

AGENDA ITEM #12a.

CITY OF STEAMBOAT SPRINGS

Regular Meeting NO. 2017-31

Tuesday, December 05, 2017

City Council Members present: City Council President Lacy, City Council President Pro Tem Meyer, Council Member Crossan, Council Member Ford, Council Member Sloop, Council Member Petis and Council Member Macys.

Staff Members present: Gary Suiter, City Manager; Tyler Gibbs, Director of Planning and Community Development; Kim Weber, Director of Financial Services; Julie Franklin, City Clerk; John Overstreet, Director of Parks and Recreation; Dan Foote, City Attorney; Cory Christensen, Chief of Police; Ben Beall, City Engineer; Jon Snyder, Public Works Director; Winnie DelliQuadri, Assistant to the City Manager; Mel Stewart, Fire Chief; Mike Lane, Communications Manager; Alan Lind, Director of General Services.

PLEDGE OF ALLEGIANCE

COMMUNITY REPORTS/CITY COUNCIL DISCUSSION TOPIC:

1. Golf Management Committee Interviews.

Council interviewed Katie O'Hara, AJ Fleming and Craig Seitz. Jason Gilligan was not able to attend the interview.

By ballot vote Council selected AJ Fleming and Katie O'Hara.

GENERAL PUBLIC COMMENT

No one appeared for General Public Comment.

CONSENT CALENDAR: MOTIONS, RESOLUTIONS AND ORDINANCES FIRST READINGS

2. MOTION: A motion to approve the Community Support Steering Committee's 2018 Funding Recommendations.

City Council President Lacy read the motion into the record.

City Council President Pro Tem Meyer asked about the two organizations (Yampa Valley Sustainability Council and the Community Agriculture Alliance) that received more than the requested amount.

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Mr. Todd Hagenbuch, Environmental Coalition, stated that they try to encourage groups to ask for only what they need and through counseling have been getting more realistic requests. However, the Coalition thought that these two organizations fulfilled a need that if not done the City would have to. They wanted to reward that accordingly.

Council Member Macys stated that she is uncomfortable with that process. The idea was to tell the committees that we value the process, to give the group certainty and try to create an objective and defensible process. There are criteria and conflict of interest guidelines. She voiced concern that the over allocation supports a project that was not vetted. It is not a best practice to over allocate. It is the projects that should be decided on not the organization and the work that it does. She would like to give the Coalitions guidance to look at only what is presented. She does not support the over allocation.

Council Member Petis agrees, if there are criteria the group should not be looking at other things.

Council Member Sloop agrees, but if that money is not allocated where would it go? Council Member Macys stated it could go into the General Fund for environmental/sustainability items.

Mr. Mark Andersen, Yampa Valley Community Foundation, reiterated that over the years they have worked with organizations to ask for what they need. Doing this may mean that they start to get inflated requests again. The majority of the grants do not fully fund the project so, when a group gets more than asked for it usually goes to the project that was vetted. He noted that every year the groups are required to submit a reporting form to the City post granting.

Council Member Macys stated that the Allocation Committee should not make a decision based on judgment rather than scoring on criteria. They are serving the City and this is a City process; we need to be able to defend the decision and follow the process. Mr. Andersen clarified that they do follow the process; there is nothing that says they can't give more than requested.

MOTION: Council Member Macys moved and Council Member Petis seconded to accept the Community Support Steering Committee's 2018 Funding Recommendations with the exception of the over allocation and provide direction to the committees to not have over allocations.

Discussion during the motion:

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Ms. Weber clarified that last year First Impressions, Planned Parenthood, Rocky Mountain Youth Corp, Mind Springs Health also received more than requested. It was noted that this is not a new occurrence, it happened last year with the Human Resource Coalition with several non-profits because if their funding is reduced from Routt County the Coalition Committee would sometime increase the City funding side to offset the difference, even if it was more than they requested from the City.

Council Member Sloop does not support the motion because there are some allocations that are offset by the City and we are not seeing the whole picture.

Council Member Macys withdrew the motion.

MOTION: Council Member Macys moved and Council Member Ford seconded to accept the Committee's recommendation other than the over allocations.

Discussion during the motion:

City Council President Lacy likes the flexibility that Council empowers the Committee and he does not feel there is any danger of it getting out of control.

City Council President Pro Tem Meyer does not support the motion because they did what we asked them to do (allocate using a formula). \$3,000 out of \$426,000 is getting shuffled a little and sees the benefit of backing their recommendation.

Council Member Petis supports the process as well; it is more of a question of should we over allocate. There needs to be a structure to the process.

Council Member Crossan does not support the motion. If Council wants to change the parameters that can be done in the future.

The motion failed 3/4. Council Members Sloop, Lacy, Crossan and Meyer opposed.

MOTION: City Council President Pro Tem Meyer moved and Council Member Sloop seconded to approve the Committee recommendation.

The motion carried 5/2. Council Members Petis and Macys opposed.

Mr. Hagenbuch stated that the Committee facilitators do not provide judgement and he noted that he did warn them about over allocating but they felt very strongly about it.

3. FIRST READING OF ORDINANCE: Fourth supplemental appropriation ordinance (Accommodations Tax Fund).

City Council President Lacy read the ordinance title into the record.

MOTION: Council Member Sloop moved and Council Member Crossan seconded to approve the fourth supplemental appropriation ordinance (Accommodations Tax Fund).

The motion carried 7/0.

PUBLIC HEARING: MOTIONS, RESOLUTIONS AND ORDINANCES

- 4. SECOND READING OF ORDINANCE: An ordinance approving a first amendment to the City of Steamboat Springs Police Money Purchase Pension Plan and Trust Agreement, and providing an effective date and setting a hearing date.**

City Council President Lacy read the ordinance title into the record.

PUBLIC COMMENT: No one appeared for public comment.

MOTION: Council Member Crossan moved and Council Member Sloop seconded to approve An ordinance approving a first amendment to the City of Steamboat Springs Police Money Purchase Pension Plan and Trust Agreement, and providing an effective date and setting a hearing date.

The motion carried 7/0.

- 5. SECOND READING OF ORDINANCE: An ordinance revising revised Municipal Code Sections 24-2, 24-3, 24-4, and 24-5 of Chapter 24 regarding trees and shrubs; providing an effective date and repealing all conflicting ordinances.**

City Council President Lacy read the ordinance title into the record.

PUBLIC COMMENT: No one appeared for public comment.

MOTION: Council Member Macys moved and Council Member Crossan seconded to approve An ordinance revising revised Municipal Code Sections 24-2, 24-3, 24-4, and 24-5 of Chapter 24 regarding trees and shrubs; providing an effective date and repealing all conflicting ordinances. .

The motion carried 7/0.

6. **SECOND READING OF ORDINANCE:** An ordinance adopting the International Fire Code, 2015 Edition, including appendix Chapters B and C; prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for construction or operational activities; and authorizing the City Manager to set fees for fire permits, plan review and inspections provided by Fire Prevention Services; repealing all conflicting ordinances; providing for severability; and providing an effective date.

City Council President Lacy read the ordinance title into the record.

PUBLIC COMMENT: No one appeared for public comment.

Council Member Crossan asked about the timing of adopting the 2015 in 2018; why the lag?

Mr. Shaffer, Fire Marshall, stated that that is typically how it happens. You want to wait to adopt a new code in order to “get the bugs out” and also to coincide with the Building Codes.

MOTION: Council Member Macys moved and City Council President Pro Tem Meyer seconded to approve an ordinance adopting the International Fire Code, 2015 Edition, including appendix Chapters B and C; prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion; providing for the issuance of permits for construction or operational activities; and authorizing the City Manager to set fees for fire permits, plan review and inspections provided by Fire Prevention Services; repealing all conflicting ordinances; providing for severability; and providing an effective date.

The motion carried 7/0.

PARKS AND RECREATION COMMISSION REPORT

No report was provided.

PLANNING COMMISSION REPORT

No report was provided.

CONSENT CALENDAR - PLANNING COMMISSION REFERRALS:

7. APPEAL: DPF-17-09, Elk River Road Business Park F1 L7.

PETITION: Appeal the denial of a final development plan for two mixed use buildings with variances to urban design standards and conditional use for multi-family on the ground floor.

PLANNING COMMISSION VOTE: Denied 4-2 on November 16, 2017.

The applicant has requested this item be postponed to December 19, 2017.

MOTION: Council Member Sloop moved and Council Member Macys seconded postpone this item to December 19, 2017.

The motion carried 7/0.

PUBLIC HEARING – PLANNING COMMISSION REFERRALS

There were no items scheduled for this portion of the agenda.

REPORTS

8. City Council

Council Member Macys would like to add the Community Support over allocation topic to a future agenda. **DIRECTION.**

Council Member Petis noted that she attended a Fire meeting and they anticipate needing staff time in 2018 and would like Council direction on how to move forward. In regards to a downtown fire station what is that goal, what is the funding source for staffing and equipment, does a Fire District make sense and do we want a citizen's committee?

City Council President Lacy stated that the topic needs more exploration before there can be a citizen's committee. He would like to have the two Council representatives work on it and bring back the pros and cons back to Council.

Council Member Ford stated that eventually it will require resources out of the Finance Department. Council Member Macys is not supportive of staff time; is it a priority and do we have the time? Mr. Suiter stated that all depends on the direction that we go. Council supported having the two Council members report back and have staff do some "number crunching" and then decide if it needs to go to a higher level. **DIRECTION:** Mr. Suiter to report back in the City Manager's report.

Council Member Petis provided a recap of the retreat discussion of Council's goals: financial sustainability, community engagement, community housing, Howelsen Hill Master Plan and joint use agreement (JUA), Downtown Master Plan and water. Items to monitor: Combined Law Enforcement Facility and downtown improvements.

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Important items: climate change, AirBnB/VRBO/nightly rentals and special events on the front and back end. The City Manager and Council reports will be at the beginning. City Council President Lacy added that when appropriate, consent planning items may move to the beginning of the agenda.

Council Member Ford noted that there will be a “Coffee with Council” this Friday on Council’s preliminary goals.

Council Member Sloop noted that she and Council Member Crossan met with the Winter Sports Club on the JUA. They reviewed the amendment and will have the final by mid-January to discuss with Council.

9. Reports

a. Agenda Review:

- 1. Regular Meeting December 12, 2017.**
- 2. Regular Meeting December 19, 2017.**
- 3. Regular Meeting January 2, 2018.**
- 4. Worksession Schedule.**

10. Staff Reports

a. City Attorney’s Update/Report.

- 1. Marijuana Update.**

Mr. Foote provided an overview on House Bill 17-1220, on plant count limits and House Bill 17-034 which creates a medical marijuana business operator license.

Council Member Ford asked that Council be provided with a quarterly update on pending legal actions. **DIRECTION:** Mr. Foote to provide a quarterly report that is suitable for publication.

PUBLIC COMMENT:

Mr. Dan Sullivan, dispensary operator in Glenwood Springs, stated that retail and recreational marijuana is now four years old and “the sky hasn’t fallen” and a study shows that teenagers are actually using less. He asked that the Council consider allowing additional retail stores into the community because three in this market is monopolistic. He suggested adding a 5% tax on recreational marijuana to go to education. Lastly he asked that if Council does expand the licenses they make it a merit based process rather than just a lottery.

b. City Manager's Report.

Mr. Suiter provided a written report. He further noted that he attended a Municipal Utility Advisory Committee meeting and Diane Johnson of Yampa Valley Electric Association informed him that they have a parcel available on and into the Yampa River. He also noted that the snowmaking line leak is repaired and is holding and that there will be a meeting on the future of the River Queen on December 13, 2017.

Discussion commenced on the following: timing of the implementation of the traffic light solution; downtown area plan proposals; and the status of broadcasting Council meetings on the radio.

c. Police Department Update.

Mr. Christensen provided an update on staffing noting that they have been busily hiring officers, a records technician and an administrative assistant. He spoke to the theme of policing with professionalism and compassion and that they will sponsor two people through the academy. They received 33 applicants, 16 met the requirements, 8 showed up that left 5 uncertified candidates for 2 spots.

He noted that call load has gone down but dispatch calls have increased. Training focuses on a better understanding underserved communities, community cultural awareness training, de-escalation training, community policing, use of force. Chief awards are given for lifesaving, compassion and commendation.

Mr. Christensen also provided a year 2 update on the Nuanes report recommendations.

Discussion took place relative, but not limited to: use of force complaints and body cameras.

Council Member Ford would like to continue to see the reports on the Nuanes recommendations.

OLD BUSINESS

11. Minutes

- a. Regular Meeting, November 14, 2017.**
- b. Regular Meeting, November 21, 2017.**

MOTION: Council Member Macys moved and City Council President Pro Tem Meyer seconded to approve the above minutes.

The motion carried 7/0.

ADJOURNMENT

MOTION: Council Member Sloop moved and Council Member Macys seconded to adjourn at approximately 8:58pm.

MINUTES PREPARED, REVIEWED AND RESPECTFULLY SUBMITTED BY:

Julie Franklin, CMC
City Clerk

APPROVED THIS ____ DAY OF ____, 2018.

DRAFT