



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JULY 18, 2019
101 W. 8TH STREET
6:15 P.M.

1. Roll Call

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

Also present were Debra Figueroa, City Manager; Karl Hanlon, City Attorney; Steve Boyd, COO; Jenn Ooton, Assistant City Manager, Economic and Community Development Director; Catherine Mythen Fletcher, City Clerk; Matt Langhorst, Public Works Director; Yvette Gustad, Finance Director; Brian Smith, Parks and Recreation Director; Terry Wilson, Police Chief; Katie Mulkey, Police Department Admin Assistant; Hannah Klausman, Senior Planner; Jessica Bowser, Assistant City Engineer; and Terri Partch, City Engineer.

2. Pledge of Allegiance

Mayor Pro-Tem Kaup led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

None were noted.

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

Cheryl Gaye-explained that she received a notice about having a sandwich board in front of her business and to keep it out of the right-of-way. She stated the reason for the board was to slow down bikers. She also expressed that smoking was a major problem on the block.

Gary Vick-read a letter addressed to council into the record concerning the development of the confluence area.

Richard Todd-expressed that he too was concerned about the development of the confluence area and felt there was a lack of public input.

Dean Moffat-spoke about his concern that the process for the planning of the confluence area was upside down and that the public should be the first group of people to be engaged concerning a plan.

5. Council Comments

Councilor Hershey – expressed that Council needed to focus on the needs not the wants of the City especially as discussions concerning the 2020 budget began.

Councilor Willman – explained that his neighbors ask him about the sick Walnut trees on his block and if the City would remove them or if it was the property owner's responsibility. He also brought up some concerns about the weeds in public spaces. He recommended that the City and Council sponsor a picnic for the dedication of Bethel Plaza. Finally he addressed that the City website had ways for the public to receive a notice via email concerning upcoming meetings.

Councilor Stepp – stated she appreciated all the people who volunteer in the community, she also expressed that AGNC was very excited that BLM may set up their headquarters in Grand Junction.

Mayor Pro-Tem Kaup – explained that the City Staff, Council, and Administration made every effort to involve the public in the confluence planning and there would be more opportunities to be involved.

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. Minutes from June 27, 2019 Regular Meeting
- B. AT&T Airport Road Cell Tower Lease Extension
- C. Pool LED Award of Proposal

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

Motion passed by all present, Godes absent.

ACTIONS AND/OR PRESENTATIONS

7. Glenwood Springs 2018 Comprehensive Annual Finance Report

Yvette Gustad explained that the audit firm, McMahan and Associates LLC, completed the City audit for fiscal year 2018 on June 30, 2019. Paul Backes was the partner in charge of City engagement, and he presented the results of the audit to Council.

Councilor Stepp moved, seconded by Councilor Hershey, to accept the Glenwood Springs 2018 Comprehensive Annual Finance Report.

Motion passed by all present, Godes absent.

8. REVISED Ordinance No 9, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Revising Code Provisions to Vacation Rentals (SECOND READING)

Hannah Klausman presented to council the revised Ordinance No 9, Series of 2019 which reflected additional changes that were requested by a member of City Council regarding the “whereas” recitals.

Mayor Pro-Tem Kaup opened the item for public comment.

Jennifer Vanian-stated that the only thing she saw lacking was a limit on how many a single person could own.

Mayor Pro-Tem Kaup closed public comment.

Councilor Voorhees moved, seconded by Councilor Stepp, to move the 7% down to 5%.

Ayes: Hershey, Stepp, Kaup, Voorhees, Willman

Nays: Davis

Motion passed, Godes absent.

Councilor Davis moved, seconded by Councilor Willman, to approve Ordinance No 9, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Revising Code Provision to Vacation Rentals, as amended by staff, and the 7% changed to 5%.

Ayes: Hershey, Stepp, Kaup, Voorhees, Willman

Nays: Davis

Motion passed, Godes absent.

9. Roaring Fork Mountain Bike Association Trails Update

Brian Smith spoke to Council about the Roaring Fork Mountain Bike Association partnership with the City. This partnership over the last few years was to complete two major trail systems, the Red Mountain trail system and the South Canyon trail system. The RFMBA worked with the Parks and Recreation Department to help maintain the trails, provide signage, inform the biking community of rules and best practices when using the trails, and other volunteer activities.

Mayor Pro-Tem Kaup opened the item for public comment.

Cheryl Bower-thanked council for building Grand Staff Trail and also complimented the trails in South Canyon.

Jennifer Vanian-complimented the presentation, however expressed that one thing missing was discussion about the elk habitat in South Canyon.

Brianna McCallum-stated that she used the trails in South Canyon but suggested that any more funding going forward should be used for maintenance, adding signage, and other amenities to the trails in order to preserve them.

Craig Amershel-complimented the City and RFMBA on the work that has been done, however brought up his concern about secondary impacts.

Steve Harvey-encouraged that the second phase in South Canyon be considered.

McKayla Richardson-suggested that if anymore expansion of trails in South Canyon was done then wildlife studies should be considered.

Mayor Pro-Tem Kaup closed public comment.

10. 27th Street Update

Jessica Bowser and Bryana Starbuck gave a brief update concerning the 27th Street Bridge project.

11. American Flags

Jenn Ooton, Terri Partch, and Matt Langhorst explained that earlier this year, the Glenwood Springs Rotary Club approached the Downtown Development Authority about placing 34 flag pole brackets on the Grand Avenue Pedestrian Bridge. Before the DDA considered expending funds in engineering costs, the DDA asked the City staff to present the concept to City Council.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Hershey moved, seconded by Councilor Voorhees, to not put flags where they are going to fall on people on the highway or in a dangerous place.

Ayes: Hershey, Stepp, Davis, Kaup, Voorhees

Abstained: Willman

Motion passed, Godes absent.

12. Review and Approval of Funding for a Combined Scope of Work for Parking, Transit Operations and Intersection Operations

Terri Partch and Jenn Ooton presented to council that in November 2018, RFTA passed a valley wide property tax measure to support and partially support capital projects and improved operations. The study was currently unfunded in the 2019 budget. RFTA and the City would split the cost of the study based on the cost of each task order. The estimate City costs were in the range of \$300,000 over two years. Staff suggested funding the study by splitting the cost between the GID and Bus funds as well as money from the Pedestrian Bridge Study.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Willman moved, seconded by Councilor Stepp, to cooperate in the issuance of the RFQ for the Glenwood Springs State Highway 82 corridor study.

Ayes: Stepp, Kaup, Voorhees, Willman

Nays: Hershey

Abstained: Davis

Motion passed, Godes absent.

Mayor Pro-Tem Kaup called for a 5-minute break and for the meeting to reconvene at 8:50pm.

13. Youth Smoking Prevention/Tax Question

Debra Figueroa and Karl Hanlon spoke to Council explaining that at the June 27th City Council Work Session, Council indicated interest in pursuing strategies to reduce tobacco usage in youths. Staff needed to inform the County Clerk by the end of July if City Council wanted to add a tax question to the ballot.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Hershey moved, seconded by Councilor Davis, to potentially add this item to the ballot in November 2019.

Motion passed by all present, Godes absent.

14. Downtown Issues

A. Downtown Maintenance

Brian Smith presented to Council that City staff established a Downtown Maintenance Fund in the 2017 A&I Budget. Over the last two years, the required level of maintenance downtown had increased significantly as well as the contract awarded to Birds Beware. City Council, staff, and the general public had not always been satisfied with the level of service provided under the contract with Birds Beware. To address this, staff was requesting that Parks and Recreation take over maintenance.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Willman moved, seconded by Councilor Hershey, to approve bringing Downtown Maintenance in-house and to include in that approval in this years budget the purchase of a Hotsy Power Washer and one of the 4x4 fleet additions which would include a snow plow from the A&I funds.

Motion passed by all present, Godes absent.

B. Smoking Ordinance/Enforcement Strategies for Homeless Enforcement

Terry Wilson explained that the Police Department was recommending some fairly significant changes to the City Smoking Ordinance. Staff had initial conversations with a member of the City Attorney's Office and would propose they draft changes to include a different boundary, fine schedule, smoke zone, and prohibit ashtrays.

Mayor Pro-Tem Kaup opened the item for public comment.

Reesa Teretsky-stated she coordinated the tobacco program for Pitkin, Garfield and Eagle counties, and was in support of the suggestions made.

Mayor Pro-Tem Kaup closed public comment.

15. Ordinance No 18, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Sections 010.020.080, 010.020.081, 050.070.185, and 120.030.150 of the Municipal Code to Conform Penalty Provisions with State Law (FIRST READING)

Karl Hanlon spoke to Council about the new changes in legislation. House Bill 19-1148 reduced the maximum period of imprisonment for a violation of a municipal ordinance to 364 days. The Municipal Code currently provided for a maximum penalty of \$1000 and one year in prison for violations of the Code. This Ordinance would amend those penalty provisions so that the one year maximum penalty was reduced to 364 days throughout the Code.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Hershey moved, seconded by Councilor Voorhees, to approve ordinance 18 to have the City municipal code conform with state statute specifically with regards to 364 as opposed to a year in jail.

Motion passed by all present, Godes absent.

16. Ordinance No 19, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 090.030.030 of the Municipal Code to Grant the Parks Director Authority to Adopt Rules and Regulations to Promote the Public Health, Safety and General Welfare of those Persons Utilizing Park Lands of the City of Glenwood Springs (FIRST READING)

Brian Smith explained that pursuant to the Municipal Code, the Parks Director had authority to administer the City's park lands, recreational facilities, open spaces and recreational programs, but did not have authority to issue rules and regulations that could be enforced by Code Enforcement. City Council only had the authority to adopt rules and regulations relating to park lands.

This item was tabled for a later date.

17. Ordinance No 20, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 100.020.120 of the Municipal Code to Authorize the Issuance of Penalty Assessment Fines for Animal related Nuisance Violations (FIRST READING)

Terry Wilson spoke to council about recommendations from the City's Municipal Judge concerning the efficient administration of justice in the Municipal Court. The Judge recommended that animal control and law enforcement officials should have authority to issue penalty assessment fines, instead of a court summons, for animal-related nuisance violations described in Section 100.020.120 of the Municipal Code.

Mayor Pro-Tem Kaup opened the item for public comment and no comments were noted. Mayor Pro-Tem Kaup closed public comment.

Councilor Davis moved, seconded by Councilor Stepp, to approve Ordinance No 20, Series of 2019 Animal related Nuisance.

Motion passed by all present, Godes absent.

18. Report from Administration

A. City Manager

i. Project Updates for South Midland and 6th and Laurel Landscaping

- B. City Attorney
- C. Correspondence Incoming/Outgoing
 - i. Letter of support for Colorado Wilderness Act of 2019

19. Adjournment

The meeting was adjourned at 10:10pm.