

City Council Meeting

Wednesday, January 04, 2023

7 P.M.

38 West Center

Roll Call:

Councilor Rod Taylor, Councilor Mike Wanner, Councilor Shawn Crane, Mayor Lori Nay, Councilor Stella Hill, Councilor Robert Andersen

Invocation/Inspirational Thought:

Given by Shawn Crane

Pledge of Allegiance:

Led by Mayor Lori Nay

Public Forum

Whites Sanitation:

Chet White asked if the council had any questions. Stella Hill asked if they could schedule the spring cleanup. Chet stated that last year they did April 25-May 2. They decided they would do it April 24-May 1 They also decided that they would do the fall pick up the first week of October

Chet stated that the 4th of July is on a Tuesday, and they will be picking up trash on that day. He stated he would like the City to put something on the city bill in June that asks customers to have their trash out by 7 A.M. He stated that they will be in touch when with the front office.

Minutes – December 21, 2022, Special Council Meeting:

Councilor Hill made the motion to approve the minutes for the Special Council Meeting held on December 21, 2022, Councilor Andersen seconded the motion

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Abstain Hill: Yes, Andersen: Yes

Bills for period ending December 30, 2022, totaling \$5,345.46:

Councilor Crane made the motion to approve the bills for the period ending December 30, 2022, Councilor Hill seconded the motion

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

New Business

Reconsideration of Employment Agreement with City Recorder:

During the December 21 City Council meeting, a request was made by Councilor Taylor to revisit the City Recorder's employment agreement approved by the City Council during their December 7, 2022, meeting. Specific concerns were raised about the severance terms in the agreement. The agreement currently provides that if the City Recorder is dismissed for political purposes (being a political appointee), then the Recorder is entitled to three months' salary upon termination. This severance package is not available if the City Recorder resigns, is terminated for cause, or they are unable to fulfill their duties.

The agreement was approved by the majority of the City Council and is a binding contract between the City Recorder and the City. The contract cannot be amended unless both parties agree to the changes in writing.

The Mayor stated that she understands the reasoning for wanting to revisit the contract for the City recorder, however she doesn't like the idea of going back on a contract. The council had some discussion on how they would like to have more consistency in the future. Valerie stated that as far as all the contracts being the same, they are not. The council decided that they were ok with leaving this as is and work on being more consistent in the future with contracts.

Reconsideration of End of Year Employee Bonuses:

During the December 7, 2022, City Council meeting, the Council authorized year-end bonuses of \$100 for FT and \$50 for the permanent PT employees. Concern has been raised that the year-end bonuses were not the same as last year. In 2021, the end of year bonus was \$200 to FT employees and \$100 to permanent PT employees. The Council was also given a small year-end bonus in some years past. This item is placed on the agenda to give the Council opportunity to reconsider their prior approval if desires. There is sufficient money in the wages budget to cover the additional \$1,000 to double the year-end bonuses for FT and PT employees.

The council had a lot of discussion

City ordinance requires that any Council compensation be based on an adopted ordinance. There has been no ordinance adopted specific to Council wages except for the general wages and salaries noted in the City's budget. That Council budget line does not have enough to cover a bonus for the Council, but other fund lines may be utilized if the Council desires.

Councilor Crane made the motion to extend another \$100 to the fulltime employees, an additional \$50 to the part time employees, and \$100 to the council. Councilor Andersen seconded the motion.

Discussion and Possible Action Regarding Business License Renewal Fees for 2023:

Due to lack of confidence in the renewal process that took place in 2022, staff is unsure if all renewal notices were sent, business statuses checked, and if renewal/late fees were appropriately applied to accounts and received payments respectively applied to businesses. Because of this, it is proposed the Council allow staff to waive all past due amounts and all businesses be allowed to start with a fresh renewal fee and opportunity to close their accounts without penalty. Waiving the outstanding amounts will not affect the city's financial statements/budget since they are not currently registered in our accounts receivable items.

Councilor Wanner made the motion to waive all current outstanding business license renewal fees or penalties., Councilor Taylor seconded the motion

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Discussion Regarding Subdivision Improvements for Minor Subdivisions:

The original town plat area is nearing buildout under current zoning standards, but there is potential for one to two lot subdivisions in some blocks. This area is generally served by the city's water, sewer, storm drain, fire hydrants, paved roads, streetlights, and an irrigation system. Some streets have sidewalk on at least one side of the road. Some streets have curbing and gutters, but most have graveled shoulders. The City's current development standards provide that the city may require all subdivisions (including one or two lot minor subdivisions) to install the following public infrastructure; Road and street improvements (including layout, design, grading and surfacing), Flood control facilities, Culinary Water facilities, Secondary and Irrigation Water facilities, Sanitary Sewer facilities, Storm Drainage facilities, Erosion Control facilities, Traffic Circulation and Access Management facilities. Lot, Parcel, and/or Site drainage, Park and open space areas and facilities, Public features and recreational amenities, Fire protection and suppression facilities, including fire hydrants, fire access, and water storage facilities, Electrical power and telecommunications facilities, Fencing and buffering treatments, Street lighting facilities, Streetscape enhancements, including street trees and park strip improvements, Measures designed to protect the natural features of the site, including, but not limited to, wetlands, drainage ways, ground water protection, and slopes. Such other measures, improvements, facilities, amenities, and services determined reasonable and necessary to allow the proposed subdivision in compliance with the requirements of this Ordinance, all other Land Use Ordinances, and all Federal, State, or Local regulations, as applicable. For minor subdivisions, the Planning Commission may allow a developer to pay an infrastructure fee in lieu of installing the above improvements. Major subdivisions do not have the option for an in-lieu fee. The council had some discussion. They would like to investigate changing, road and street improvements.

The Mayor stated that she thinks they should look into having a separate ordinance for the Minor subdivision. Mike Wanner stated that he thinks they also need to have a better definition of what a minor subdivision is. Dennis Marker stated that they will also need to investigate what they want to come to them as a discussion. He stated that right now that a minor subdivision is 3 lots or less goes to the planning commission and that the major subdivision must go through the City Council. Shawn Crane stated that he was wondering about requiring curb and gutter. Dennis stated that they will need to decide if that is something that they would like to require throughout town. Dennis stated that they need to decide if they want all the infrastructure to come from taxpayer money or want to require contractors to do it. The council continued to have some discussion. They decided that they should require a record of survey rather than a plat for the minor subdivisions. They would also like clarifications to the infrastructure requirements, and well as the frontage fee.

Council Wanner made the motion initiated the code amendment as discussed. Councilor Taylor seconded the motion.

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Discussion Regarding Road Excavation Permits and Fees:

During the December 21, 2022, Council meeting, a request was made by Councilor Wanner to discuss the road excavation permits and fees. Municipal Code Section 9.40.020.1 requires that contractors must obtain a permit before (1) excavation in any street (2) removing, destroying, or replacing any asphalt or pavement or any roadbed medium on any street, lane or alley, or (2) removing, destroying or replacing any curb, gutter, sidewalk or other street improvement located on any city street. "The permit shall be issued only upon payment of the permit fee, as found in the city's fee schedule, and condition that adequate security in the form of cash or bond be posted by the applicant with the City Recorder guaranteeing that all improvements and restoration will be completed by a certain date and warranted for one year from completion of the permitted work." In determining what the appropriate fee and guarantee amounts should be, the need to consider how much cost and risk is being assumed by which party in the matter. Dennis Marker designed a matrix for discussion and went over it with the council. Currently Gunnison PW trenches and connects to the water system, but contractors connect to the sewer and irrigation systems. Other public utilities may require trenching and connection separately. The council had discussion with J.D. Bunnell on the need to have something in place for this. Dennis stated that they could put a fee or bond in place and have a trial period for a few years. The city would then have data that they could use to make the fee more accurate. The other thing that they would like to investigate is the impact fees and what those can be used for. Mike suggested that they charge a compaction fee for the builder. Shawn made a point that it should be done on a percentage because not all of them will need to be fixed. They decided that they should require a letter of credit somewhere between \$800-\$1000. Dennis will do some research to find out what the average cost would be to make these patches. They would also like start tracking the percentage of patching that is needing done within a year.

Discussion Regarding Monthly Fee for Irrigation Services and Water Wielding:

The City fee schedule indicates that any “Private Customers” (i.e., property owners who have their Gunnison Irrigation Company shares wielded through the City irrigation system), are to be charged \$5/share/month. So long as our utility office has record of properties where the city is wielding shares, then this fee can be billed with no problem. A more philosophical discussion in this matter could include the following points and questions: 1- Gunnison provides an irrigation system with a commitment to provide service. Like any service, we need to have sufficient supply to meet demand. The irrigation system is supplied by peacock springs and Gunnison Irrigation Company (GIC) share water generally. 2- We, like all other shareholders, must pay an annual fee for each share of GIC we own as a service cost (approx. \$10/share/yr.). In 2022 we paid \$10289.50. 3- Gunnison took over responsibility for delivery of GIC water to certain properties when it built its irrigation system, but responsibility for delivery is not the same as ownership and authority for GIC shares. 4- If a share owner wants their water personally delivered through Gunnison’s system, why do they need to turn their shares over to the City? Why are we not just wielding the water and charging the wielding fee? 5- For those who have turned in their water shares, a. Have the shares been turned in because of increased demand due to development and thus the shares are turned over fully to the city and should be in our name, in which case, why are we still charging a monthly fee for wielding rather than just a flat fee to cover our service costs (i.e. supply fees, etc.)?, or b. Where the shares turned in due to increases in system demand, but the city is still not providing the water due to the shareholder being on the farm system? in which case is there really an increase demand on the city’s system? Should these shares be given back to the farm system users? 6- The incentive for Private Customers to turn their shares over to the city should be no longer having to pay the wielding fee. Perhaps this fee should be greater, so the city gets more water in its own name and less paperwork tracking headaches. The council had some discussion on making sure that all the customers are being billed correctly for their monthly maintenance fee. They also discussed the plan for all the meter installations.

Ordinances and Resolutions

Reconsideration of Ordinance 2022-15 Regarding Water Dedication Requirements:

Councilor Taylor has requested the language in Ordinance 2022-15 be reconsidered such that the city will only consider receiving money in lieu of water shares when dealing with property to which no shares have been assigned. In other words, those properties where shares have been assigned must dedicate their shares when development occurs. Rod Taylor stated that his concerns are that it will bring light to the community that people will try to get money instead of turning it in. He states that if they do decide to do it that they have verbiage that states the water share cannot be connected to a lot.

Councilor Taylor made the motion to remove item 4 in Ordinance 2022-15, Councilor Wanner seconded the motion

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Reports of Officers, Staff, Boards and Committees

Dennis Marker:

Dennis stated that they are working on the data required to finish up the paperwork with the grant for the secondary meters. He has also been collecting easements so that they can get it drawn up.

He stated that he worked with the CRA on the business park

J.D. Bunnell:

He stated that the well is down to 1,000 feet and that they are working on. He stated they will be getting a pump put in it then they will be able to see what they can get out of it. He stated they will also be taking samples next week.

Valerie Andersen:

Valerie stated that she is working on getting out the renewals for the business this week. She also stated that next week she will start year end and get the 1099's, W2's, and W3's done before the end of the month.

Reports by Mayor and Council Members

Rod Taylor:

He stated that he had spoken with Donald and that they have 6 streetlights out, and that the electrical box in pavilion at the park is not safe and is needing to be updated. He said that they have used Moore Electric in the past.

Mike Wanner:

He said that he would like to get working on the grant for the G-Hill

Shawn Crane:

He said that he doesn't have anything but that he is grateful for all the City employees and everything that they are doing for the City.

Stella Hill:

She stated that she would like the notes for the P&Z meetings. Valerie stated she would make sure this starts happening. She also stated that they would like to add new Christmas decorations.

Robert Andersen:

He stated that he had nothing to go over

Mayor Nay:

Stated that she would like to go over the council retreat. They are looking at February 16th for 9-1 and 2-4 at the building. She said she would like them to go over goals.

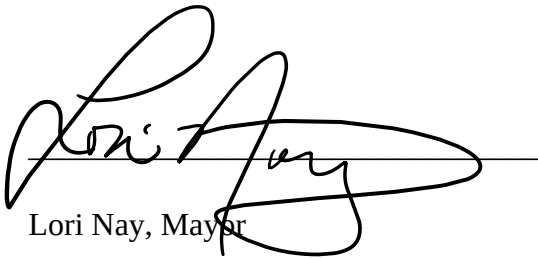
Dennis stated that if everyone would like to get items together ahead of time that they would like to get done and he can put something together before hand.

Adjournment:

Councilor Andersen made the motion to adjourn, Councilor Crane seconded the motion.

Roll Call:

Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes



Lori Nay, Mayor

Approval Date:

January 18th, 2023

Attest:



Valerie Andersen, City Recorder