



**BASALT TOWN COUNCIL
MEETING MINUTES – TUESDAY, SEPTEMBER 24, 2019**

Basalt is an inclusive, sustainable, mountain community that boasts both historic charm and progressive vision. It is an engaging place to live, work and play while offering an abundance of creative, professional, educational and recreational outlets.

5:00 PM WORKSESSION/JOINT MEETING WITH PITKIN COUNTY BOCC

Present were Mayor Jacque Whitsitt and Councilors Auden Schendler, Bill Infante, Katie Schwoerer, Gary Tennenbaum and Jennifer Riffle. Basalt staff present were Town Manager Ryan Mahoney, Planning Director Susan Philp and Assistant Planning Director James Lindt. Also present were Pitkin County Commission Chair Greg Poschman, and Commissioners Patti Clapper, Kelly McNicholas Kury, Steve Child and George Newman. Also present were County Manager Jon Peacock, Lisa MacDonald Program Manager for Pitkin County Healthy Rivers and Streams, Sheri Sanzone of Bluegreen, Chris Lehrman of SGM and Chad Federwitz of Pitkin County Senior Service.

Items discussed were the Whitewater Park, Mountain Family Health, and the Aging Well Plan for Seniors

A brief recess was held at approximately 5:50 pm.

REGULAR MEETING

1. CALL TO ORDER AND ROLL CALL

Mayor Whitsitt called the regular meeting of the Basalt Council to order at 6:02 pm on Tuesday, September 24, 2019. Council members present were Mayor Jacque Whitsitt, Council members Jennifer Riffle, Katie Schwoerer, Bill Infante, Gary Tennenbaum and Auden Schendler.

2. CONSENT AGENDA

2A. Minutes: September 10, 2019

2B. Resolution No. 37, Series of 2019: Opposing Expansion of the Mid-Continent Quarry, AKA the Transfer Trail Mine, and Supporting County Regulation of the Mine (Ryan Mahoney)

M/S COUNCILORS SCHENDLER AND TENNENBAUM TO APPROVE THE CONSENT AGENDA ITEMS.

Town Manager Ryan Mahoney offered a brief explanation of the Resolution.

THE MOTION CARRIED 6-0 WITH KATIE SCHWOERER ABSTAINING ON JUST THE MINUTES PORTION OF THE CONSENT AGENDA AS SHE HAD NOT BEEN PRESENT FOR THAT MEETING.

3. CALL TO THE PUBLIC

3A. Positive Comments and Gratitudes about Basalt

3B. At this time members of the public are invited to address the Town Council on any issue, except for items scheduled for a Public Hearing at this meeting.

There were no public comments offered this evening.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Bill Infante offered a big shout-out to Chief Knott and his team who hosted Bill and 2 visitors from Serbia who were enforcement officials. They were able to do a ride-along with officers and observe a traffic stop and arrest. They were also able to talk about law enforcement in their respective countries.

Bill Infante said he had attended a State of the State Business Lunch where an overview of the 2019 Legislative Session was given in addition to an update on tourism by Colorado Office of Tourism Director Cathy Ritter. Bill said the biggest takeaway was in the tourism data indicates that Colorado communities that commit to sustainability see higher tourist numbers. They also discussed the value of being a creative district; Bill said he would love to look at what it would take for Basalt to become one.

Katie Schwoerer said that knowing we are pushing forward on dealing with carbon and climate, she would like Council to buy in on having vegetarian dinners only. She indicated that the Clerk who arranges the meals was on-board. Council general consensus was to go for vegetarian meals only. It was suggested that P&Z would try a vegetarian menu as well.

Jenn Riffle reported on the Crown Mountain Board meeting:

A joint meeting with Eagle County Commissioners at which discussion was held to look at the intersection at Crown Mountain Park and changing the methodology of changing the improvement to the intersection. Eagle County is approaching all affected parties to contribute to the contingency fund to help fund this intersection. That will likely come to TOB as a participant.

Jenn noted that the Crown Mountain Board was actively pursuing the concept of a field house of around 60,000 sf to be built within the District. It would primarily be used as an indoor recreation area with astro turf and rooms for practice of indoor soccer, whiffle ball, gymnastics. Crown Mountain is working on their strategic plan and capital improvement plan that would include a \$1.5 million bike track to be built near City Market. The fall soccer tournament doesn't sound like it is going to go forward; this could save the Town \$2000 for use elsewhere.

5. MANAGER'S REPORT

Ryan updated Council on the Emergency Watershed Protection projects. Currently, there are three crews working on Basalt Mountain at Cattle Creek, Cedar Road working on Center Creek, and today they did the final concrete pour at Cedar and Pinon. The asphalt is due tomorrow which should complete that project later this week. Ryan reported that we have all the

approvals from the NRCS (Natural Resources Conservation Service) for completing those projects. Our intent is to complete the hill district projects by October 27, the original completion date. However, we have requested a 2 month grant extension due to a late project identified in the El Jebel area on BLM lands; this project would help protect the mobile home park. Projects completed to date include the Walker's horse pasture, the big basin above town held a lot of debris and Eagle County will go and muck it out and seed the hillside up there; and the Tree Farm had a large project that has been completed as well. There was an original survey damage report that identified some 30 projects, but not all of those projects were going to be built by us; that was just an initial report. We hope to be done with our identified projects in a month's time.

5A. COPs – Pricing and Winning Bid Information

Town Manager Ryan Mahoney, Christy Hamrick and Bruce Kimmel have been working to secure the bank the Town will use for the Certificates of Participation that will be the source of the money for our TABOR refunds. Bruce Kimmel (via phone) described the RFP process, the evaluation criteria and outlined the top proposals identified for consideration. The Town Manager had previously been authorized by Council to make the final decision on the bank. Vectra Bank out of Denver offered very favorable rates and conditions.

6. Discussion and Action on Sustainability Item – Basalt Green Team

6A. Community Office for Resource Efficiency: Presentation from CORE: 2017 Greenhouse Gas Inventory and Proclamation Declaring October 16, 2019 CORE Day in the Town of Basalt (Phi Filerman/ Katie Schwoerer/Sara Nadolny)

Staff Planner Sara Nadolny, Mona Newton Executive Director of CORE (Colorado Office of Resource Efficiency), Phi Filerman Community Sustainability Coordinator. Other members and supporters of the Green Team were present: Doug Goldsmith of Mountain Waste, Amanda Poindexter Full Circle Construction, Mary Weiner of Holy Cross Energy and Jeff Dickinson of Biospace.

The 2017 Greenhouse Gas Emissions Inventory Report was reviewed.

The Council read the Proclamation declaring October 16 CORE Day in the Town of Basalt, Colorado. This is part of the celebration of the 25th anniversary of CORE.

Council discussion followed.

6B. Discussion with Green Team: 2020 Work Program and Budget

Staff Planner Sara Nadolny was present with Amanda Poindexter and Doug Goldsmith to discuss the Green Team's 2020 work program and budget, and seek direction from Council on their identified projects.

Council discussion followed. Council generally was on-board with the direction of the Green Team, though asked for an update if the list of budget items were to change or be refined. Also Council appreciated all the items being on one list.

6C. First Reading of Ordinance No. 25, Series of 2019: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 18, Building Regulations, of the Municipal

Code of the Town of Basalt Regarding the Renewable Energy Mitigation Program (REMP), Sustainable Building Regulations and Miscellaneous Clean Up Items and Amending the Town's Fee Schedule

Staff Planner Sara Nadolny, Amanda Poindexter of Full Circle Construction, and Jeff Dickinson of Biospace were present to discuss some clean up amendments to the Sustainable Building Regulations (SBR).

The Green Team is interested in bringing more sustainable amendments to the SBR in 2020. Amanda Poindexter, aided by Jeff Dickinson, made a presentation of the proposed amendments to the SBR adopted last August. Revisions were made to the REMP (Renewable Energy Mitigation Program) fees to make them more legible and understandable.

M/S COUNCILORS RIFFLE AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO 25 SERIES OF 2019 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR OCTOBER 8, 2019. THE MOTION CARRIED 6-0.

7. COUNCIL ACTIONS

7A. Public Hearing and 2nd Reading of Ordinance No. 19, Series of 2019: An Ordinance of the Town Council of Basalt, Colorado, Approving a License and Indemnity Agreement for the Installation and Maintenance of Electric Vehicle Charging Stations in the Gisella Way Right-of-Way Adjacent to the Basalt Regional Library, 14 Midland Avenue, Basalt, Colorado

Assistant Planning Director James Lindt and Basalt Regional Library representative Cathy Click were present to discuss this item with Council. Cathy Click indicated that the library was looking into adding a fast charger in addition to the 2 EV2 chargers to their application. No changes have been made to the ordinance since first reading.

Mayor Whitsitt opened the public hearing at 7:25 pm. There were no comments and the public hearing was closed.

M/S COUNCILORS RIFFLE AND SCHENDLER ADOPT ORDINANCE NO. 19, SERIES OF 2019 ON SECOND READING. THE MOTION CARRIED 6-0.

7B. Public Hearing and 2nd Reading of Ordinance No. 20, Series of 2019: An Ordinance of the Town Council of the Town of Basalt, Colorado, Designating Off-Leash Areas for Dogs

Town Manager Ryan Mahoney and Police Chief Greg Knott updated the Council on the amendments made to the Ordinance (highlighted in yellow in the packet) for second reading. Some leash-free areas were refined and Lion's Park was added to be a leash-free area. Clarification was also made about dogs on leash during special events.

Mayor Whitsitt opened the public hearing at 7:27 pm. There were no comments and the public hearing was closed.

Jennifer Riffle commented that she would like to see enforcement of this leash law be lax; the community has policed itself very well in the past. Jenn said this was a robust and friendly dog community that seems to be 'walkin' it's own dog' and she hoped we could continue along that path; and that we can all understand this without having the public come in and complain about enforcement and ticketing. Mayor Whitsitt said what she heard was there would be some

education and gradual enforcement; but this wouldn't have been brought forth if there wasn't some need expressed in the community.

M/S COUNCILORS SCHWOERER AND SCHENDLER THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 20, SERIES OF 2019 ON SECOND READING. THE MOTION CARRIED 6-0.

7C. Public Hearing and 2nd Reading of Ordinance No. 21, Series of 2019: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Final Site Plan Approval for the Construction and Operation of the Arts Campus at Willits (TACAW) on the Town Park-Arts Center Tract Parcel Located in Willits Town Center

Staff Planner Sara Nadolny was present with Ryan Honey and other members of the TACAW team to discuss this item with Council. Sarah outlined the changes made to the building size and location on the parcel, and discussed the screening change made to the open space made since first reading. Ryan Honey noted a letter that outlined the compromise on the screening of the open space area and hoped Council agreed with where it landed.

Mayor Jacque Whitsitt opened the public hearing at 7:35 pm. There were no public comments and the hearing was closed.

Council members commented on the amendments supporting the hedge screening.

M/S COUNCILORS INFANTE AND TENNENBAUM THAT THE TOWHN COUNCIL ADOPT ORDINANCE NO. 21, SERIES OF 2019 ON SECOND READING. THE MOTION CARRIED 6-0.

7:40 7D. Public Hearing for Approval of a Retail/Recreational Marijuana License for Down Valley HYH, LLC., dba Goodpeople, to be located at Unit #210, 175 Midland Avenue, Basalt

Town Clerk Pam Schilling introduced applicants Kale Lacroux and Justin Streeb, Down Valley HYH dba Goodpeople and outlined the findings necessary for Council to approve a new recreational marijuana license. Comments by the investigating agencies were noted. It was stated that no license would be released until such time as all concerns from the investigating had been met and CO issued. Kale Lacroux spoke briefly about their plans to finalize the space above their Medical Marijuana store and open their Recreational Marijuana Store.

Mayor Whitsitt opened the public hearing at 7:41 pm. There were no public comments and the hearing was closed.

MS/ COUNCILORS SCHENDLER AND TENNENBAUM THAT THE TOWN COUNCIL APPROVE A NEW RETAIL/RECREATIONAL MARIJUANA LICENSE FOR DOWN VALLEY HYH, LLCM DBA GOODPEOPLE, TO BE LCOATED AT UNIT #210, 175 MIDLAND AVENUE, BASALT, COLORADO. THE MOTION CARRIED 4-0-2 WITH KATIE SCHWOERER AND JENNIFER RIFFLE ABSTAINING.

7E. Public Hearing and 2nd Reading of Ordinance No. 22, Series of 2019: An Ordinance of the Town Council of the Town of Basalt, Colorado, Creating a Special Fund Account for Restricted Revenue Funds

Finance Director Christy Hamrick noted this was very similar to first reading, though an amendment was made by the Town Attorney to Section 4-42 to add the words “Except as otherwise required by law, all interest and income from the assets of any fund may be transferred to the General Fund.”

Mayor Whitsitt opened the public hearing at 7:45 pm. There were no public comments and the hearing was closed.

M/S COUNCILORS INFANTE AND SCHWOERER THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 22, SERIES OF 2019 ON SECOND READING. THE MOTION CARRIED 6-0.

7F. First Reading of Ordinance No. 23, Series of 2019: An Ordinance of the Town Council of Basalt, Colorado, Approving an Easement Agreement with Holy Cross for the Installation of Transformers and Underground Power Lines on Parcel 2E, of the Sopris Meadows Subdivision/ PUD, Basalt, Colorado

Assistant Planning Director James Lindt explained the need for, and placement of, the transformers and underground power lines on Parcel 2E in this Ordinance before Council.

Council discussed their desire to better understand what these transformers look like, where transformers have previously been placed, whether the town is appropriately compensated for the public property being used, how the town has handled similar requests in the past, and what alternative there might be – if not on 2E, where?

M/S COUNCILORS SCHENDLER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 23, SERIES OF 2019 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR OCTOBER 8, 2019. THE MOTION CARRIED 6-0.

8. Executive Session

M/S COUNCILORS TENNENBAUM AND SCHWOERER THA THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR A CONFERENCE WITH THE TOWN’S ATTORNEYS FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS IN ACCORDANCE WITH C.R.S. 24-6-02(4)(B); MORE SPECIFICALLY CORRESPONDENCE FROM BENEZRA & CULVER PC AND TORT NOTICE RELATED TO MICHAEL SCANLON. THE MOTION CARRIED 6-0.

Council entered Executive Session at 7:54 pm.

Council adjourned the Executive Session at approximately 8:45 pm.

9. INFORMATION AND CORRESPONDENCE

- 9A. Accounts Payable
- 9B. Advanced Agendas
- 9C. Correspondence to the Town
- 9D. Sales Tax Report – August 2019

10. ADJOURN

The meeting adjourned approximately 8:45 pm.

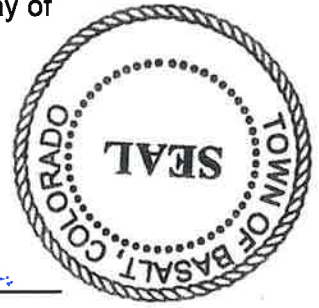
The minutes of this September 24, 2019 meeting were read and approved this 8th day of October, 2019.

BASALT TOWN COUNCIL:

By: 
Jacque Whitsitt, Mayor

ATTEST:


Pamela Schilling, Town Clerk



This meeting can be viewed in its entirety at:
<https://townofbasalt.ompnetwork.org/sessions/115215?embedInPoint=1&embedOutPoint=10793&shareMethod=link>