

**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Minutes**  
**Tuesday, February 18, 2014**  
**Council Chambers, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 7:10 p.m.

Council members present: Roland Mason, Jim Schmidt, Chris Ladoulis, and Glenn Michel.

Staff present: Todd Crossett, Town Manager; John Belkin, Town Attorney and Shelley Jansen, Town Clerk.

Staff present for part of the meeting: Jake Jones, Parks and Recreation Director and Lois Rozman, Finance Director.

**APPROVAL OF AGENDA**

Add Executive Session For the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators, Under C.R.S. Section 24-6-402(4)(e).

Schmidt moved and Mason seconded to approve the agenda with the addition of an executive session before item 2 of old business.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

**CONSENT AGENDA**

- 1) Approval of February 3, 2014 Minutes.
- 2) Resolution No. 2, Series 2014-A Resolution Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for the completion of the Crested Butte Town Park Tennis Court Renovation Project.
- 3) Resolution No. 3, Series 2014-A Resolution Supporting the Grant Application for a Local Parks and Outdoor Recreation Planning Grant from the State Board of the Great Outdoors Colorado for the Big Mine Park Master Site Plan.

Schmidt moved and Mason seconded to approve the consent agenda.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

**PUBLIC COMMENTS**

Gabe Martin-Martin thanked Town Attorney Belkin in finding the Tilton Safety Group. Martin asked the town if they can help pay \$1,500 towards the barriers.

Councilman Schmidt asked if we could still use snow and Town Manager Crossett stated that if there is a foot of snow we could use it.

Council agreed to discuss later under other business to come before the council.

## **STAFF UPDATES**

Lois Rozman-

- 4<sup>th</sup> quarter budget summary is in the e-packet.
- Finalist's interviews for the Planner position will be on Thursday, February 20 and there will be a meet and greet luncheon in Town Council Chambers from 11:15 a.m.-12:45 p.m.

Shelley Jansen-

- Introduced Ginger Michna in the audience as a Western State Colorado University Student who is doing a shadow with the Clerk's office and Town Hall.
- Sidewalk Seating Timeline: Applications out-March 7<sup>th</sup>, Application due to Town March 28<sup>th</sup> and will be presented to council on April 21<sup>st</sup>.

Tom Martin-

- Snow is keeping the Marshal's Office busy and the tows are at an all time high. Schmidt asked about the increase in cost of towing and Martin stated there haven't been as many complaints.

Jake Jones-

- In 2013 there were 220 Parks and Recreation volunteers with over 6,000 hours of service.

Todd Crossett-

- Received many positive comments from the community on the snow removal of the streets.
- Tilton Safety Group report came back in regards to the Big Air on Elk special event and most of the recommendations were to formalize the processes. On the snowmobile side the recommendation is to expand barriers to deflect the snowmobile and to protect the spectators. Lacy has jersey barriers and has offered them for the event organizer to use. Lacy just asked for the cost of labor (placement and removal) which is approximately \$1,500.

## **LEGAL MATTERS**

1) Ratification of Emergency Ordinance No. 1, 2014 - An Emergency Ordinance Authorizing the Purchase of Unit B, Redwell Townhouses, Town of Crested Butte.

Mayor Huckstep asked if proper public notice has been given and Town Clerk Jansen stated yes.

Mayor Huckstep asked the Town Attorney to explain the priority of the emergency ordinance. Town Attorney Belkin stated that the property was going to foreclosure on to a Feb. 12, 2014 sale and the owner at last minute went into bankruptcy protection. It is important to have this approved when the property does go into foreclosure.

Mayor Huckstep opened the public hearing.

Mayor Huckstep asked if there were any public comments.

No comments.

Mayor Huckstep closed the public hearing.

Schmidt moved and Mason seconded to approve emergency ordinance no. 1, series 2014 as stated above.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

2) Ordinance No. 2, Series 2014 – An Ordinance Amending Chapter 2, Article 2 of the Crested Butte Municipal Code to Remove the Requirement that Regular Town Council Meetings be Held at 7:00 p.m. on the First and Third Mondays of Each Month and Instead be Held at Such Time as the Town Council Shall Elect from Time-to-Time on the First and Third Mondays of Each Month.

Mayor Huckstep asked if proper public notice has been given and Town Clerk Jansen stated yes.

Mayor Huckstep opened the public hearing.

Mayor Huckstep asked if there were any public comments.

No comments.

Mayor Huckstep closed the public hearing.

Michel moved and Ladoulis seconded to approve ordinance no. 2, series 2014 as stated above.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

## **NEW BUSINESS**

1) Crested Butte/Mt. Crested Butte Chamber Update - Dan Marshall, Director of the Chamber.

Dan Marshall, Director of Chamber stated that he will be leaving the Chamber in early July. He expressed his pleasure of working with the Town. Marshall stated that the Chamber Board has a timeline of selecting the new Director and Marshall stated that he will be training the new person. Marshall has also received many local inquiries.

Marshall stated that the Chamber Visitor Center is financially supported through the BOLT fee. There are 3 visitor centers-Mt. Crested Butte/Crested Butte and Gothic (11,000 face to face encounters-summer only). Marshall stated that Gothic (RMBL) partnered with the Chamber to pay for ½ of the salaries of the employees who staffed the facility.

Marshall also stated that the Chamber is working on trying to increase membership, due to a decline. The Chamber is also continuing to pay down the debt at the bank. This year the debt will be dropped down to \$35,000 in 2014 from \$50,000. Marshall also keeps track of 5 social media sites. There are 5,000 visitors in Mt. Crested Butte year around and 11,000 in Gothic and numerous contacts in Crested Butte. The Chamber is looking at moving the phone calling center to Mt. Crested Butte in the summer, due to lack of face to face contacts.

Marshall stated that they are anticipating 15,000 people being involved with the 4<sup>th</sup> of July weekend. There will be live music, partnering up with CB Music Festival for events, larger beer garden, and other activities to engage the attendees.

Marshall also stated that the Chamber was also asked to add the Mardi Gras Parade and other various events. The main goal of the chamber is to add economic impact to the town. Other programs the chamber does are After Hours, Social Media Boot Camp Workshops and others will be added.

Marshall stated that the Community Summits were started in Crested Butte and have been completed in Mt. Crested Butte and CB South/Skyland/Riverland.

Some of the findings:

Town-not in any special order

1. School/Education
2. Safety
3. Non-profits
4. Summer
5. Children Programs

Mt. CB-not in any special order

1. Generosity of second homeowners
2. Education/School System
3. Nature
4. Maintenance of trails including CBMR, Nordic, and CBMBA biking trails
5. Guest services and CBMR, and visitors having good experience with people

CB South (Skyland and Riverland)-not in any special order

1. HCCA/Red Lady
2. School System
3. Sense of Community
4. No runaway Growth
5. Access to wilderness

Next Community Summit meeting will be on March 12, 2014 at Mt. Square  
Third meeting will be held in late May with local officials.

2) Approval of an Application from the Town of Crested Butte to be a Certified as a Creative District in the State of Colorado, Jenny Birnie, Director of Center for the Arts.

Jenny Birnie, Director of Center for the Arts explained that her request last year was turned down, due to trying to approve Gunnison County as an Art District and with feedback found out it was too large of an area. Now, it will only be the Town of Crested Butte. Councilman Ladoulis asked if this distinction will affect the way the town does business and Birnie stated no.

Councilman Schmidt asked about the Big Mine Ice Arena and why it is not included. Birnie stated that it needs to be limited to the Elk Avenue core and we can always expand once we have received the approval.

Michel moved and Schmidt seconded to approve the letter of support to designate the Town Crested Butte as a Certified Creative District in the State of Colorado.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

3) GOCO Grant Support for Whitewater Park in Gunnison, Colorado, Marlene Crosby. Marlene Crosby, Deputy County Manager, Public Works Director and a member of the Riverfest Board. Riverfest will be on June 20-22, 2014.

Crosby stated that recreation has no boundaries within the valley and the County is looking at \$600,000 in costs to improve the structure of the White Water Park. The Riverfest Board decided to move forward with a matching GOCO grant for \$300,000 and reaching out to other communities for a level of support and/or a cash contribution. The following entities have contributed-Western \$3,000, City of Gunnison \$3,000, Gunnison River Festival \$5,000, Gunnison County \$31,000, Gunnison County In-Kind \$90,200 and 1% For Open Space \$5,000.

Councilman Ladoulis asked about how many people use the facility and Crosby did not have any numbers. Crosby stated that it is challenging gathering the stats for this area.

Councilman Michel asked about the GOCO grant cycle limitations and competition for a limited amount of funds. Parks and Recreation Director Jones stated that we should support this project and the project will be awarded on its own merits.

Mason moved and Ladoulis seconded to submit a letter of support for financial needs to make improvements at the Whitewater Park in Gunnison for the GOCO Grant process.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

## **OLD BUSINESS**

1) Continued Discussion and Possible Action Regarding Revising the Crested Butte Municipal Code to Amend the Town's Requirements on the Open Carry of Firearms.

Ann Johnston, Land Trust Director stated that she was present one behalf of the Land Trust, in regards to open carry lay with the easements that are owned by the Town.

John Wirsing, Crested Butte resident stated that this seems like a simple housekeeping measure. Wirsing stated that a tool such as a hammer kills more than guns. Responsible gun ownership is important and having the freedom to do so is what our country was found on. There are so many cases where a responsible gun owner takes care of a negative situation without numerous casualties. Wirsing asked the council to not fall into Medias scare tactics.

Al Vogel, retired physician and psychiatrist from Crested Butte stated that hand guns in homes are more related to injuries/fatalities, compared to homes that do not have hand guns. Vogel stated that there is an increase of suicides in homes with guns and guns are the most lethal form of suicides. Vogel also stated that injuries to children are increased in homes that have guns.

Vogel stated that faculty are not comfortable with students and hand guns in schools. Vogel also stated that he has discussed with airline pilots that they are not comfortable with guns in the cockpit.

Nils Freeman submitted an inquiry e-mail to Marshall Tom Martin and wanted to know if he could carry a gun when he walks his dog.

Mayor Huckstep asked if we need to change the law and Marshall Martin stated that we should change the law in the code.

Discussion ensued on where to allow or not allow open carry on town property.

Marshall Martin stated that the state will request town to sign off on certain properties if they are going to restrict open carry.

Mayor Huckstep asked how many open carry violations have been given out in the past 5 years and Marshall Martin said zero.

Councilman Schmidt stated that there have been various situations he has observed and if there was a gun the situation would have ended differently. Councilman Schmidt would like to restrict on certain town properties, buildings and town parks. Councilman Schmidt asked how the Land Trust feels about the open carry on easement property. Ann Johnston stated that she would like to reserve her comments until the public hearing.

Councilman Ladoulis agrees with Councilman Schmidt's restrictions on certain town properties.

Councilman Michel agrees with Councilman Schmidt's restrictions on certain town properties.

Councilman Mason stated that we should just strike it out of the code and no restrictions.

Mayor Huckstep stated that we should set the tone on town property.

Council directs the staff to adopt an ordinance to prohibit open carry in town hall and list other options of town property.

### **EXECUTIVE SESSION**

For the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategy for Negotiations, and/or Instructing Negotiators, Under C.R.S. Section 24-6-402(4)(e).

Schmidt moved and Michel seconded to go into an executive session.  
A roll call vote was taken with all voting "Yes." **Motion Passed.**

Council went into executive session at 9:07 p.m. and ended at 9:46 p.m. Mason, Huckstep, Schmidt, Michel, Ladoulis, Town Manager Crossett and Town Attorney Belkin attended the executive session. No action was taken.

## 2) Discussion and Possible Action Regarding U.S. Energy Corp's Amended Voluntary Cleanup Plan Application for the Historic Keystone Mine.

Mayor Huckstep stated that US Energy has submitted another revised VCUP as of January 31, 2014 and the Town has opportunity to respond within 45 days. Councilman Mason stated that we should talk to US Energy before submitting a letter requesting information.

Discussion ensued about a response to the amended VCUP application by US Energy and the staff will work on the response within the next 30 days. Town Attorney Belkin stated that any entity would have to go through a Watershed Ordinance.

Mayor Huckstep stated that in lieu of the letter the council is requesting our Town Attorney to organize a discussion with US Energy requesting information before a proposal can be made on behalf of the community (including Red Lady, High Country Citizen Alliance and Coal Creek Coalition).

Coal Creek Coalition recommended hiring three experts- a ground water hydrologist, GEO Chemist and an Engineer Firm.

### **LEGAL MATTER**

Town Attorney Belkin stated that he will keep council updated of the status of the affordable housing unit, in regards to the emergency ordinance.

Attorney Belkin is researching insurance options from other municipalities.

### **COUNCIL REPORTS AND COMMITTEE UPDATES**

Ladoulis –

- Chamber Board meeting discussion ensued about a board position on the Tourism Association. The Chamber has lost about 90 members and is trying to increase membership.

Mason-

- Washington Post had an article about our 7 feet of snow.

Michel-

- German tourists were in town with the Tourism Association
- ORE is working with youth councils to ban plastic bags.
- The Sonoran group will meet and strategize county goals.

Huckstep-

- Gabe Martin mentioned that Aaron Blunck received 7<sup>th</sup> place in the Olympics.
- Last Wednesday-Friday Mayor Huckstep attended a course down in Gunnison about recovery in a state of emergency, by Scott Morrill.
- Acknowledged thank you letters in the e-packet.

Schmidt-

- Received many comments and questions from visitors about the Marijuana laws.

### **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

Karl Fulmer, Housing Authority Director received \$250,000 from the County and gave Mayor Huckstep a letter to sign with approval from the council.

Michel moved and Schmidt seconded to submit a letter of support for the Caddis Flats affordable housing project.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

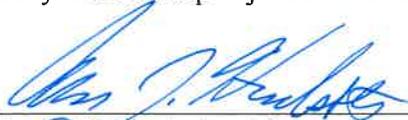
**DISCUSSION TO SCHEDULE FUTURE WORK SESSION TOPICS**

None

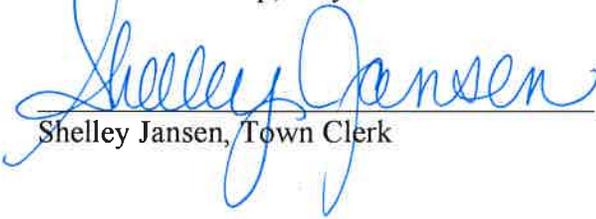
**COUNCIL MEETING SCHEDULE**

Monday, March 3, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, March 17, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, April 7, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, April 21, 2014-6 p.m. Work Session-7 p.m. Regular Council

Mayor Huckstep adjourned the meeting at 10:20 p.m.



Aaron J. Huckstep, Mayor



Shelley Jansen, Town Clerk

(SEAL)

