



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
August 15, 2019
101 W. 8TH STREET
6:15 P.M.

1. Roll Call

Mayor Jonathan Godes called the meeting to order at 6:15pm. Present at roll call: Charlie Willman, Rick Voorhees, Shelley Kaup, Jonathan Godes, Steve Davis, Paula Stepp, and Tony Hershey.

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd; COO, Jenn Ooton; Assistant City Manager, Catherine Mythen Fletcher; City Clerk, Michael Gardner; Broadband Systems Technician, and Terry Wilson; Police Chief.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

Councilor Stepp and Hershey noted their conflicts with the YouthZone presentation (item 9) due to personal/work relationships with the organization.

Mayor Godes noted that both councilor Stepp and Councilor Hershey would step out of the council chambers for the YouthZone presentation.

4. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)

None Noted

5. Council Comments

Councilor Willman- Recommended that City Council join the Tourism Board, and the DDA to formal an informal commission in order to effectively maintain the downtown of Glenwood Springs.

Councilor Willman moved, Seconded by Councilor Hershey, to create a committee made up of 3 members from each City Council, the tourism board, and the DDA to better maintain and develop downtown Glenwood Springs.

Motion passed unanimously.

Mayor Godes- Thanked the Fire Department and Gary Tillotson; Fire Chief for their amazing work and hospitality.

6. Consent Agenda

All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items unless a Councilmember or Audience Member so request.

- A. Approval of Regular Minutes from August 1, 2019 meeting
- B. Ordinance No 21, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Establishing License Twenty-One Years of Age, Further Regulating the Sale of Tobacco Products, and Amending Titles 050 and 120 of the Glenwood Springs Municipal Code (SECOND READING)
- C. IGA with the Garfield County Clerk for Coordinated Election
- D. Firm Electric Power Service Contract Extension with Western Area Power Administration

Councilor Willman moved, seconded by Councilor Voorhees to approve the consent agenda.

Ayes: Willman, Voorhees, Godes, Davis, Hershey

Nays: Stepp, Kaup

Motion passed.

ACTIONS AND/OR PRESENTATIONS

9. YouthZone

Robin Tolland and Marci Pattillo presented on behalf of YouthZone and asked that the City of Glenwood give YouthZone a grant of \$100,000 over the next two years to help repay debt and continue to develop the new YouthZone center.

Councilor Shelly moved, seconded by Councilor Davis to pass along the request to the Financial Advisory Board.

Motion passed by all present.

Councilor Hershey and Councilor Stepp absent.

10. Resolution 2019-33, A Resolution of the City of Glenwood Springs, Colorado Setting the Title and Content of a Ballot Issue for a Tax Increase to be submitted at the Election to be held on November 5, 2019

Karl Hanlon began explaining the history of Resolution 2019-33 and discussed the resolution in comparison to other similar, nearby municipalities such as Aspen and Basalt. The proposed tax would be \$00.20 per cigarette and \$4.00 per pack of cigarettes. The tax is intended to deter young adults from buying tobacco products and e-cigarettes.

Mayor Godes opened the item for public comment.

Jodi Radki- (Regional Director for the Campaign for Tobacco Free Kids) shared more data following her presentation during the city council meeting on August 1, 2019 and encouraged council to implement an excise tax instead of a sales tax.

Dan Richardson- (Mayor of Carbondale) expressed his support on behalf of Carbondale.

Dan Rosenda- Shared his concerns and lack of support as a local business owner.

Elizabeth Walgner- Shared her personal concerns with taking business away from Glenwood Springs.

Nancy Brown- Shared her concerns as a local business owner.

Rob Stein- (Superintendent of Roaring Fork Schools) requested that proceeds from the sales tax be put towards mental health and addiction programs.

Wyatt Hoffman- Shared his support as a local medical professional.

Suzanna Kurtch- Expressed her support as a citizen and mother.

Sonia Lipman- Expressed her support as an educational professional.

Carrie Godes- Expressed her support and concern for the health of youth in the community.

Christina Garr- Spoke in favor of the tax.

Meghan Malone- Expressed her support as a mom and member of the community.

Mayor Godes closed public comment.

Karl Hanlon (City Attorney)- Discussed the difference between excise tax and sales tax.

Councilor Willman moved, seconded by Councilor Hershey setting the title and content of a ballot issue for a tax increase to be submitted at the election to be held on November 5, 2019.

Councilor Kaup amended the motion, seconded by councilor Stepp to amend Resolution 2019-33 to start at \$3.00 tax per pack of cigarettes graduating \$00.20/year for the next five years (\$4.00).

Ayes: Stepp, Godes, Kaup

Nays: Hershey, Davis, Voorhees, Willman

Motion failed.

Council voted on the original motion (moved by Councilor Willman, seconded by Councilor Hershey) setting the title and content of a ballot issue for a tax increase to be submitted at the election to be held on November 5, 2019.

Original motion passed unanimously.

11. Planning Item 28-19, Appeal of Planning and Zoning Commission Denial for a Variance request on lot size standards in the RM2 zone district. (moved from item 15 on the agenda)

The presentation was given to appeal the decision that the Planning and Zoning Commission has made regarding 1021 Blake Ave. The development designed for that space did not meet all 7 of the requirements as outlined by code. The presenters argued that since 2 of the 4 apartments would be affordable housing units that there should be an exemption from density regulations.

Mayor Goes opened the item for public comment.

Tim Riley- Expressed his support of the Planning and Zoning Committee's original decision as the owner and resident of the lot next to the proposed development.

Janet Riley- Expressed her concerns regarding the density of this complex.

Mayor Godes closed the item for public comment.

Councilor Hershey moved, seconded by Councilor Willman to deny the appeal of Planning and Zoning Commission denial for a variance request on lot size standards in the RM2 zone district

Ayes: Hershey, Stepp, Davis, Godes, Kaup, Willman

Nays: Voorhees

Motion Passed.

12. Planning item #16-19, Consideration of a Request for a Special Use Permit for a Retail Marijuana Establishment in the M1 Mixed-Use Corridor District at 2550 CO Highway 82, Suite A112 (moved from item 16 on the agenda)

Trent Hide with Community Development presented information regarding the request for use of a permit for a retail marijuana establishment. The proposed establishment followed all prerequisite items as outlined by the code. The item has been recommended for approval by staff and the Planning and Zoning Commission.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Stepp to affirm the recommendation to approve planning item #16-19, consideration of a request for a special use permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District at 2550 CO Highway 82, Suite A112.

Ayes: Hershey, Stepp, Davis, Godes, Kaup, Willman

Nays: Voorhees

Motion passed.

13. 6th Street Roundabout Landscaping- Update and Discussion (moved from item 14)

Shannon Murphy presented a planning view of the landscape architecture intended for the 6th Street Roundabout. This roundabout is one of the final parts of the Grand Avenue Bridge Project. The Landscape architecture is intended to beautify the roundabout and help guide the line of sight for drivers as well as pedestrians.

The original budget estimate was \$600,000. However, some items were underestimated such as electrical, lighting, permitting, project time line, and traffic control. The final estimated budget is currently \$1.1 million.

Mayor Godes opened the item for public comment.

Don Gilesbie- Shared his concerns with the budget and the expense of the project if the impacts on drivers.

Laura Kirk- (member of the DDA) Expressed her support of the project because it is the entrance and exit to Glenwood Springs and made recommendations to lower the budget towards \$800,000 - \$850,000.

Chad Dee- (DDA Vice Chair) Shared his support of the project proposal.

Terry Wilson- (Police Chief of Glenwood Springs) Shared his support in order to break the interstate mindset when divers enter Glenwood Springs.

Steve Carver- (DDA Chairman) Expressed his support.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Voorhees to renegotiate the project with the single bidder and reevaluate the scope of the project with the goal of the original budget (\$600,000).

Ayes: Stepp, Davis, Godes, Kaup, Voorhees

Nays: Hershey, Willman

Motion passed.

14. Ordinance No 23, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Amending the Glenwood Municipal Code Regarding the Regulation of Smoking in Public Places (FIRST READING)

Karl Hanlon explained Ordinance No 23, Series of 2019 repeals and replaces the existing indoor and outdoor smoking regulations contained in Article 040, Title 100. It reflects several recent changes made to the Colorado Clean Indoor Air Act, including the treatment of vaping the same as smoking. There is also a new requirement for no smoking signage in the state law, for which the state is providing the signs for businesses.

The new code also defines the downtown area (between the Colorado River and 9th Street; and Blake to Colorado Avenues) previously presented by Chief Wilson, in which outdoor smoking and vaping in public places will be prohibited. The map of specific, discussed areas are to be outlined on the second reading.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Stepp to approve Ordinance No 23, Series of 2019 amending the Glenwood Municipal Code regarding the regulation of smoking in Public Places

Motion passed unanimously.

15. Ordinance No 24, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Solicitation, Camping, Sleeping, and Inhabitation within the City (FIRST READING)

Karl Hanlon explained Ordinance No 24, Series of 2019 is intended to expand the existing citywide prohibition on camping, sleeping, and habitation between the hours of 10 pm and 7 am. The ordinance also would remove the requirement to obtain a license when soliciting on city rights-of-way but prohibit solicitation on unpaved medians less than 36 inches wide.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Kaup to approve Ordinance No 24, Series of 2019 amending the Glenwood Springs Municipal Code regarding the regulation of solicitation, camping, sleeping, and inhabitation within the city.

Motion passed unanimously.

16. Resolution 2019-34; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting a Fee for a Tobacco Product Retail License. (moved from item 11 on the agenda)

Item tabled until regular council meeting on September 5th, 2019.

17. Confluence RFQ Direction (moved from item 18 on the agenda)

Item tabled until regular council meeting on September 5th, 2019.

18. 2020-2025 Strategic Plan Approval

Item tabled until regular council meeting on September 5th, 2019.

19. Broadband Implementation Strategy (moved from item 17 on the agenda)

Michael Gardner presented on the proactive approach to mitigating the threats of our existing operation by building new infrastructure that is designed to reach every residence and business in the City in a way that is financially sustainable long-term. The infrastructure will be built to existing GIS based fiber plans that UpTown has provided us eliminating our documentation problem. It allows the City to re-enforce the relationships it has with its citizens by providing services on next generation infrastructure that isn't available in most of the Country. The City of Glenwood was one of the first municipal fiber-based ISP's to exist in the country (2002). This deployment plan will allow Glenwood to remain at the leading edge of Broadband infrastructure.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Council agreed to move forward with the broadband implementation strategy dependent on to be determined budgetary restrictions and upcoming further discussion.

20. Report from City Administration

- A. City Manager
 - i. FMLD and DOLA Grant Applications
- B. City Attorney
- C. Correspondence Incoming/Outgoing

21. Adjournment

Meeting adjourned at 10:45 pm.