



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
April 16, 2020
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, Tony Hershey, Jonathan Godes, Shelley Kaup, Paula Stepp and Steve Davis.

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Catherine Fletcher; City Clerk, Jenn Ooton; Assistant City Manager, Steve Boyd, COO; Yvette Gustad; Finance Director, Terri Partch; City Engineer, Matt Langhorst; Public Works Director, Gretchen Ricehill; Assistant Director for Economic and Community Development, Michael Gardner; Broadband Superintendent, and Hannah Klausman; Senior Planner.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

Councilor Willman – Noted he would need to leave the Executive Session early due to a conflict.

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

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

5. Council Comments

Councilor Stepp

- Made note that other towns in the area were concerned about businesses insurance claim denials due to closing during the pandemic.
- Discussed budget forecasting and other important information that may need to be addressed more frequently than just at regular meetings.

Mayor Pro Temp Kaup – Expressed the importance of City Council reviewing the City budget numbers and projections. She noted as soon as the budget information was available, council should review it.

Councilor Davis – Noted the local financial impact of the pandemic won't be clear until May 20th with sales tax reports.

Councilor Voorhees and Councilor Hershey – Discussed being comfortable giving the City staff time to review the budget before making a presentation to City Council.

Councilor Willman, Councilor Hershey, Mayor Pro Tem Kaup, and Mayor Godes – Discussed holding special meetings. It was noted that special meetings can be scheduled as needed. A special meeting was scheduled for April 30, 2020.

Councilor Hershey - Made note that he did not believe City Council should micromanage the budget.

Councilor Voorhees, Mayor Pro Tem Kaup, Councilor Stepp, and Mayor Godes – Discussed Councilor Voorhees’ idea of moving meetings to the afternoon. It was noted evening meetings work well for most people.

Mayor Godes – Suggested looking into public participation electronically when City Council meetings return to physical meetings.

Mayor Pro Temp Kaup, Councilor Willman, and Councilor Hershey– Discussed City Council taking the same pay cut that the main City staff took. Councilor Hershey noted that he would like to see that pay cut as voluntary.

6. COVID-19 Update

City Manager Debra Figueroa - Presented an update on this item. She noted the following:

- The City did not receive the grant for the community garden expansion.
- Staff is working with the Chamber of Commerce and the DDA on a business assistance program that would be presented to City Council during the first meeting in May. They are also working on FAB grant recommendations.
- Requested considering granting \$20,000 to Lift-Up to go towards food for Glenwood Springs residents. The grant money would come out of the money budgeted for the Housing Stipend for City employees.

All Councilors spoke in favor of granting \$20,000 to Lift-Up.

7. Council Comments

Councilor Hershey - Suggested City Council taking a 10% pay cut.

Councilor Stepp – Made note of the RFTA study on the City of Glenwood Springs Facebook page.

Mayor Godes - Noted the importance of the RFTA study within our community.

Councilor Willman, seconded by Councilor Voorhees, moved that City Council take a 20% pay cut of their monthly salaries until the end of 2020 or if the financial conditions change earlier.

The motion passed unanimously.

ACTIONS AND/OR PRESENTATIONS

8. Discussion on Implementation Schedule for Broadband

Matt Langhorst; Public Works Director and Michael Gardner; Broadband Superintendent - Presented on this item. Matt Langhorst requested City Council allow the broadband project to move from a five-phase project in five years to a two-year project. He noted some phases would move very quickly. It was also noted the broadband network would mostly be installed over the electric system. The broadband contract will cover roughly 10% of Glenwood Springs.

Michael Gardner discussed the growth of broadband over the years.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Hershey moved that the City stop the broadband process and as an alternative look to pursue grants and money for a private organization/company to pursue broadband with the City, for the City, and to stop this program as a government project.

Motion failed for lack of a second.

Mayor Pro Temp Kaup moved, seconded by Mayor Godes, that the City move forward with the two-year buildout based on the financing proposal being discussed that day.

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

Motion passed.

9. Award of Broadband Financing

Steve Boyd; COO - Presented on this item. He discussed the financing and noted the contract with Alpine Bank would be 9 million dollars over 20 years; interest only for the first three years.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Willman moved, seconded by Mayor Pro Tem Kaup to authorize staff to proceed to obtain financing and generally the terms and conditions set forth in the agenda packet with Alpine Bank.

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

Motion passed.

10. Award of Broadband Construction RFP BD2020-007 for Phase 1 of the Fiber to Home Build Out - 2020

Matt Langhorst; Public Works Director noted staff recommendation was to award the broadband fiber to home construction based on RFP BD2020-007 for Phase 1 to Light Works Fiber and Consulting for the dollar amount of \$185,836.68.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Mayor Pro Tem Kaup, seconded by Councilor Davis moved that the City award Phase 1 of the broadband fiber to the home construction from RFP BD2020-007 to Light Works Fiber and Consulting in the amount of \$185,836.68.

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

Motion passed.

11. Resolution 2020-18; A Resolution of the City Council of the City of Glenwood Springs, Colorado Authorizing the Sole Source Procurement of the Broadband Operations Support System Software for Last Mile FTTP Implementation

Matt Langhorst; Public Works Director discussed the current operating software that will need to be replaced with new software.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Voorhees, seconded by Councilor Stepp moved to approve the award to Great Lakes Data System for the Broadband OSS system for a budget amount of \$145,340.

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

Nays: Hershey

Motion passed.

12. Planning file: #10-20 Consideration of an Appeal of a Planning and Zoning Commission denial of a Special Use Permit for a Personal Care Boarding Home as provided for in Municipal Code section 070.030.030(c)(4). The Appeal was filed November 26, 2019 per the requirements of 070.060.070(c). Open the public hearing and will be open until the next "regular" City Council meeting on May 7, 2020.

Gretchen Ricehill; Assistant Director for Economic and Community Development - Gave background on this item. She noted on November 26, 2019 the Planning and Zoning Commission heard and reviewed the special use permit request for a personal care boarding home at 1713 Grand Ave. The application was denied by the Planning and Zoning Commission.

Yesenia Gonzalez Hernandez; Applicant and Sumner Schacter; Presenter - Presented the appeal. Sumner Schacter noted he recused himself from the November 26, 2019 Planning and Zoning Commission meeting as he assisted with the SUP request. He made note the SUP request met criteria per the City staff report and addressed the specific concerns of the Planning and Zoning Commission. He also discussed City Council approval was conditional upon licensure by the State Department of Health, the building department, and planning department. He requested granting the appeal and noted belief that the Planning and Zoning Commission denial was in error.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Willman, seconded by Mayor Pro Temp Kaup moved to continue the public hearing on planning item #10-20 appeal from tonight's date until the next regularly scheduled council meeting on May 7, 2020.

Motion passed unanimously.

13. Ordinance No. 8, Series of 2020, An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending Standards in the Glenwood Springs Municipal Code Related to Accessory Dwelling Units (FIRST READING)

Hannah Klausman; Senior Planner - Gave background on this item. She made note that staff recommended approval of Planning Item #01-20 Code Text Amendments—Title 070 Accessory Dwelling Unit Standards amendments with the following recommended findings.

The Code amendment is;

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. Is necessary to address a demonstrated community need;
- iv. Is necessary to respond to substantial changes in conditions and/or policy; and
- v. Is consistent with the general purpose and intent of this Code.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Davis, seconded by Councilor Hershey moved to pass Ordinance No. 8, Series of 2020, Amending Standards Relating to Accessory Dwelling Units as proposed and recommended by staff.

Motion passed unanimously.

14. Ordinance No 9, Series of 2020, An Ordinance of the City Council of the City of Glenwood Springs Amending the 2020 Appropriation Ordinance to Reflect Actual Revenues and Expenditures During The First Quarter of Fiscal Year 2020 (ONE READING)

Steve Boyd; COO noted the City formally appropriates changes to the budget quarterly. Q1 changes include two increases in spending:

1. \$100,000 General Fund for costs related to COVID-19 (Council 3/12/20)
2. \$350,000 A&I Fund for ROW acquisition on S. Midland (Council 4/2/20)

The Ordinance was also noted to remove two items that were duplicated in the A&I Budget. 1. \$5.5 million for South Bridge 2. \$3.103 million for Two Rivers Park Project the supplemental appropriation that Council passed on 3/5/2020 when project accounting was implemented should have replaced the original appropriation rather than add to it. This ordinance removes these amounts from the 2020 budget to avoid duplicate appropriation of these amounts.

Mayor Godes opened the item for public comment.

No comments were made.

Mayor Godes closed the item for public comment.

Councilor Willman, seconded by Councilor Davis moved to approve Ordinance No. 9 Series of 2020 An Ordinance of the City Council of the City of Glenwood Springs Amending the 2020 Appropriation Ordinance to Reflect Actual Revenues and Expenditures During The First Quarter of Fiscal Year 2020

Motion passed unanimously.

15. Resolution 2020-19: A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting a Policy for the Use of Electronic Signatures on Ordinances, Resolutions, Contracts and Other Instruments Requiring the City's Signature

Karl Hanlon; City Attorney - Presented on this item. He noted that Colorado has adopted the Uniform Electronic Transactions Act ("UETA"), codified at C.R.S. § 24-71.3-101 et seq., which permits the use of electronic signatures on a variety of documents. Resolution 2020-19: A would permit the City to use electronic signatures in transactions recognized underneath the statute. He made note of an exception that a DocuSign signature cannot be used to sign for a plat. He also noted DocuSign is the only platform the State is recognizing under UETA. The resolution would allow for electronic signatures to be used when physical signatures are difficult to obtain.

Councilor Davis, seconded by Councilor Stepp moved to approve Resolution 2020-19: A Adopting a Policy for the Use of Electronic Signatures on Ordinances, Resolutions, Contracts and Other Instruments Requiring the City's Signature.

Motion passed unanimously.

16. Amendment to City Manager Contract

Debra Figueroa, City Manager - Discussed this topic. The amendment was a temporary measure through the end of the year that would bring her salary to \$150,000. She noted this was a proactive measure to cut staff expenses.

Councilor Willman, seconded by Mayor Godes moved to approve the contract amendment.

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

Nays: None

Abstained: Hershey

Motion passed unanimously.

17. Resolution 2020-20; A Resolution of the City Council of the City of Glenwood Spring Supporting the Designation of Mineral Resource Areas as Areas of State Interest and the Adoption of Additional Regulations Related to Mining Operations by the Garfield County, Colorado Board of County Commissioners

Karl Hanlon; City Attorney - Gave background on Garfield County regulations.

Councilor Voorhees, seconded by Mayor Pro Tem Kaup moved to approve Resolution 2020-20; A Resolution of the City Council of the City of Glenwood Spring Supporting the Designation of Mineral Resource Areas as Areas of State Interest and the Adoption of Additional Regulations Related to Mining Operations by the Garfield County, Colorado Board of County Commissioners

Motion passed unanimously.

18. Report from City Administration

- A. Debra Figueroa, City Manager - Made note of a possible grant for a recycling center downtown with a \$25,000 match from the landfill. It was also discussed that moving the recycling center from the landfill allows room for a leachate pond where the current recycling center is. This would also provide better access for resident use of the recycling center.

Councilor Davis, seconded by Councilor Voorhees moved to allow Mayor Godes to sign the resolution if approved by the City Manager and City Attorney.

Ayes: Voorhees, Kaup, Stepp, Willman, Davis

Nays: Hershey, Godes

Motion passed.

- B. Karl Hanlon, City Attorney - Thanked City Council for their support on land use applications moving towards recovery.
- C. Correspondence Incoming/Outgoing - None

19. 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 Property Acquisition and Ross Litigation 8:30pm

Councilor Davis, seconded by Councilor Voorhees moved to go into 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 Property Acquisition and Ross Litigation; And to adjourn the regular meeting at the end of the Executive Session.

Motion passed unanimously.

20. Adjourned at 9:32 PM.