



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
January 16, 2020
101 W. 8TH STREET
6:15 P.M.

9. Roll Call

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

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd, COO; Yvette Gustad; Finance Director, Terri Partch; City Engineer, Sarah Derrigan; Public Information Officer, Catherine Fletcher; City Clerk and Jenn Ooton; Assistant City Manager.

10. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

11. Agenda Changes & Conflicts

Mayor Godes made note of item number 27, 27th Bridge Change Order, that was added last minute to the agenda.

Councilor Willman moved, seconded by Councilor Hershey to include item 27, 27th Bridge Change Order, on the January 16, 2020 Agenda.

Motion passed unanimously.

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

Mayor Godes opened the item for public comment.

Frank Orosz- expressed his concerns with the new 27th Street roundabout.

Lisa Orosz- expressed her concerns with the City's "Slow Down in Town" campaign, odor coming from various marijuana establishments, and the development of Airport Road.

Mayor Godes closed the item for public comment.

13. Council Comments

Councilor Kaup- made note of the first Coffee with Council event and urged the public to attend. Coffee with Council will be taking place the 3rd Thursday of every month at 8:00am at various locations. The schedule can be found online.

14. 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.

- A. Resolution 2020-1; A Resolution of the City Council of the City of Glenwood Springs, Colorado Designating a Posting Place for 2020
- B. Resolution 2020-2; A Resolution of the City of Glenwood Springs, Colorado, Adopting the Colorado Municipal Election Code of 1965 and Delegating the Authority of Appointing Election Judges for the Glenwood

Springs April 14, 2020 Special Election

- C. Resolution 2020-3, A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting Community Broadband Network Rates for Residential and Commercial Services
- D. Minutes of the December 19th, 2019 Regular Meeting
- E. VueWorks Contract for Approval
- F. Modular Office Lease-Purchase

Mayor Pro Tem Kaup moved, seconded by Councilor Hershey to approve the Consent Agenda.

Motion passed unanimously.

ACTIONS AND/OR PRESENTATIONS

15. Census 2020

Jenn Ooton, Assistant City Manager, and Brian J. Meinhart, Partnership Specialist with the US Census Bureau, presented regarding the ongoing work towards the 2020 Census. The Census is a constitutionally required ten-year count to produce statistics of all people living in the US regardless of citizenship.

For the past several months, a cross-sector coalition of leaders from Aspen to Parachute has been collaborating to address the barriers to achieving a complete Census count in the Roaring Fork Valley and Colorado River Valley. The strategy is to create trust among residents and motivate participation among residents to ensure a complete count of our areas in the 2020 Census.

A Steering Committee including members from Eagle County, Valley Settlement, the Aspen Community Foundation, Town of Carbondale, City of Glenwood Springs, Pitkin County, City of Aspen, Garfield County, Town of Snowmass Village and the Town of Basalt is currently working with Rachel Brenneman from Manifest Communications on an outreach campaign that will kick off at the end of the month.

Mayor Godes opened the item for public comment.

No comments were noted.

Mayor Godes closed the item for public comment.

16. Update on Homelessness Initiatives

Debbie Wilde was hired by the City to lead and promote strategies to reduce homelessness in the City of Glenwood Springs. As part of this effort, she has also been leading a regional discussion to create a detox center to help individuals with chemical dependency while also reducing the burden on our emergency service responders and local hospitals.

Mayor Godes opened the item for public comment.

No comments were noted.

Mayor Godes closed the item for public comment.

Mayor Pro Tem Kaup moved, seconded by Councilor Voorhees to approve a contract extension with Debra L. Wilde Consulting to continue to work towards a regional detox facility and programs to reduce homelessness.

Motion passed unanimously.

17. CC4CA Introduction-Coalition of Communities for Strong Climate Policy

Jacob Smith, Executive Director for Colorado Communities for Climate Action, presented a request that the City join and engage with CC4CA. the2019- 2020 CC4CA Policy Statement includes carbon pollution, GHG inventories, barriers to local programs, electric co-ops and renewables, energy efficiency, vehicle emissions and EVs, drilling emissions, and solid waste. The coalition moves to support its members as effectively as possible.

Mayor Godes opened the item for public comment.

Jim Yellico- cautioned council to consider the community while making their decision.

Mayor Godes closed the item for public comment

Council agreed to further consider joining the CC4CA in an upcoming work session (exact date to be determined).

18. Bus System Re-Branding – Studio Six Contract Extension (*tabled until February 6th, 2020*)

Mayor Pro Tem Kaup moved, seconded by Councilor Hershey to table item 18, Bus System Re-Branding – Studio Six Contract Extension.

Motion passed unanimously.

19. Sayre Park Phase One

Cassandra Irving and Brian Smith presented Sayre Park Phase One. In November 2019 the completed Sayre Park Master Plan was presented to Council for their feedback and discussion on next steps. Council indicated they would like to see the park improvements phased out with financial support from the community to be matched by the city for implementing each phase in turn.

Phase I of the Sayre Park Plan includes the following objectives:

- Demo of the old basketball court and gazebo
- Site prep and construction of 3 new sports courts
- Installation of ADA curb ramps and pathways
- Drinking fountain w/ bottle filler and water service
- Landscaping and park entry beautification
- Irrigation modifications
- Install court lighting
- Wayfinding signage
- Furnishings, benches and trash receptacles

Cost estimates for Phase I are projected at \$246,422.

The City has partnered with Game on Camps and Hoop d'Ville as primary stakeholders in the project for fundraising efforts which has brought in \$147,342.50- roughly 60% of the project cost for Phase I.

The project is being setup as an Enterprise Zone Contribution Project which adds additional tax credit for donors up to 25% of the donation value.

An application for a \$25,000 FMLD Mini Grant will be submitted for portions of the project also.

Mayor Godes opened the item for public comment.

Commented in support of Sayre Park Phase One:

- Andy Muller
- Maddy Mosher
- Hadley Yellico

- Quinn Massey
- Rhonda Mosher

- Kyle Kappelli

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Mayor Pro Tem Kaup to approve a match of the Community's donations for up to 40% of the total project in the amount of \$99,079.06 from the Parks Impact Fees Fund.

Motion passed unanimously.

Councilor Hershey moved, seconded by Councilor Willman to improve the Sayre Park stairway up to \$15,000 from the Park Impact Fee Fund with the condition that the stairway be ADA compliant and if it is not the City cannot go forward.

Motion passed unanimously.

20. Appointments to Boards and Commissions
Arts and Culture Board

Mayor Pro Tem Kaup, the City Council Liaison for the Arts and Culture Board, mentioned that she recently interviewed Elizabeth Caris and recommended to Council that she be appointed to the Arts and Culture Board.

Councilor Kaup moved, seconded by Councilor Hershey to appoint Elizabeth Caris to the Arts and Culture Board.

Motion passed unanimously.

21. Contract to Purchase Western Petroleum

On January 29th, 2019 the City of Glenwood Springs sent a letter of interest to Pester Marketing, the Company that is liquidating the Western Petroleum property at 1300 Pitkin Avenue, intersection of 13th and School Street. The letter states that the City was interested in the property, for what use the letter does not state. Pester Marketing has completed the remediation/hazardous waste cleanup of the site to a level of cleanliness that CDPHE is providing them with a "No Further Action Letter" which certifies the site clear of all hazardous waste material in their view. The purchase agreement supplied by Pester Marketing also states that if any additional cleanup was needed on the site after the purchase that the seller would be responsible for that work, not the City.

The purchase amount would be \$250,000 and would be paid out of the Landfill Fund.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Willman moved, seconded by Councilor Davis to approve purchase of the Western Petroleum Site located at 1300 Pitkin Avenue for \$250,000 from the Landfill Fund.

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

Motion passed.

22. Ordinance No 1, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 100.040.020 and 120.020.100 of the Glenwood Springs Municipal Code (FIRST READING)

In August, Council adopted several ordinances regulating various activities in the Downtown Area, including outdoor smoking and camping. After several months of observation, staff has recommended some refinements of the Downtown Area prohibitions. Additionally, after discussion with staff, the conclusion was that the adoption of maps depicting these prohibition areas would work better in the Municipal Code than attempting to describe the areas.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Willman moved, seconded by Councilor Davis to approve Ordinance No 1, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 100.040.020 and 120.020.100 of the Glenwood Springs Municipal Code.

Motion passed unanimously.

23. Ordinance No 2, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 070.040.070 of the Glenwood Springs Municipal Code (FIRST READING)

Jenn Ooton presented the background relating to Ordinance No 2, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 070.040.070 of the Glenwood Springs Municipal Code. On January 22, 2019, the Planning and Zoning Commission voted to initiate a code text amendment to 070.040.070(a)(3)e.2 to earmark the fee in lieu for sidewalk construction and pedestrian improvements and to consider whether there are neighborhoods where the City would not require two sidewalks.

The current regulations require the installation of sidewalks on all streets for any development or redevelopment projects. Planning Commission in initiating the code text amendment process expressed an opinion that sidewalks should not be required in all neighborhoods. At the May and August Commission meetings, the Planning Commission held public hearings on the topic. At the August 27, 2019 Planning and Zoning meeting, the commission unanimously recommended changes to amending section 070.040.070 of the Glenwood Springs Municipal Code regarding Access and Circulation.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Hershey moved, seconded by Councilor Stepp to approve Ordinance No 2, Series of 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 070.040.070 of the Glenwood Springs Municipal Code.

Motion passed unanimously.

24. Resolution 2020 - 4; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Setting Fees in lieu of Sidewalks Pursuant to Section 070.040.070 of the Glenwood Springs Municipal Code (*Moved until second reading of Ordinance No. 2 Series of 2020*)

Councilor Willman moved, seconded by Councilor Davis to table item number 24, Resolution 2020 - 4; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Setting Fees in lieu of Sidewalks Pursuant to Section 070.040.070 of the Glenwood Springs Municipal Code, until the second reading of Ordinance No. 2 Series 2020; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Section 070.040.070 of the Glenwood Springs Municipal Code.

Motion passed unanimously.

25. Resolution 2020-5; A Resolution of the City of Glenwood Springs, Colorado, referring to the Registered Electors of the City of Glenwood Springs at the April 14, 2020 Special Election a Question Whether Section 2.6 of the City of Glenwood Springs Home Rule Charter Shall be Amended to Require that Candidates for Elected Office Receive a Majority of Votes and to Authorize Runoff Elections

Resolution 2020-5 was drafted at the direction of Council, to provide for runoff elections. Implicit in this request is a requirement that in order to prevail in an election, a candidate must receive a majority – or more than fifty percent – of the vote. The amendment proposed for this spring's special election would amend Section 2.6 of the City Charter to provide for a new requirement that elected officials receive more than fifty percent of the vote. It furthermore provides that in the event no candidate achieves the fifty percent threshold, the race will go to a runoff between the top two vote recipients in the race.

Councilor Hershey moved to approve Resolution 2020-5; A Resolution of the City of Glenwood Springs, Colorado, referring to the Registered Electors of the City of Glenwood Springs at the April 14, 2020 Special Election a Question Whether Section 2.6 of the City of Glenwood Springs Home Rule Charter Shall be Amended to Require that Candidates for Elected Office Receive a Majority of Votes and to Authorize Runoff Elections.

Motion died for lack of second.

26. Consideration of the Ross Settlement Agreement

Karl Hanlon presented the Consideration of the Ross Settlement Agreement. Urban Renewal Authority met to discuss the Ross Settlement Agreement in prior to the regular meeting. He noted that over the last several months he was in discussions with Ross to come up with a solution. An URA was created a year ago and was developed to redevelop a blighted property. Ross has negotiated a contract with the new purchaser for the mall and this contract should be approved by February 24. Ross will be dismissing the lawsuit against the city and the URA and the city will be withdrawing the motion for attorney fees.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Mayor Pro Tem Kaup moved, seconded by Councilor Voorhees to approve the settlement agreement with Ross that was approved by the URA

Motion passed unanimously.

27. 27th Bridge Change Order

The City and the Construction Management (CM) team, HDR, have spent time evaluating the staffing need of this project based on the extension of the construction completion date for the 27th Street Bridge and Roundabout.

The most recent Construction Schedule shows substantial project completion by the end of January of 2020. Remaining items include:

- Masonry
- Retaining wall completion
- Landscaping (not a part of substantial completion, will need to wait until spring)
- Sidewalk completion
- Final Grading
- Ground Stabilization

Additional Construction Management hours are necessary for the documentation and completion of this project in compliance with our Federal Highway Administration's (FHWA) Off-System Bridge funding. These additional hours would cover the added oversight predicted by the contractor through January 2020, contract final documentation, additional hours for financial and document audit and the additional hours that have been necessary for the oversight of the night work requested by the contractor and additional slide dates. The requested contract cost increase is \$99,905.75. HDR's Construction Management costs total \$1,752,003.55, which is approximately 17.3% of the current construction contract value.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Willman moved, seconded by Mayor Pro Tem Kaup to approve the extra funds subject to the City's total reservation of rights to seek remedy as set forth under the various contract for this project.

Ayes:

Kaup, Willman, Stepp, Vorhees

Nays:

Hershey, Davis, Godes

28. Report from City Administration

A. City Manager

- i. Public Information Presentation given by Public Information Officer, Sarah Derrigan.**
- ii. Council Norms- It was decided to have a work session on council norm at the next upcoming council meeting**

B. City Attorney

Mr. Hanlon noted that there were some legislative changes to mining on Federal lands

C. Correspondence Incoming/Outgoing

29. Adjournment

Meeting adjourned at 10:00pm.