

**BASALT TOWN COUNCIL  
REGULAR MEETING  
APRIL 26, 2005**

**MINUTES**

**Call to Order:** The regular meeting of the Basalt Town Council was called to order at 6:20 p.m. on Tuesday, April 12, 2005 by Mayor Leroy Duroux.

**Roll Call:** Present were Mayor Leroy Duroux, Councilors Glenn Rappaport, Laurie Dows and Anne Freedman. Councilors Tiffany Ernemann, Tracy Bennett and Mark Kittle were absent. Also present were Town Manager Bill Efting, Deputy Town Manager Betsy Suerth, Town Planner Susan Philp, Community Development Director Glenn Hartmann and Town Clerk Pamela Schilling. Citizens signing in at this meeting were Tom Newland.

**Consent Agenda**

1. Accounts Payable for April 26, 2005
2. Minutes of April 12, 2005
3. Next Agendas
4. Thank you letter to CDOT

**M/S COUNCILORS FREEDMAN AND RAPPAPORT TO APPROVE THE ACCOUNTS PAYABLE FOR APRIL 26, 2005 AS PRESENTED. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 4-0.**

Leroy Duroux noted the name in question, on page 2 of the 04/12/05 minutes, was **Jeff** Jones.

**M/S COUNCILORS DOWS AND RAPPAPORT TO APPROVE CONSENT AGENDA ITEMS 2-4 WITH THE CORRECTION TO THE MINUTES AS PRESENTED. THE MOTION CARRIED 4-0.**

**5. Community Service Acknowledgements**

This month's pillar of character was "Caring". Basalt Student Citizens of the Month included:  
**From Basalt Elementary:** Emallee Erickson and Emigdio Ramirez. (Emallee arrived later in the meeting and was given her Acknowledgement at that time; Emigdio Ramirez will be given his Acknowledgement at a future meeting.)

**From Basalt Middle School:** Kelli Kovach and Ethan Braine; and

**From Basalt High School:** Cintia Martinez and Matt Klahn.

**Citizen Comments for Items Not on the Agenda and Items Added to the Agenda After the Deadline**

Ken Everett, 560 Riverside Drive: In support of the RF Club expansion and annexation: Ken said he had spent a lot of time with Jim Light and other principles of the club, and felt they walked the talk about the community of Basalt and the environment. He thought the club was such a great place, letting the golf team practice there and hold their end of season tournament. They support many charities and are solid citizens.

Bill Efting was asked to read a letter from John Swanson, thanking Council for their prompt action toward increased police activity, etc. helping to stem the flow of speeders along Riverside Drive.

**Council Comments:**

Laurie Dows thanked the troop leaders and troop scouts involved in the Girl Scouts Peace Pole dedication. She felt projects such as the Peace Pole made Basalt an extra special place. She also thanked Leroy Duroux for including her in the proclamation during the Earth Day parade.

Glenn Rappaport asked how citizen comments get categorized...when a citizen comes to speak to an issue under Citizen Comments, and the issue involves a proposed or on-going project, how do those comments make it into the record or become part of the comment of a public hearing on a project. He was concerned that comments made under "Citizen Comments" carry the same weight as those made at a public hearing held for a specific issue. It was noted that staff makes note of the comments, the comments are part of the minutes, and there is a 'minutes' search engine that can conduct a key-word search to pull those minutes for review.

Leroy Duroux thanked Sunny Wilson and the kids at the high school who created the new batch of 'traffic calming' art signs. It is always creative the way they incorporate the speed limit concerns with their art.

Congratulations went to Tracy Bennett and the Roaring Fork Education Board for their fundraiser at the Roaring Fork Club. Also, the Mountain Regional Housing Corporation fundraiser at the Roaring Fork Club was well attended last Friday. The Roaring Fork Club was thanked for hosting those events.

Bill Efting and Leroy Duroux attended a meeting concerning Eagle County going home rule. Basically, one commissioner was against it, and 2 were in favor of it. All Commissioners were in favor of a public meeting on this side of the hill to discuss Eagle County and the home rule issue.

Leroy said he trespassed on the river park and said it was 'awesome – really amazing'. He said the end product was unbelievable as compared to the first time he walked back there seeing a trailer, tractor-trailer rig, dead motors and auto bodies. A formal dedication is forthcoming.

Anne Freedman noticed signs by the school indicating the distance to the Rio Grande Trail. The Mid-Valley trails group and public works made that happen.

Leroy said he'd spoken to one of the Girl Scout leaders who thanked Council for supporting the efforts of the Girl Scouts and for the Town Sharing funds.

Bill Efting reminded everyone of the river clean up to be held on Saturday, April 30. A pancake breakfast would be available for the volunteers.

**M/S COUNCILORS DOWS AND RAPPAPORT TO APPOINT TOM SMITH AS THE NEW TOWN ATTORNEY, AND DIRECT THE MAYOR AND ADMINISTRATOR TO NEGOTIATE DETAILS WITH TOM. THE MOTION CARRIED 4-0.**

Bill Efting noted that in the Manager's Comments section of the agenda, he would be listing the council's calendar for the next 2-3 months to help remind council of upcoming meetings, events, etc.

**6. First Reading of Ordinance No. 06, Series of 2005: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 8, Vehicles and Traffic, of the Municipal Code of the Town of Basalt, Colorado Adopting by Reference the 2003 Edition of the "Model Traffic Code For Colorado Municipalities," Repealing and Readopting the Schedule of Fines, Penalties, and Administrative Fees for the Police Department**

M/S COUNCILORS RAPPAPORT AND DOWS TO ADOPT ORDINANCE NO. 6, SERIES OF 2005, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AMENDMENTS TO CHAPTER 8, VEHICLES AND TRAFFIC, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO ADOPTING BY REFERENCE THE 2003 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES," REPEALING AND READOPTING THE SCHEDULE OF FINES, PENALTIES, AND ADMINISTRATIVE FEES FOR THE POLICE DEPARTMENT; AND SETTING THE PUBLIC HEARING AND SECOND READING FOR TUESDAY, MAY 10, 2005. THE MOTION CARRIED 4-0.

**7. First Reading of Ordinance No. 07, Series of 2005: An Ordinance of the Town Council of the Town of Basalt, Colorado Approving Amendments to Chapter 8, Vehicles and Traffic, of the Municipal Code of the Town of Basalt, Colorado Concerning the Adoption of Point Reduction Amounts as Set By the Colorado Revised Statutes**

M/S COUNCILORS RAPPAPORT AND DOWS TO APPROVE ORDINANCE NO. 07, SERIES OF 2005, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO APPROVING AMENDMENTS TO CHAPTER 8, VEHICLES AND TRAFFIC, OF THE MUNICIPAL CODE OF THE TOWN OF BASALT, COLORADO CONCERNING THE ADOPTION OF POINT REDUCTION AMOUNTS AS SET BY THE COLORADO REVISED STATUTES. THE MOTION CARRIED 4-0.

**8. First Reading of Ordinance No. 08, Series of 2005: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving an Amendment to Section 13-36 of the Municipal Code of the Town of Basalt (Concerning the adoption of Stage 1 Restrictions for the Irrigation Season and New Requirements to Implement Stage II Restrictions**

Deputy Town Manager noted this Ordinance amended the watering restrictions ordinance by amending the basis of stage 1 and stage 2 water restrictions, who can call for water restrictions, fines associated with violations and to allow for water service to be shut off if there were problems.

Anne Freedman expressed concern with the use of water to wash down sidewalks and driveways. Betsy indicated that staff didn't want to restrict the use if it was being used conscientiously. Leroy said he had not observed anyone abusing water for cleaning sidewalks or driveways. Anne asked that perhaps the new brochures could encourage the conservation aspects whenever possible, and perhaps the ordinance could include a requirements that the hoses used to wash driveways, sidewalks, home car washing, etc., be equipped with an auto shut-off nozzle, so water wouldn't be allowed to flow freely and wastefully.

Glenn Rappaport wondered if there was some way to create incentives for those who were doing well and making strides in water conservation. He also felt the need to continue to educate people that this is a high desert environment and water needs to be conserved. Bill Efting noted that the greatest incentive for conservation were the lower water rates.

**M/S COUNCILORS FREEDMAN AND DOWS TO APPROVE ORDINANCE NO. 8, SERIES OF 2005, ON FIRST READING, AN ORDINANCE AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AN AMENDMENT TO SECTION 13-36 OF THE MUNICIPAL CODE OF THE TOWN OF BASALT (CONCERNING THE ADOPTION OF STAGE I RESTRICTIONS FOR THE IRRIGATION SEASON AND NEW REQUIREMENTS TO IMPLEMENT STAGE II RESTRICTIONS), AND TO SET THE PUBLIC HEARING AND SECOND READING FOR MAY 10, 2005. THE MOTION CARRIED 4-0.**

**9. First Reading of Ordinance No. 09, Series of 2005: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving an Amendment to Section 13-47 of the Municipal Code of the Town of Basalt (Concerning the adoption of water rates by ordinance)**

Betsy Suerth explained that the Town needed an ordinance rather than a resolution to amend and adopt water rates, in order to comply with the Town Charter.

Anne Freedman said she didn't approve of the 'seniors' discount, simply because they were seniors; she felt need should be proven as well. Bill Efting said that very few people apply for the senior water rates.

**M/S COUNCILORS RAPPAPORT AND DOWS TO APPROVE ORDINANCE NO 9, SERIES OF 2005, ON FIRST READING, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, APPROVING AN AMENDMENT TO SECTION 13-47 OF THE MUNICIPAL CODE OF THE TOWN OF BASALT (CONCERNING THE ADOPTION OF WATER RATES BY ORDINANCE); AND TO SET THE PUBLIC HEARING AND SECOND READING FOR MAY 10, 2005. THE MOTION CARRIED 4-0.**

**10. Public Hearing and 2<sup>nd</sup> Reading of Ordinance No. 05, Series of 2005: Ordinance of the Town Council of Basalt, Colorado, Approving an Amendment to the Final Development Plan PUD Control Document for Willits Town Center (Regarding Process for Bulkhead Heights) and Approving Height Variance for a Clock Tower on Block 5, Willits Town Center and Approving a New Plat for Filing No. 5, Willits Town Center.**

Glenn Hartmann explained there were extremely minor edits made to the Ordinance and the TRC companion document concerning height clarification, and language clarifying flag size. There is a draft plat to which there are some ongoing edits. Staff recommended adoption at second reading.

Mayor Duroux opened the public hearing at 7:05 p.m. There were no public comments. The public hearing was closed.

**M/S COUNCILORS RAPPAPORT AND FREEDMAN TO ADOPT ORDINANCE NO. 05, SERIES OF 2005, ON SECOND READING, AN ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN PUD CONTROL DOCUMENT FOR WILLITS TOWN CENTER (REGARDING PROCESS FOR BULKHEAD HEIGHTS) AND APPROVING HEIGHT VARIANCE FOR A**

**CLOCK TOWER ON BLOCK 5, WILLITS TOWN CENTER AND APPROVING A NEW PLAT FOR FILING NO. 5, WILLITS TOWN CENTER. THE MOTION CARRIED 4-0.**

**11. Basalt Willits Trail Connection: Enhancement Grant Contract**

Tom Newland and Betsy were present to address this item with Council. CDOT is moving forward with the Maroon Creek Replacement Bridge. The Town could begin putting in a bridge later summer of fall of this year; Betsy and Tom were anticipating a 2005-2006 project. An engineering firm and design firm, including landscaper architects, have been selected, but notice to proceed cannot be given until the contract is signed.

**M/S COUNCILORS DOWS AND RAPPAPORT TO AUTHORIZE THE MAYOR’S SIGNATURE ON THIS CONTRACT. THE MOTION CARRIED 4-0.**

Betsy stated for the record that staff had received advice that this was an administrative action not requiring a resolution.

Glenn Rappaport raised the issue of parking on the other side of the street from the Post Office with some parallel parking. The parking on the Post Office side is awkward when coming into town and wanting to pick up mail and then trying to proceed through to town. Also, the skateboard kids become criminals if they park on that side of the street.

Betsy noted that the right of way was not the Town’s yet, but will be dedicated in the future when that parcel develops.

Betsy noted there may be flaggers on the Frying Pan Road in the next day or two. A developer has paid for soils and stabilization engineers to look at a piece of land above the road.

**M/S COUNCILORS FREEDMAN AND RAPPAPORT TO ADJOURN THE MEETING. THE MOTION CARRIED 4-0.**

The meeting adjourned at 7:20 p.m.

The minutes of the April 26, 2005 meeting were read and approved this 10<sup>th</sup> day of May, 2005.

**TOWN OF BASALT**

**ATTEST:**

By: \_\_\_\_\_  
Mayor Leroy Duroux

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Pamela K. Schilling, Town Clerk