

The Regular Session meeting was called to order at 7:00 P.M., by Mayor Ferguson with Mayor Pro Tem Miller, City Councilors Harriman, Houck, and Nesbitt present along with Acting City Manager Ampietro, City Clerk Davidson, Finance Director Hanson, several citizens and the press. City Attorney Landwehr and City Manager Coleman were absent. A Council quorum was present.

Mayor Ferguson asked Council to add the following item to the Agenda under New Business: "F. Gunnison County Request for Easement for North Valley Sewer Lift Station at Cranor Hill." Council consensus was to add the agenda item.

Consideration of Minutes:**Regular Session Meeting Minutes of February 24, 2009.**

Councilor Harriman moved and Councilor Houck seconded the motion to approve the Regular Session meeting minutes of February 24, 2009, as submitted.

Roll call vote, yes: Houck, Harriman, Ferguson, Nesbitt. Motion carried.

Roll call vote, no: None.

Roll call vote, abstain: Miller, he was out of town.

Special Session Meeting Minutes of March 3, 2009.

Councilor Harriman moved and Councilor Houck seconded the motion to approve the Special Session meeting minutes of March 3, 2009, as submitted.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Houck. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens:

Quarterly Update from Gunnison-Crested Butte Tourism Association – Jane Chaney and Board Members. Ms. Chaney introduced TA Board Members Joellen Fonken, Stephen Pierotti and Web Director Rob Strickland. Ms. Chaney asked Council if they had any questions regarding their TA packet information. She then informed Council the Local Marketing Tax District renewal question will be on the ballot in November. The tax sunsets in January 2011. Topics discussed included: the maximum airline seat guarantees will be paid although there was an increase in number of fliers, there was also an increase in the number of seats; the airline guarantees for next year are being examined now; the TA does place ads in the Colorado Tourism Board brochures and they get to foreign markets; there was a 300-400% increase in international information requests; Rob Strickland is now getting Gunnison/Crested Butte tourism information out on FaceBook and this is the new trend of social marketing; Mr. Strickland is encouraging local businesses to set up a FaceBook page and then join as a "friend" of the Gunnison-CB FaceBook page for the social marketing opportunities; website hits were down approximately 18% in February but the time spent on the site was approximately the same; and a discussion on the City providing Wi-Fi ensued and Mr. Strickland stated it is the wave of the future for both locals and visitors to the community. Council thanked Ms. Chaney and Mr. Strickland.

Unfinished Business:

Pool Slide Funding – Parks & Recreation Director Dan Ampietro. Director Ampietro informed Council there is still a shortfall in the funds for the pool slide. The Gates Foundation has provided a \$2 to \$1 matching grant with a cap of \$172,000. This requires the City to raise \$86,000 in new funding dollars. The City has currently raised approximately \$30,000. Therefore, he is asking Council to reallocate the \$20,000 in the 2009 General Fund Capital Projects line item for the Legion Park Playground to the Recreation Fund for the purchase of the pool slide. Discussion ensued about the reallocation including the possibility of a lease for the pool slide.

Councilor Miller moved and Councilor Nesbitt seconded the motion to reallocate the \$20,000 budgeted in the 2009 Budget General Fund Capital Projects line item for the Legion Park playground to the Recreation Fund for funding of the pool slide.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Houck, Harriman. So carried.

Roll call vote, no: None.

New Business:

Set Public Hearing for Powerstop Tavern Liquor License Application. City Clerk Davidson informed Council that Deven and Sean Bennett, the principals in Powerstop LLC, had submitted an application for a new Tavern Liquor License at 905 N. Main. This property was formerly the Van's convenience store. The application is for a concurrent review by the State Liquor Authority. City Attorney Landwehr is out of town and instead of waiting for his review, that would push the possible Public Hearing on the application to the end of May, she is requesting that Council set the Public Hearing for April 28th and the City Attorney will review the application upon his return, and any deficiencies will be corrected before the Public Hearing.

Councilor Miller moved and Councilor Houck seconded the motion to set the Public Hearing on the Powerstop, LLC Tavern Liquor License Application for Tuesday, April 28, 2009, at 7:00 P.M. in the City Council Chambers of City Hall, 201 W. Virginia Avenue, in Gunnison.

Roll call vote, yes: Miller, Ferguson, Nesbitt, Houck, Harriman. So carried.

Roll call vote, no: None.

Action on Aquatics Facility Solar Contract with Novan. Parks & Recreation Director Ampietro informed Council he had a call from Novan today and they are still in the pre-contact phase. Their engineers have approved the gym box roof for placement of the 120 solar panels but they are still working on the engineering prior to the construction contract being ready. Director Ampietro will bring the contract back at a future Regular Session meeting.

Action on Lease/Purchase of Tandem Dump Truck. This item was discussed at last week's Work Session meeting. Finance Director Hanson informed Council that Bank of the West has approved the two-year lease purchase of the dump truck at an approximate interest rate of 4%. The cost of financing will be \$1,580.84. A short discussion ensued.

Councilor Houck moved and Councilor Harriman seconded the motion to authorize the City to enter into a lease/purchase agreement with Bank of the West for the purchase of a 2007 Sterling LT9500 tandem dump truck and authorize the Mayor's signature on the lease documents.

Roll call vote, yes: Nesbitt, Houck, Harriman, Ferguson, Miller. So carried.

Roll call vote, no: None.

Set Special Session for April 7, 2009, at 7:00 P.M. City Clerk Davidson explained to Council the Special Session was necessary if Council wants to include the Sales Tax Reallocation Question on the May 12th Election ballot. First reading of the Ordinance is this evening and second reading needs to be completed before the ballots are finalized. Publication of the Ordinance must take place before first and second readings. The ballot information must go to the printer on Friday, April 10th.

Councilor Miller moved and Councilor Nesbitt seconded the motion to set a Special Session meeting of City Council for 7:00 P.M., April 7, 2009, at 7:00 P.M. in the City Council Chambers of City Hall to discuss the following: Resolution No. 12, Series 2009, Re: Council Support of the Sales Tax Code Changes Ballot Question and 2nd Reading of Ordinance No. 2, Series 2009, Re: Sales Tax Code Changes Ballot Question on the May 12, 2009, Regular Municipal Election.

Roll call vote, yes: Houck, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Letter to CO Wildlife Commission, Re: Big Game Season Structure. Mayor Ferguson asked Council if they want to send a letter. Mayor Pro Tem Miller stated he represents the citizens of Gunnison and helping the businesses of the community is his first priority.

Councilor Miller moved and Councilor Nesbitt seconded the motion to approve the letter from City Council opposing the nomination to go to draw-only elk licenses in Game Management Units 54, 55 and 551.

Roll call vote, yes: Miller, Nesbitt.

Roll call vote, no: Harriman, Ferguson, Houck. Motion failed.

Further discussion ensued. Councilor Nesbitt stated there has not been enough discussion between the sportsmen, business owners and Stockgrowers. Councilor Houck stated the range degradation needs to be looked at further. He prefers sending no letter at all or not taking a stand. The letters from the BLM and Forest Service regarding the declining health of the

rangeland had the greatest impact on him. He too wants to protect our businesses but there is a bigger argument out there. Mayor Ferguson stated that either letter had good points. He chided the Wildlife Commission for not getting the interested parties together to discuss the differences. Mayor Ferguson suggested amending the second letter by removing the first sentence of the last paragraph. The City is thus encouraging the interested parties to get together and discuss the issue and come to a mutually-agreed upon solution. Mayor Pro Tem Miller again stated he is elected to represent the City of Gunnison including the economy of the local businesses. He thinks the amended letter is not the right thing and is a marshmallow letter.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to send the second amended letter with the first sentence of the last paragraph to be deleted.

Roll call vote, yes: Ferguson, Nesbitt, Harriman. Motion carried by majority.

Roll call vote, no: Miller, Houck.

Councilor Houck explained he voted no because he thinks that no letter should be sent and all parties should work together on a solution. Our concern is for economics one way or another. The land use issue is also an economic issue for the valley since our economy is based on good land conditions.

Gunnison County Request for Easement for North Valley Sewer Line Lift Station at Cranor Hill. This agenda item was added at the beginning of the meeting. Parks & Recreation Director and County Public Works Director Marlene Crosby addressed Council. Director Ampietro explained the County is looking for Federal Stimulus Funds to extend the North Valley Sewer line to the North Valley Subdivision, located uphill from Cranor Hill. The County would like to place a manhole containing a lift station and an electric pedestal on City property at Cranor Hill. He also stated the City would like to ask for a waiver of the tap fee for connecting the Cranor Hill facility onto the sewerline. Ms. Crosby stated that would have to be a County Commissioners decision. She further stated if the lift station is not placed on City property, it would be placed further "upstream" and the City would have to install their own lift station to hook onto the new sewer line. The deadline is April 6th for Federal Stimulus funds. The City and County Attorneys would work on the easement document language.

Councilor Miller moved and Councilor Nesbitt seconded the motion to direct the City and County Attorneys to draft a permanent easement document from the City to the County, to allow the County to post the Cranor Hill property per State requirements and to authorize the Mayor's signature on any documents as needed to proceed with the easement.

Roll call vote, yes: Miller, Nesbitt, Houck, Harriman, Ferguson. So carried.

Roll call vote, no: None.

Ordinance and Resolutions:

Resolution No. 8, Series 2009, Re: Metropolitan District Service Plans. Councilor Miller introduced Resolution No. 8, Series 2009, and it was read by title only by the Mayor.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Resolution No. 8, Series 2009, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING A MODEL SERVICE PLAN FOR SPECIAL DISTRICTS FORMED PURSUANT TO TITLE 32, COLORADO REVISED STATUTES, WITHIN THE CITY OF GUNNISON**, be introduced, read, passed and adopted this 24th day of March, 2009.

Councilor Harriman stated this Resolution is a service plan template and each requested service plan will be looked at individually in the future.

Roll call vote, yes: Nesbitt, Houck, Harriman, Ferguson, Miller. So carried.

Roll call vote, no: None.

Resolution No. 9, Series 2009, Re: May 12, 2009, Regular Election Two Ballot Questions Regarding Property Easement. Councilor Nesbitt introduced Resolution No. 9, Series 2009, and it was read by title only by the Mayor.

Councilor Nesbitt moved and Councilor Miller seconded the motion that Resolution No. 9, Series 2009, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, REFERRING TWO BALLOT QUESTIONS AUTHORIZING THE SALE OR CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF GUNNISON TO THE QUALIFIED ELECTORS OF THE CITY OF GUNNISON AT THE CITY OF GUNNISON REGULAR MUNICIPAL ELECTION TO BE HELD MAY 12, 2009**, be introduced, read, passed and adopted this 24th day of March, 2009.

Roll call vote, yes: Houck, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Resolution No. 10, Series 2009, Re: Van Tuyl Ranch Master Plan GOCO Grant Support. Councilor Houck introduced Resolution No. 10, Series 2009, and it was read by title only by the Mayor.

Councilor Houck moved and Councilor Nesbitt seconded the motion that Resolution No. 10, Series 2009, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, SUPPORTING THE AGREEMENT BETWEEN THE CITY OF GUNNISON AND THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND (GOCO) FOR THE VANTUYL RANCH MASTER PLANNING PROJECT**, be introduced, read, passed and adopted this 24th day of March, 2009.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Houck. So carried.

Roll call vote, no: None.

Resolution No. 11, Series 2009, Re: Adoption of "Red Flag" Policy. Councilor Harriman introduced Resolution No. 11, Series 2009, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Resolution No. 11, Series 2009, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING A "RED FLAG" POLICY AND IDENTITY THEFT PREVENTION PROGRAM TO COMPLY WITH FEDERAL REGULATIONS**, be introduced, read, passed and adopted this 24th day of March, 2009.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Houck, Harriman. So carried.

Roll call vote, no: None.

Ordinance No. 1, Series 2009, Re: Metropolitan District Formation within the City of Gunnison, 2nd Reading. Councilor Nesbitt introduced Ordinance No. 1, Series 2009, and it was read by title only by the Mayor.

Councilor Nesbitt moved and Councilor Harriman seconded the motion that Ordinance No. 1, Series 2009, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON ADOPTING A POLICY REGARDING THE CREATION AND REGULATION OF SPECIAL DISTRICTS FORMED PURSUANT TO TITLE 32, COLORADO REVISED STATUTES, AND AMENDING THE CITY CODE OF THE CITY OF GUNNISON BY THE ADDITION OF A NEW CHAPTER TO TITLE 10 THEREOF**, be introduced, read, passed and adopted on second and final reading this 24th day of March, 2009.

Roll call vote, yes: Miller, Nesbitt, Houck, Harriman, Ferguson. So carried.

Roll call vote, no: None.

Ordinance No. 2, Series 2009, Re: Sales Tax Code Changes for May 12, 2009, Regular Election Ballot Question, 1st Reading. Councilor Houck introduced Ordinance No. 2, Series 2009, and it was read by title only by the Mayor.

Mayor Ferguson wanted to modify the percentages of the reallocated sales tax expenditures. He wanted a higher percentage to go to streets. In the past 10 years Council has had to dip into reserves for street projects. The infrastructure is failing and he is concerned about future needs. The City still has some unpaved streets and the cost for maintenance is rising. Council discussion ensued. Council agreed to amend the third paragraph of Section 1. To read: "NO LESS THAN THIRTY PER CENT FOR STREETS AND RELATED SERVICES;"

Councilor Houck moved and Councilor Nesbitt seconded the motion that Ordinance No. 2, Series 2009, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING THE PERCENTAGES OF THE EXISTING THREE PER CENT SALES AND USE TAX DEVOTED TO STREETS, CAPITAL IMPROVEMENTS, AND GENERAL GOVERNMENT EXPENSES; REFERRING THIS ORDINANCE TO THE QUALIFIED ELECTORS AT THE REGULAR MUNICIPAL ELECTION TO BE HELD MAY 12, 2009; SETTING THE BALLOT TITLE AND CONTENT OF THE BALLOT ISSUE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE**, be introduced, read, passed and ordered published as amended above on first reading this 24th day of March, 2009.

Roll call vote, yes: Nesbitt, Houck, Harriman, Ferguson, Miller. So carried.

Roll call vote, no: None.

City Attorney: Rod Landwehr - Out of town.

City Manager: Ken Coleman – Out of town.

Acting City Manager: Parks & Recreation Director Dan Ampietro Departmental Report: reported the ice rink has done very well this season and well-above projected revenues. The rink will be done April 5th and there will be a free skate day on that date. Director Ampietro stated that using the Region 10 or Chamber multipliers the circulated revenue coming from the rink would conservatively be approximately \$1.6 million into the local economy. Mayor Pro Tem Miller asked that this information be given to the newspaper to get that word out. Further topics discussed included: open skating and figure skating were good as well as hockey; 2 for 1 Cranor Passes were offered for visiting hockey players and this resulted in higher Cranor revenues; pool tours are taking place on Friday afternoons; the spring programs will be starting soon and the summer program information will be out soon; the climbing program has been a success as well as the new preschool program developed by Ginny Seckman; Ben Goldstein, a WSC graduate, is the new aquatics facility manager and will start next week; and lifeguard training should start the week of May 4th. Mayor Pro Tem Miller asked that with the public tours taking place, the contractor be asked to clean up the construction site since it is pretty sloppy. Council thanked Director Ampietro.

City Clerk: Gail Davidson: reminded Council the Youth City Council will be holding their “Mock” City Council meeting on Sunday evening, March 29th at 5pm. Council is invited to attend.

Non-Scheduled Citizens: None.

City Council General Discussion, Meeting Reports, Items for Work Sessions:

Councilor Houck: reported he attended the RTA meeting last Friday. Tax revenues are down and the RTA and CBMR will be paying \$1.4 million in airline seat guarantees. The bus ran at capacity this winter, and the summer schedule will be out in the next couple of weeks. In light of the decreased revenues, the RTA Board is looking at the budget. They are continuing to work with the GHS Shop Class on the construction of one bus stop in Gunnison. A local architect is donating his time and design expertise on the project. Finance Director Hanson reported there is some economic stimulus money available for park & ride and bus stop facilities. The City is looking into obtaining some funding. Councilor Houck and the entire Council wished Iris Houck a very happy birthday.

Councilor Harriman: reported the Planning Commission met last week and continues to review the Annexation PUD Plan. They will meet on Saturday afternoon. She would like a statement in the Annexation Agreement that states if any issue is not covered in the Annexation Agreement then the PUD Standards will cover the issue. Councilor Harriman stated she attended the Chamber of Commerce Board meeting last week and they discussed the June visit of the Ride the Rockies tour. She also attended the Energy Efficiency Task Force Committee meeting and they are making progress on the City Action Plan. They are working to simplify the report and make it more mission statement inclusive.

Mayor Pro Tem Miller: nothing further to report.

Mayor Ferguson: nothing further to report.

Councilor Nesbitt: reported on the Water Board meeting he attended last night. Water levels in both Lake Mead and Lake Powell are down. The Montrose water users are asking for more irrigation water out of Blue Mesa this year. The Gunnison Basin snowpack is even right now but may fall if the dry weather continues. The “dust on snow” study was discussed and the dust may be causing early run-off. Carbon taxes were discussed and the Water Board agreed to send a letter to the Public Utilities Commissions regarding the Tri-State coal-fired electric generation plants. The Board also discussed oil shale development water requirements. Lastly, the Board discussed the proposal from Gary Hausler on pumping water from the Mississippi River to the Front Range of Colorado.

Adjournment: Mayor Ferguson called for any further comment and, hearing none, the meeting was adjourned at 9:17 P.M.

Mayor

City Clerk