likely because of the fewer number of police officers and the lack of a parking attendant. He shared a few of the specific changes that were made at the state level, which has limited some of a municipality's authority. The Judge has been doing more jury trials statewide. Overall, municipal court is operating smoothly in Gunnison. Clarification was given about which law enforcement agencies can write tickets into which courts and the level of crimes that are seen in municipal, county, or district court. Explanation was given on the process of using PR bonds and the repercussions if the individual does not follow through on their requirements. A brief discussion occurred about when a person is required to appear in court and when they are given a penalty assessment. Mayor Pro Tem Logan asked questions about tracking and data collection on drug possession citations. The majority of drug citations go through County Court or District Court as the County has the staffing to handle post-convictions and probation. Drug-related crimes will always have an impact on a community. Council thanked Judge McDonald for his report and work in the municipal court.

Amended Opioid Settlement IGA. Gunnison County Commissioner Liz Smith came before Council. Commissioner Smith started this item by informing Council that she is working with the Colorado Attorney General's office to access infrastructure funding related to the opioid settlement money. She has been advocating for an opt-in statewide data infrastructure platform to measure appropriate use and beneficial impact of the settlement funding across the 19 opioid regions in Colorado. Each region is using the funding that best suits them for maximum impact, but all of the work needs to be reviewed, measured, and recorded. Commissioner Smith reminded Council that the Colorado Attorney General's office secured additional opioid settlement monies from Teva, Allergan, Walmart, CVS, and Walgreens and that the City of Gunnison signed onto the original settlement of maximum funding to address the issue locally. There are five participation forms for the City to sign to receive additional settlement monies. Commissioner Smith also asked Council to consider the updated IGA with Gunnison County to support local infrastructure and programs. Gunnison is in the same region as the following counties: San Miguel, Montrose, Ouray, Delta and Hinsdale; however, because of geographical diversity and strong programs already in place locally, it seems more prudent for the municipal government to again reallocate its opioid settlement share

to Gunnison County and not the larger region. She noted the challenges with trying to unite six diverse counties under a single plan. Furthermore, most of the programs will be deployed at the local level. The County recommends having the municipalities continue to allocate their funds to the Gunnison County for local efforts through the Bureau of Justice Assistance Grant and the Rural Communities Opioid Response Grant. It is a total of \$2 million staggered over three years. The amended IGA clarifies some language around the local allocation for the County. To date, the City has received about \$500 from the settlement. Commissioner Smith will be making the same two requests of the other local municipalities who all signed the first IGA and expects them to sign the amended IGA. The regional allocation from the settlement is just over half a million dollars and the County, through the two grants mentioned above, will receive 2 million dollars over three years.

Mayor Pro Tem Logan moved and Councilor Miles seconded the motion to authorize the Acting City Manager to sign the COAG's five participation forms to accept the new settlements.

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

Roll call, no: None.

Mayor Pro Tem Logan moved and Councilor Miles seconded the motion to authorize the Mayor to sign the amended opioid settlement IGA with Gunnison County.

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

Roll call, no: None.

Gunnison Valley Regional Housing Authority GV-Heat Presentation. Gesa Michel, GV-HEAT program coordinator, provided Council with an update on the program, highlighting the Energy Colorado contributions and the CARE program, and goals for 2023. GV-HEAT stands for Gunnison Valley Home Energy Advancement Team and it focuses on energy efficiencies updates and doing assessments on income-qualified homes. The two programs of focus for the presentation were Energy Smart Colorado (ESC) and Colorado Affordable Residential Energy (CARE). In 2022, the City contributed \$27,500 to GV-HEAT programs. The funding supported rebates through Energy Outreach Colorado, assessments, and workforce trainings for contractors.

The CARE program is for homeowners or tenants at an 80% AMI or less for energy efficiency improvements, such as air sealing, insulation, smoke detectors and health/safety checks. The average amount of money invested in each home is around \$3,800. Countywide, the program helps about 30 homes a year. It is important that utility providers support this program through rebates and leveraged funds. Coordinator Michel informed Council that she is working with a MEM student to understand how this program has helped individuals and families. They are researching the impact of the program and how much energy efficiency people are experiencing. The biggest take-away from the interviews so far has been that people feel more comfortable in their homes after the upgrades. She highlighted a success story of a senior client. In 2022, 28 homes were retrofitted. Six homes were put on a waitlist because funds were exhausted, but they will be completed in 2023.

Coordinator Michel has directed more funds to the CARE program in 2023. 2023 projections are to retrofit up to 37 homes Countywide. People are hearing about the program through word of mouth, but she intends to do more outreach this year. The City of Gunnison made another financial investment in the program in 2023. State supporting organizations want to see financial contributions from the utility providers, as these are their customers. Council did not have any additional questions on the CARE program.

Gesa Michel transitioned to the Energy Smart Colorado program. This program includes a home energy assessment, which is available to all income levels. The City of Gunnison helped subsidize the cost of ten home assessments within the City. GV-HEAT also received funding from both the Rocky Mountain Health Foundation for emergencies and the Next 50 Initiative for improvements in senior homes. Energy Outreach Colorado is also supporting the program, especially through outreach to underserved residents. Colorado Housing Financing Authority also contributed through a one-year grant. GV-HEAT plans to work with another Western intern in 2023 to document the impacts of the programs and with engineering students to design a Community Electrician Feasibility Study for income-qualified residents.

Council commended Gesa Michel for all of the work she does. The greatest value of her work comes from having individuals and families feel more comfortable in their homes and improving their quality of life.

Micro Grants Update. Members of the Resiliency Project team gave Council an update on the outcomes of the 2022 Micro Grant program. They also thanked Council for their support. Team members who presented were Ginny Baylor, Ricardo Esqueda, and Faith Saltmarsh from the City, and Celeste Helminski of the Gunnison County Chamber of Commerce. Ginny Baylor gave a brief summary of the ten Micro Grants that were awarded in 2022. Four went to specific neighborhoods or HOA's for block parties, four went to non-profits or individual groups for extended outreach events, and two grants went toward holiday baskets for seniors and the construction of a coat closet. Three of the events were purposefully planned to include both English and Spanish speaking residents. The post-event write-ups reflected the success of the program. Ricardo Esqueda spoke about how the Micro Grants enhanced a sense of belonging and community in Gunnison. He highlighted Mountain Roots and the Columbian Independence Celebration gathering. Director Helminski spoke about ties to the business community through the Micro Grants, particularly the Six Points' 40th anniversary celebration. She assisted with promotion and marketing for the Resiliency Project. Council thanked them for their work on this programming.

Street Sweeper Purchase. Public Works Director David Gardner and Water Superintendent Mike Rogers approached Council. Director Gardner informed Council that the 2003 Street Sweeper is up for replacement. Staff found a street sweeper on Sourcewell, the City's cooperative purchasing program. The City can receive a \$28,500 trade-in allowance for the current model resulting in a net purchase of \$264,180. \$400,000 was budgeted for this equipment replacement. Finance Director Cowan explained to Council that the motion needs to be for the total expense of \$292,680 as the trade-amount is a sale on fixed assets.

Mayor Pro Tem Logan moved and Councilor Gelwicks seconded the motion to approve the purchase of the 2023 Global M3 Mechanical Street Sweeper in an amount not to exceed \$292,680.00. Director Gardner stated the residue that is collected from the street sweeper is not recyclable.

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

Roll call, no: None.

Compost Master Plan. Public Works Director Gardner summarized the poor condition of the existing compost pad at the Wastewater Treatment Plant. It needs to be replaced to properly divert waste. Public Works previously applied for a compost grant but was denied because of limited details. Using the grantor's feedback, the department developed a scope of work for a compost master plan with JUB Engineers. JUB can do an efficiency analysis of the operations and help the department understand the possibility of putting in a more advanced aeration system. The City received a \$25,000 grant from DOLA to assist with this work. There are also funds available in the Compost Division to pay for JUB Engineers assistance. A solid and detailed plan would improve the City's opportunities to receive grants for the infrastructure on this project in the future. The cost of this project could exceed \$750,000. It was noted that if the City is making such a large investment in composting that collaboration and involvement by multiple partners should be considered to make it as functional and usable as possible. The biggest cost of the project will be the pavement, but it is worthwhile to examine the efficiency and space of the operation to assess for improvements.

Mayor Pro Tem Logan moved and Councilor Freeburn seconded the motion to authorize Public Works Director David Gardner to sign and authorize for additional services with JUB Engineers under the current On-Call Engineering Service Agreement to develop a compost planning document for a cost not to exceed \$58,100.

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

Roll call, no: None.

Ordinance No. 2, Series 2023, Second 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 Lazy K PUD.* Mayor Pro Tem Logan introduced Ordinance No. 2, Series 2023, and read it aloud by title only. Mayor Pro Tem Logan moved and Councilor Gelwicks seconded the motion to adopt Ordinance No. 2, Series 2023, on second reading. No additional comments were received regarding this topic since the last meeting.

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

Roll call, no: None.

Ordinance No. 3, Series 2023, First Reading: *An Ordinance of the City Council of the City of Gunnison, Colorado, Establishing Utility Availability of Service Fees.* Councilor Freeburn introduced Ordinance No. 3, Series 2023, and read it aloud by title only. Councilor Freeburn moved and Councilor Gelwicks seconded the motion to adopt and order to publish Ordinance No. 3, Series 2023, on first reading.

Council stated for the record that the intent of this ordinance was to apply only to where services exist with structures, are uninhabitable, or for properties that were previously developed, but are now vacant. A property that is not developed and has no services would be excluded. The intent of the ordinance is to ensure that everyone who has availability of services is contributing and to encourage rehabilitation. One could avoid paying for the fees by removing the service lines. The lines in discussion are water, sewer and electric. The property owner would be responsible for the cost of removal of lines and reconnection of the service lines. This ordinance will be coupled with a fee resolution at the March 28th Regular Session meeting. Council asked for some edits to the sixth 'Whereas statement' to simplify the language. Enforcement will be executed through billing and if the bill is not paid, the City could put a lien on the property.

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

Roll call, no: None.

Staff and Council gave brief reports.

With no additional business to come before Council, Mayor Plata adjourned the Regular Session at 7:55 p.m.

(Seal)

E. Bucher
Clerk



J. Plata
Mayor