



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
July 5, 2018
101 W. 8TH STREET
6:00 P.M.

8 Roll Call

Mayor Mike Gamba called the meeting to order at 6:00 p.m. Present at roll call: Shelley Kaup, Rick Voorhees, Todd Leahy, Steve Davis, Jonathan Godes, and Jim Ingraham.

Also present were Debra Figueroa, City Manager; Karl Hanlon, City Attorney; Steve Boyd, Chief Operating Officer; Jennifer Ooton, Assistant City Manager, Economic and Community Development Director; Catherine Fletcher, City Clerk; Roxanna Peskuski, Deputy City Clerk; Gary Tillotson, Fire Chief; Yvette Gustad, Finance Director; Terri Partch, City Engineer; Robin Millyard, Public Works Director; Eric Arnette, Information Technology Director

9 Pledge of Allegiance

Mayor Gamba led in the Pledge of Allegiance.

10 Citizens Appearing Before Council. (For items NOT on Agenda - comments limited to 3 minutes)

Rick Davis – requested that the first reading of the ordinance for Title 070 be postponed until further clarity of this change could be explained to the effected residents

Elizabeth Phillips – spoke to council about the residential code rewrite and was concerned about the cell phone towers, health risks, and property values in her neighborhood, which would be affected

Sheri Tonozzi – agreed with what prior speakers Mr. Davis and Ms. Phillips said and also was concerned about the communication between the City and residents concerning the change in residential code

Suzanne Stewart – was complementary to the fact that the bridge construction was getting closer to being over, however she was concerned that the plan for the North Landing Site was not what she believed it was going to be, she also had the citizens that were also concerned for the same reason stand in case they weren't able to stay until the agenda item came up.

11 Agenda Changes

13B Resolution 2018-19 and 13F Ordinance No 14, Series of 2018 were removed from the consent agenda were considered separately

12 Council Comments

Mayor Gamba expressed concern for the Basalt community that was affected by the Lake Christine fire. He addressed the comments from Mr. Davis, Ms. Phillips, and Ms. Tonozzi.

Councilor Godes thanked Matt Speidel and Jimmy John's for providing lunch to the first responders along with the community for coming together and donating supplies that were needed for the evacuees.

Councilor Kaup announced that there would be public meetings set up in order to talk about the 7th Street Bridge project in the near future.

13 Consent Agenda:

- A. Receipt of Minutes of the June 7, 2018 Regular Meeting
- ~~B. Resolution 2018-19; A Resolution of the City of Glenwood Springs, Colorado, forgiving the remaining Interfund Loan Balance between the Fleet Service Fund and the Downtown Development Authority Fund~~
- C. Resolution 2018-20; A Resolution of the City of Glenwood Springs, Colorado, Authorizing A Contract for Roadway Repair Services to be Awarded by Sole Source Procurement
- D. Resolution 2018-21; A Resolution of the City of Glenwood Springs, Colorado BUILD America Grant
- E. Resolution 2018-22; A Resolution of the City of Glenwood Springs, Colorado Authorizing the Release of a National Request for Proposals/Calls for Public Art for the North Landing Site
- ~~F. Ordinance No 14, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado, Repealing and Replacing Article 010.050 and Amending Section 010.040.010 of the Glenwood Springs Municipal Code (SECOND READING)~~
- G. Ordinance No 15, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado, Amending Article 080.010.010 of the Glenwood Springs Municipal Code Regarding Utility Fees (SECOND READING)
- H. Airport Property Planning Project Ad-hoc Steering Committee/ Project Team
- I. Award of the Following Bids:
 - BD 2018-036, Underground Primary Cable
 - BD 2018-025, Roofing and Gutter Services
 - BD 2018-028, Plumbing Services
 - BD 2018-032, South Canyon Landfill Phase 4C Construction
- J. Approval of Letter of Support for RFTA
- K. IGA for Mosquito Control 2018

Mayor Pro-Tem Leahy moved, seconded by Councilor Voorhees, to approve the consent agenda.

Motion Passed Unanimously

13B Resolution 2018-19; A Resolution of the City of Glenwood Springs, Colorado, forgiving the remaining Interfund Loan Balance between the Fleet Service Fund and the Downtown Development Authority Fund:

Karl Hanlon the City Attorney spoke to council explaining that when the original loan was made to the DDA for the parking garage that some, if not all, of the money from the sale of the old Library would cover the loan repayment. When the sale of the old library did not happen right away Council then reconsidered keeping the building for another purpose, with this Council also agreed to forgive the loan to the DDA and when and if the library did sell that money would go back to the City as unrestricted funds. It was asked by City auditors to have this resolution in order to have an official document relieving the DDA of any repayment.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Mayor Pro-Tem Leahy moved, seconded by Councilor Davis, to approve Resolution 2018-19; A Resolution of the City of Glenwood Springs, Colorado, forgiving the remaining Interfund Loan Balance between the Fleet Service Fund and the Downtown Development Authority Fund

Ayes: Ingraham, Godes, Davis, Gamba, Leahy Voorhees

Nays: Kaup

Motion Passed

13F Ordinance No 14, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado, Repealing and Replacing Article 010.050 and Amending Section 010.040.010 of the Glenwood Springs Municipal Code (SECOND READING):

Mayor Gamba voiced his reason for asking this to be taken off consent agenda. Based on comments from both citizens and council he wanted to discuss the dollar amount thresholds that were allowed within the Ordinance.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Mayor Pro-Tem Leahy moved, seconded by Councilor Kaup to continue this ordinance to the next City Council meeting with the discussed changes on July 19, 2018.

Motion Passed Unanimously

14 Fire Prevention with Sherriff Lou Vallario:

Sherriff Lou Vallario spoke about the Stage II fire ban and what authority he has as the County Sherriff to do with fire prevention.

15 Regional Broadband Update:

Eric Arnette, Director of Information Technology, presented on the regional broadband project. In 2017, the Northwest Colorado Community of Governments (NWCCOG) started working to resolve bandwidth pricing issues in the Mountains and Western Colorado. To fund the network the NWCCOG needs commitments from member communities to complete a DOLA application to cover 50% of capital costs. As a primary location on the network, Glenwood Springs would have access up to 100Gbps network connectivity to the Denver internet exchange.

Mayor Gamba opened the item for public comment.

Christian Henny, General Manager of Hotel Colorado thanked the city for the Broadband project which has helped guests at the hotel have a better experience while visiting.

Mayor Gamba closed public comment.

Councilor Voorhees moved, seconded by Councilor Godes, to authorize the staff to pursue a grant for the regional broadband update.

Motion Passed Unanimously

16 Street Obstruction Permit for Block Party Procedures

Terri Partch spoke on the street obstruction permit for block parties. The Engineering Department is currently in the process of removing engineering standards from the City's Municipal Code revising them to reflect current engineering practice and creating a separate, more easily modified manual. The Department was requesting to look at the idea of a simplified permit to address and support the idea of community block parties.

Mayor Gamba opened the item for public comment.

Norm Bachelidor – was in favor of the Block Party procedures because it will help to create community.

Russ Arnsmen – liked the idea of block parties and that the fee should be minimal

Mayor Gamba closed public comment.

Councilor Kaup moved, seconded by Councilor Godes to approve and adopt the new Block Party Procedures with the following revisions: require only 80% of resident signatures on the block, remove the notary requirement, add a \$35 application fee only, Street closures would only be allowed for one block between two intersections, separate the block party permit from the right of way use permit.

Motion passed Unanimously

17 Ordinance No 16, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado, Amending Title 050 of the City of Glenwood Springs Municipal Code by Adding Article 050-100 – Entertainment Districts, and Enabling the Establishment of Entertainment Districts Pursuant to Title 12, Article 47 of the Colorado Revised Statutes (FIRST READING):

Jenn Ooton, Assistant City Manager and Economic and Community Development Director, presented Ordinance 16, Series of 2018. If adopted it would add language to Title 050 of the Municipal Code to allow for the future establishment of one or more Entertainment Districts by Resolution. Common consumption areas must have barriers that close the areas to motor vehicle traffic and limit pedestrian access.

Mayor Gamba opened the item for public comment.

Christian Henny, General Manager of the Hotel Colorado, spoke in favor of having an entertainment district.

Mayor Gamba closed public comment.

Councilor Godes moved, seconded by Mayor Pro-Tem Leahy, approving the ordinance No 16 Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado Amending Title 050 of the City of Glenwood Springs Municipal Code by Adding Article 050-100- Entertainment Districts, and Enabling

the Establishment of Entertainment Districts Pursuant to Title 12, Article 47 of the Colorado Revised Statutes (FIRST READING)

Motion Passed Unanimously

18 Ordinance No 17, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 090.030.010 of Glenwood Springs Municipal Code Pertaining to Designation of Blake Avenue Park (FIRST READING)

Karl Hanlon, City Attorney explained that this ordinance is necessary because the City sold the property generally located at 413 9th Street consisting of lots 17, 18, 19, and 20, Block 36 designated by Council as Blake Avenue Park. The transfer of the parkland to private property necessitates a revision to the code and removal of the parkland designation and applicable regulations.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Councilor Kaup moved, seconded by Councilor Godes to approve Ordinance No 17, Series of 2018, An Ordinance of the City of Glenwood Springs, Colorado Amending Section 090.030.010 of Glenwood Springs Municipal Code Pertaining to Designation of Blake Avenue Park (FIRST READING)

Motion Passed Unanimously

19 Ordinance No 18, Series of 2018 An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 040.020.170 of the Glenwood Springs Municipal Code that Provides for an Additional Economic Incentive Program Option for New Development to Extend the Sunset Provision for Two Years to July 15, 2020 (FIRST READING)

Jenn Ooton spoke about the Economic Incentive Program Option. The City offers a sales tax rebate for qualified businesses to offset the cost of water and sewer system improvement fees, fire and emergency services impact fees, electric line extension, and building permit conditions, over a period of 5 years. Unless extended by City Council through this ordinance, the Tier 2 rebates would expire on July 15, 2018.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Councilor Kaup moved, seconded by Councilor Voorhees to approve Ordinance No 18, Series of 2018 An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 040.020.170 of the Glenwood Springs Municipal Code that Provides for an Additional Economic Incentive Program Option for New Development to Extend the Sunset Provision for Two Years to July 15, 2020 (FIRST READING)

Motion Passed Unanimously

20 2018 Grant Award Recommendation from FAB

Steve Boyd explained the recommendation from FAB on grants to award. Each year the City invites non-profit organizations that operate locally to apply for grants from Discretionary Funds available in the A & I Fund, and Tourism Funds available in the Tourism Fund. Among the Financial Advisory Board's duties is to review and consider each application for award based on its contribution to the City of

Glenwood Springs. Presented to the Council was the list of organizations and the funds that FAB was recommending for approval.

Council discussed many of the organizations that had applied for a grant from the City. Several council members agreed that for the 2019 fiscal year updated guidelines should be put into place.

Mayor Gamba opened the item for public comment:

Bonnie Cranville – asked that the city consider the application request for funds for the Arts Council.

Sherri Tonozzi – requested a position to be added who would look at and distribute grants as well as to be the director of homelessness

Judy O'Donnell – gave a review of the plans the Art Council has to repay their debt

Mayor Gamba closed public comment.

Councilor Ingraham moved, seconded by Councilor Kaup to approve the grants recommended by the Financial Advisory Board with the following revisions: recommended grants to Lift-Up, Salvation Army, and Catholic Charities, be contingent on satisfactory completion of a discussion on how the money would be spent and making sure it was aligning with concerns of council, and the recommendation for funding the Methodist Church be removed.

***Ayes: Ingraham, Davis, Gamba, Leahy, Voorhees, Kaup
Nays: Godes***

Motion Passed

Mayor Gamba called for a five-minute break

The meeting reconvened at 9:31

21 Agreement for Assignment of Easement for UPRR to the City Related to the Wye Area

Karl Hanlon spoke on the transfer of agreement between the UPRR and the City. Council was being asked to approve the payment to UPRR of \$1,510,500.00 in exchange for the transfer of the UPRR's Easement and Assignment of the Shared Use Agreement in the Wye area to the City.

Mayor Gamba opened the item for public comment.

Russ Arnsmen – asked if the property could be a Wye again in the future.

Mayor Gamba closed the item for public comment.

Mayor Pro-Tem Leahy Moved, seconded by Councilor Davis to authorize Mayor Gamba to sign the final agreement for assignment of lease with UPRR.

Motion Passed Unanimously

22 CDOT Funding Agreement Related to GAB Project Reconciliation

Karl Hanlon explained the amendment to the Funding IGA with the Colorado Department of Transportation modifying the agreement entered into at the beginning of the Grand Avenue Bridge Project reducing the City's payment to CDOT from \$3 million to \$2 million.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Councilor Voorhees moved, seconded by Mayor Pro-Tem Leahy to approve the amendment to the CDOT funding agreement related to the Grand Avenue Bridge Project.

Motion Passed Unanimously

23 Estimates Policy

Karl Hanlon conveyed that Council had requested a policy proposal regarding disclosure of estimates for construction projects, he explained the proposed estimate policy.

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Councilor Ingraham moved, seconded by Councilor Davis to continue to deliberate the estimates policy and incorporate it into a broader discussion of the City's bidding process in an effort to improve the competitiveness of the bidding process and obtain less expensive bids, and that the current 7th Street estimates and other requested information to be made available.

Motion Passed Unanimously

24 Resolution 2018-24; Authorizing Minor Improvements and Landscaping on the North Landing Site Pending Approval of a Development Plan

Karl Hanlon addressed this resolution to clarify that the City Council and City do not intend to designate the North Landing Site area as a park currently.

Mayor Gamba opened the item for public comment:

Anthony Derett - was against the resolution and wanted the public to be able to vote on the future of the North Landing Site

David Hauter – expressed that the open space should remain and there should not be a building built on the site and that the zoning be decided before a plan was made

Gaye Moore – spoke about public parks and that North Glenwood does not have a park and the North Landing site should be enjoyed by everyone

Suzanne Stewart – wanted Council to step back and get more public input about what the community wants

Ashley Moffat – explained that the resolution should be tabled until other ideas could be discussed

Nathan Moffat – expressed that 6th Street could be beautiful and have a similar use as the 7th Street side but asked that Council vote no in order to explore other plans for the area

Norm Bacheldor – said the North Landing Site could create a commercial corridor to connect to the pedestrian bridge and asked council to create some vitality

Sherri Tonozzi – feels that it is vital to consider the businesses in the area and whatever is developed on that area should also consider the businesses

Mayor Gamba closed public comment.

Councilor Godes moved, seconded by Mayor Pro-tem Leahy to approve Resolution 2018-24; Authorizing Minor Improvements and Landscaping on the North Landing Site Pending Approval of a Development Plan

Ayes: Ingraham, Godes, Davis, Gamba, Leahy

Nays: Voorhees, Kaup

The Motion Passed

25 Resolution 2018-23; A Resolution of the City of Glenwood Springs, Colorado, Requesting the Abandonment of 6th Street from Pine Street to Laurel Street by the Colorado Department of Transportation, and Indicating the Intention of the City of Glenwood Springs to Assume the Ownership and Maintenance of Said Street

Debra Figueroa, City Manager explained that in order to revitalize the 6th Street corridor, it was imperative that the City had ownership of 6th Street from Pine Street to Laurel Street. Th 6th Street plan called for pedestrian improvements and beautification that does not typically occur on CDOT controlled roads. The process to regain ownership of this stretch of roadway could not begin until the end of the Grand Avenue Bridge Project was completed.

Councilor Godes moved, seconded by Councilor Kaup to extend the meeting to 11:35pm

Motion Passed Unanimously

Mayor Gamba opened the item for public comment and no comments were noted. Mayor Gamba closed public comment.

Councilor Kaup moved, seconded by Councilor Ingraham to approve Resolution 2018-23; A Resolution of the City of Glenwood Springs, Colorado, Requesting the Abandonment of 6th Street from Pine Street to Laurel Street by the Colorado Department of Transportation, and Indication the Intention of the City of Glenwood Springs to Assume the Ownership and Maintenance of Said Street

Motion Passes Unanimously

26 Report from City Administration

A. City Manager:

i. Thanked staff for the 4th of July Celebration

- B. City Attorney:
 - i. No comments from the City Attorney

- C. Correspondence: Incoming/Outgoing
 - i. No comments

27 Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e), related to the Garfield County Industrial Development, W. Glenwood Mall , Seventh Street, Hanging Lake and Western Petroleum

Mayor Gamba requested a motion to move into executive session at 11:00pm

Mayor Pro-tem Leahy moved, seconded by Councilor Voorhees to go into executive session for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e) related to the Garfield County Industrial Development, W. Glenwood Mall , Seventh Street, Hanging Lake and Western Petroleum.

The executive session was adjourned at 11:27pm

Return To Regular Session at 11:27pm

28 Urban Renewal Services

Continued to a future meeting due to time constraints

29 Adjournment

The meeting was adjourned at 11:28pm