



AMENDED MINUTES  
CITY OF GLENWOOD SPRINGS  
REGULAR CITY COUNCIL MEETING  
JANUARY 21, 2016  
101 W. 8<sup>TH</sup> STREET  
6:00 P.M.

6 Roll Call

Mayor Mike Gamba called the meeting to order at 6:00 pm. Present: Stephen Bershenyi, Todd Leahy, Steve Davis, Leo McKinney, and Kathryn Trauger. Absent: Matt Steckler

Also present were Drew Gorgey, Acting City Manager; Karl Hanlon, City Attorney; Catherine Mythen-Fletcher, City Clerk; Susan Kurk, Human Resources Director; Tom Barnes, Parks and Recreation Director; Jill Peterson, City Planner; Trent Hyatt, City Planner; Andrew McGregor, Community Development Director; and Terri Partch, City Engineer.

7 Pledge of Allegiance

Mayor Gamba led in the Pledge of Allegiance.

8 Citizens Appearing Before Council. (For items NOT on Agenda - comments limited to 3 minutes)

Lisa Newman said the City should have a team to insure the City gets the Bridge it wants. There also needs to be a handicap ramp by the Library.

Sheila Markowitz, 824 Blake; Hal Sundin, 810 Traver Trail; and Dean Moffat, 326 2<sup>nd</sup> Street are concerned that the lighting ordinance is not being enforced and asked Council to follow the recommendations for a dark sky. Public education is needed.

Patrick Murphy, 1632 Winters Lane, updated Council on the Cardiff Community Garden.

9 Agenda Changes

Item 11B will be pulled from the Consent Agenda.

10 Council Comments

There were no comments.

11 Consent Agenda:

- A. Receipt of Minutes of the January 7, 2016 Regular Meeting
- B. Resolution 2016- 3; A Resolution of the City of Glenwood Springs, Colorado Adopting the 2016 Employee Compensation Plan
- C. Resolution 2016-4; A Resolution of the City Council of Glenwood Springs, Colorado, authorizing a Sole Source Procurement for Refurbishment of a Fire Engine

***Councilor McKinney moved, seconded by Councilor Leahy, to approve Consent Agenda items 11A and C.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

11B. Resolution 2016-3; A Resolution of the City of Glenwood Springs, Colorado Adopting the 2016 Employee Compensation Plan

Susan Kurk, Human Resources Director, said Council asked her to review compensation for all positions and all the employee benefits. She will have updated information from several sources prior to the next budgeting cycle.

There were no public comments.

***Councilor McKinney moved, seconded by Councilor Trauger, to approve Resolution 2016-3; the 2016 Employee Compensation Plan.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

12 Hot Springs Pool Discharge Design Review

Terri Partch, City Engineer, reviewed the most recent Hot Springs' design for their water discharge and the City's lift station. The pool is requesting outfalls in this location because water from the two rivers will dilute any contaminants and due to the changes FEMA is making regarding the flood plain. Issues include:

- The current design of the sanitary lift station and force mains is in close proximity to the deep cut (18') needed for the two HSP outfalls.
- The City's sanitary force mains cross above the HSP's deep storm drain lines.
- The possibility of moving the hot pot area and its enforcement problems into Two Rivers Park.
- Discharge from the HSP parking lot and pool and the effect on water quality and public enjoyment of the proposed beach area in Two Rivers Park.
- Future plans for shoreline enhancement in Two Rivers Park.

Tom Barnes, Parkes and Recreation Director, stated these depositories will have significant impacts on Two Rivers Park.

Drew Gorgey, Acting City Manager, explained that this outflow will create an eddy near the pedestrian bridge. Council is weighing policy considerations of this project against prior considerations for the shoreline restoration project.

Tim Thulson, Balcomb & Green, presented the history and overview of the Hot Springs Pool's project. This must be done by April 2<sup>nd</sup>. There are 4 issues that this plan mitigates: avoids operational/construction conflicts with the new pump station; problems with the re-creation of the hot pots; water quality; and park impacts.

Scott Balcomb, for the Pool, said the Two Rivers Bridge raises the flood plain 3 feet on the pool property. Changing the outlet position would help mitigate the flood levels caused by the bridge.

Matthew Weisbrod, Zancanella & Associates, stated this project will be built by CDOT regardless of Council's decision tonight, but at a less favorable point. They plan to utilize the existing rock outcropping below the Two Rivers Bridge to extend the pipes as far as possible into the river. They already have a permit to put the outflow in this place. It would be beneficial for this project and the lift station to be constructed simultaneously. He reviewed the river flows; how it affects disbursement of the outflow; the distance from the river's edge; and the chances of building a hot pot.

Council discussed:

- shoreline restoration;
- the lift station;
- the time frame;
- the 100 year flood plan;
- area redevelopment;

- storm water discharge;
- discharge point and pipe depth;
- possibility of creating more hot pots; and
- a spill prevention plan.

Mayor Gamba opened public comments:

Dean Moffat, 326 2<sup>nd</sup> Street, voiced concerns about possible toxic waste being dumped into the river.

Patrick Murphy, 1632 Winters Lane, said the River Commission just became aware of this project, but would like to be involved in this decision.

Drew Gorgey said the hot pots have never presented any water quality issues.

***Mayor Gamba moved, seconded by Counselor Bershenyi, to accept the proposed location for the outfall of the Hot Springs pool project, as presented tonight, with the final pipe alignment and details to be coordinated between the City and the Pool to accommodate both the Pool outfall piping and the City's lift station construction, and to coordinate the construction schedules to be completed concurrently to the extent reasonable and practical, and to coordinate with City Staff regarding the restoration of the riverbank.***

AYES: Trauger, Davis, Gamba, Leahy, Bershenyi

NAYS: McKinney

***The motion passed.***

Mayor Gamba called for a short break before reconvening the meeting.

13 Planning Items:

- A. Conceptual Review of a major Subdivision for Multi- Family Residential Development  
Applicant: Don Markley  
Owner: MAHC,LLC  
Location Lot 13 West Glenwood Estates Subdivision  
Zone: R/2 Limited Multi- Family

Don Markley presented an overview and pictures of this new project that changes the previously approved project, reducing the density by 27%. This is part of a 1031 land exchange and they must close by April 31, 2016 with an approved new layout.

Council approved of the changed plan.

14 Planning Items:

- A. #43 - 15 Consideration of a request for a Special Use Permit to add the manufacture of retail and medical marijuana infused products to existing medical and retail sales use with cultivation.  
Applicant: Ryan Milligan, Green Essential Medical, LLC dba Green Dragon Colorado  
Owner: C. Spaniel LLC  
Location: 1420 Devereux Road  
Zone: 1/2 River Industrial

Jill Peterson, City Planner, explained the processes and testing involved with infused products and the State's regulations. The Planning & Zoning Commission recommended approval of this application with the findings and conditions noted.

Ryan Milligan, Applicant, appeared to answer questions and submitted a petition in favor of this use.

There were no public comments.

***Councilor Trauger moved, seconded by Councilor McKinney, to affirm the Planning & Zoning Commission's decision that the proposed Special Review Use complies with the City Code and City Goals and Policies with the findings listed on page 2 and conditions listed on pages 3 and 4.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

- B. #37-15 Consideration of a request for an annexation, rezoning, and consideration of a 4.191 acre parcel consisting of four existing two story commercial buildings, totaling 54,267 square feet, into 46 separate units  
Applicant: Robbie Stewardson  
Owner: Rad Development- Glenwood, LLC  
Location: 2550 CO Highway 82  
Zone: C/1 Limited Commercial District requested

Trent Hyatt, City Planner, presented the background and considerations for this annexation. The Planning & Zoning Commission has recommended approval of the annexation, condominiumization and rezoning with findings and conditions.

David McConaughy, Garfield & Hecht, reviewed the history of this property and the Pre-Annexation Agreement. They agree to all the condominiumization conditions except #1(a), (b), (c) and (d) because those documents cannot be located and #7.

Karl Hanlon added there was extensive litigation over this property so there are many possibilities why those documents can't be found. The Applicant has submitted documents from two professional engineers that will complete conditions #1(a), (b), (c) and (d). The City chose not to annex this project when it was developed by the previous owner under County regulations.

Mayor Gamba opened public comments.

Dean Moffatt, 326 2<sup>nd</sup> Street, asked that this project remain only commercial with no residential. The majority of this project does not meet City Codes.

Mogli Cooper, 75 Buffalo, Carbondale, is the original realtor and spoke in favor of the annexation.

Council discussed:

- Sidewalk construction
- Whether the sign is in compliance with City Code
- Possible conversion from commercial to residential units
- The access/egress; and
- The debris flow

***Councilor McKinney moved, seconded by Councilor Leahy, to affirm the Planning & Zoning Commission's recommendation for approval of annexation with the findings and conditions on pages 2 and 3 of the Staff Report.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

***Councilor Trauger moved, seconded by Councilor McKinney, to uphold the Planning & Zoning Commission's recommendation for approval of the condominiumization with the findings and conditions on pages 3 and 4 of the Staff Report; for 1(a) through 1(d) provide an equivalent determined to be sufficient by the Engineering Department; and eliminate condition 7.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

***Councilor Trauger moved, seconded by Councilor McKinney, to uphold the Planning & Zoning Commission's recommendation for approval of the rezoning with the recommended findings on page 4 of the Staff Report.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

15 Ordinance No 1, Series of 2016: An Ordinance of the City of Glenwood Springs, Colorado, Adding Section 070.020.130 to the Glenwood Springs Municipal Code Establishing the Procedure for Location and Extent Review of Proposed Development Projects by Public Entities and Special Districts (FIRST READING)

There were no public comments.

***Councilor McKinney moved, seconded by Councilor Davis, to approve Ordinance No 1, Series of 2016.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

16 Ordinance No 2, Series of 2016: An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 020.020.020 Regarding the Composition of Membership on the Tourism Promotion Board (FIRST READING)

There were no public comments.

***Councilor Bershenyi moved, seconded by Councilor Davis, to approve Ordinance No 2, Series of 2016; An Ordinance of the City of Glenwood Springs, Colorado, Amending Section 020.020.020 Regarding the Composition of Membership on the Tourism Promotion Board.***

***The motion passed unanimously by those present (Councilor Steckler absent).***

17 8th Street Design Contract Extension (Memo Only)

Terri Partch noted Jacobs Engineering has produced preliminary designs. The complete design contract would be an additional \$639,890.00, for a total of \$837,941.80. The funds are already appropriated. She reviewed the items included in this price.

Drew Gorgey added the target is to start this year.

Council agreed to continue the contract.

## 18 Council Reports on Board, Committee and Commission Meetings

Councilor Bershenyi attended the Historic Preservation meeting where they reviewed plans for the Train Depot renovation.

Mayor Gamba reported the RFTA Board meeting had a presentation on the Grand Avenue Bridge project and discussed mitigation for up valley commuters during the bridge closure. We Cycle is a bike sharing program in Aspen that Council should learn more about. The Transportation Commission was updated all current and future projects.

Councilor Davis attended multiple meetings. The Chamber Retreat focused on renewal of the A&I tax, and the GAB project.

Councilor McKinney attended the River Commission meeting.

Councilor Trauger attended the Transportation Commission meeting; a meeting about the Detox Facility; and a session with Scott Tipton. There's a Housing Forum at the 3<sup>rd</sup> Street Center in Carbondale, February 3, 2016, from 6:30 to 9:00 pm. February 5, 2016 at the Hotel Colorado is a Mobility Fuels and Funding program with Jim Charlier.

Karl Hanlon noted Council has met with the search consultant and will meet with senior staff next week.

## 19 Correspondence: Incoming/Outgoing

## 20 Adjournment

Meeting adjourned at 10:15 pm.