



Critical to our success is an engaged community and knowledgeable and experienced staff.

Town Council Values

- *Preserve our high quality of Life*
- *Resource Efficiency/ Environmental Stewardship*
- *Support a sustainable and healthy business climate*
- *Maintain a “real” community*
- *Fiscally Responsible*
- *Historic Core*

AGENDA
Town of Crested Butte
Regular Town Council Meeting
Tuesday, September 2, 2014
Council Chambers, Crested Butte Town Hall

6:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

6:02 APPROVAL OF AGENDA

6:03 CONSENT AGENDA

- 1) Approval of August 25, 2014 Minutes

6:05 PUBLIC COMMENTS

Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.

6:20 STAFF UPDATES

6:40 PUBLIC HEARING

- 1) Ordinance 11, Series 2014 – An Ordinance Amending Chapter 16, Article 18 of the Crested Butte Municipal Code to Include Regulations for the Allowance of Signs on Public Property where Certain Conditions Are Met.

- 2) Discussion and Possible Action on Application for Certification of Elk Avenue Promotional Association, Inc. Pursuant to Section 6-7-40 of the Crested Butte Municipal Code.

- 3) Discussion and Possible Action on Application by Elk Avenue Promotional Association, Inc. for Designation of a Common Consumption Area between First and Fourth Streets for September 5-7, 2014 Pursuant to Section 6-7-30 of the Crested Butte Municipal Code.

- 4) Discussion and Possible Action on Special Event Liquor Permit for Crested Butte/Mt Crested Butte Chamber of Commerce for September 5- 7, 2014 in the 100, 200, and 300 Blocks of Elk Avenue, Including Alley to Alley on Each Side *(if necessary)*.

7:00 NEW BUSINESS

- 1) Discussion and Possible Approval of the Vinotok Special Event Permit for September 19 and September 20, 2014 Affecting the 100 Block of Elk Avenue on September 19th and the Chamber Lot and Elk Avenue on September 20th.

- 2) Discussion and Possible Action Regarding Letter of Support for Fund Raising Effort for the Center for Arts for a New Arts Facility Located at Lots 6,7,8,9,10 and 11, Block 50, Crested Butte.

7:30 LEGAL MATTERS

7:45 COUNCIL REPORTS AND COMMITTEE UPDATES

8:00 OTHER BUSINESS TO COME BEFORE THE COUNCIL

**8:30 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS
AND COUNCIL MEETING SCHEDULE**

- Monday, September 15, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, October 6, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, October 20, 2014 – 6:00PM Work Session – 7:00PM Regular Council

9:00 ADJOURNMENT

9:05 WORK SESSION

With Michael Yerman regarding the Creative District

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, August 25, 2014
Jerry's Gym, Crested Butte Town Hall

Mayor Huckstep called the meeting to order at 6:02PM.

Councilmembers Present: Jim Schmidt, David K Owen, Glenn Michel, Roland Mason, Shaun Matuszewicz, and Chris Ladoulis

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, Town Clerk Lynelle Stanford (for the duration of the meeting)
Chief Marshal Tom Martin, Public Works Director Rodney Due, Finance Director Lois Rozman, Parks and Recreation Director Janna Hansen, Town Planner Michael Yerman, and Building and Zoning Director Bob Gillie

Approval of the Agenda

Under New Business, Item #4, Discussion and Possible Action Regarding Letter of Support for Fund Raising Effort for the Center for Arts for a New Arts Facility Located at Lots 6,7,8,9,10 and 11, Block 50, Crested Butte, was removed from the agenda and continued until September 2, 2014. Belkin requested Items #1 and #2 be combined under the Public Hearing.

Schmidt moved and Mason seconded a motion to approve the agenda as amended. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Consent Agenda

Schmidt moved and Ladoulis seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Public Comments

None

Staff Updates

Lois Rozman

- Referred the Council to the 2nd Quarter financial update in the packets.
- Referenced a staff report from herself and Yerman requesting an amendment to the affordable housing maintenance budget. They would like to proceed with certain improvements this year, including painting and interior work. The budget would be amended \$11,500. Rozman reported the funds would be gained back when the unit is sold.
- The budget amendment was moved to Other Business to Come Before the Council.

Rodney Due

- The bathrooms were closed at Big Mine Park due to a sewer stoppage, but they are now opened again.
- His crew finished the storm drain at the Teocalli bus stop today.
- This week, he is waiting on the CDOT permit to work on the Deli trail. They are working with the county and Skyland. Due reported the bike trail would be closed for a little while.
- Due also reported the tennis courts project starting and the McCormick diversion project.

Michael Yerman

- Crested Butte is now a nominated Creative District. He reported the public process would start shortly for strategic planning.
- Mentioned the Transportation Plan Meeting on Sept 25.
- Met with DOLA over the last week to tour projects for potential funding.

Janna Hansen

- Will be doing a presentation to Rotary on Wednesday regarding Ordinance No. 8.
- RFQ deadline for Big Mine has been moved to the 31st.
- Fall Sports have started.
- If the contract is approved for the tennis courts tonight, the crew will start prep work tomorrow. They are completing the work in-house, and it is dependent upon the Public Works Department's schedule. The slab will be poured, and they will continue in the spring with painting lines and installing fences.
- A citizen questioned Hansen regarding the future of Big Mine Disc Golf Course. He wanted to know where the course could be moved. He mentioned hands on people that want to volunteer. Hansen answered they are creating a Master Plan for Big Mine Park. She said they would have multiple focus sessions with user groups in the fall. She said their mission is to continue maintaining current amenities.

Lynelle Stanford

- Reported on upcoming special events. The People's Fair is scheduled for August 30 and 31, 2014. The ARTumn Festival will be taking place September 20 and 21, 2014.
- Also, while not technically considered a special event, the Big Mountain Enduro has applied for a special event liquor permit for September 3-6, 2014 in the Academy parking lot.
- Mentioned upcoming Vinotok application to be discussed by the Council at the next meeting.

Todd Crossett

- The Big Mountain Enduro requested the use of the Academy parking lot.
- US Energy has withdrawn their VCUP from the Department of Health. The State was requiring a higher level of monitoring. Plugging of the mine adits did not go as planned.

Public Hearing

- 1) Discussion of Major Special Event Permit Application by Western Colorado Events, LLC for Activities to be Held in Crested Butte between August 26, 2014 and September 12, 2014.
- 2) Resolution No. 11, Series 2014 – A Resolution Approving the Application for a Major Special Event Permit by Western Colorado Events, LLC for Activities to be Held in Crested Butte between August 26, 2014 and September 12, 2014.

#1 and #2 were combined into one hearing.

Huckstep began by reminding meeting attendees that the discussion is not a referendum on growth, business, or endorsement of a brand. He identified the objections are concerns of the character of the community, process questions, allegations of secret activities, and criticism of public relations and public handling. As a result, there is a great deal of distrust, accusations, and numerous allegations of collusion. He said there is a high degree of concern for losing sense of community and the fear of losing things we hold dear.

Public Hearing Opened.

There was a question of where the Town is in the process. Huckstep answered the major special event application is in front of the Council. If it is approved, we move forward; if not, we will not move forward. He said the application could also be approved with contingencies. Once the public hearing is closed, the Council will deliberate.

Chris Ladoulis immediately identified himself as a business owner who owns a restaurant in the proposed zone for the event. He said he would not participate and would leave the room once the public hearing is closed. Belkin advised he could stay; he could just not advocate. Owen felt his presence might squew the Council. He requested Ladoulis leave immediately. Belkin said if one member of the Council objects, it stands. Ladoulis recused himself.

Bobby Wells and Sean Byrne presented from Mosaic, a marketing company based in Chicago that was hired by Anheuser Busch (referred to as AB throughout the minutes). Byrne started off with an apology around the hot topic of secrecy. He said the nature of the event is the reason why the secrecy exists. Participants are to be surprised and delighted, and the intent was never to insult. The secrecy had a reason behind it. He

said Whatever USA is a symbolic concept about giving people a great experience, meeting new people, and experiencing new things. He confirmed they were not filming a Super Bowl commercial. He said it's a small group and is about unique experiences in this incredible setting. The reason they love it is the same reason people live here. Byrne reported there are four areas of focus: Participatory (chance for guests to learn new things), Stumble Upons, Stores and Patios, and Big Marquee Events (chance for participants to come together). He said it isn't about celebrities or big bands. He said he knows there is an impact to the community, and they are trying to reduce the impact as much as possible. He said they are inviting people to come out and play. If a person is over 21, they will get a wristband and will get to partake. Bud Light will be available. They are asking for responsible use. Anyone not abiding to responsible use will be asked to leave. They do have private events reserved only for guests. He reiterated it's truly about experiencing new things, doing it with people they have never met, and having new stories. He admitted they haven't talked to all business owners. They want people to buy t-shirts that say Crested Butte, Colorado and they encouraged businesses to keep their doors open. Byrne said they are working on alternative activities for families. The Silver Queen lift will be opened free of charge for families on Saturday. He said they would leave Crested Butte better than they found it. In fact, he reported he would be devastated if they left it worse. He cited an activity called High Five. They will identify five projects they would love to support, and guests, with paint on their hands, will high five their favorite project. Byrne said it would be a significant donation to the city. He implored people to look at the bigger economic picture. He did say if he had to do it all over again, he would approach it differently. Byrne said it isn't about a commercial, and it isn't about people drinking for 48 hours. He said it is an opportunity to show off the town that you have built.

The discussion turned to Crossett's staff report. Crossett said staff struggled with getting information to exactly what the details were. He said it is not unusual to spend a lot of time on special events. The main focus from staff is to be sure the main stakeholders have looked at it from a public safety standpoint. Crossett estimated their application is 90% complete. He referenced pending items on the last page of his staff report. There are pending items such as the final decision to the requested increased capacity at Big Mine Ice Arena is with the Fire Board, who does not meet again until September 2. Signage and branding information have been received. Crossett said intrinsic to the plan are waivers to ordinances. Gillie made a list of everything it could possibly touch. They must respect the nature of the Town. The staff is trying to use judgment. For example, the event at Big Mine will be loud. Staff has asked the applicant to take mitigating measures in giving residents a chance to go away. Additionally, there are things that have just now come in, such as lighting on the street. Town staff said the lights were too high, and they've lowered them. It is up to the Council if this is what the Town wants. Belkin reminded the Council that in July they adopted a Major Special Events ordinance. Staff was approving special events administratively, but the ordinance has been put in to deal with major special events. The standards for the Council's approval are delineated in the ordinance. Belkin said the

Council could adopt the resolution that incorporates the permit and the contract. Crossett said with any big project or event like this, there are 100s of details that continue to pop up. In the contract, the staff has field authority to make any changes.

Adam Bond – “Bondo” – 117 7th St, Apt 3

- Loves big special events.
- No housing but all kinds of jobs.
- Would love to see another big event.

Kevin McGruther – 501 Sopris.

- All counting on you. Good luck.

Ross Tunkey – Rivergreen Subdivision

- In favor of event.
- Great summer business wise.
- We don't want to be a mine, but we want to be something. Let's be an event town. Let's be a venue.
- Let's be polite, welcome them and have a great event.

Jennifer McGruther – 501 Sopris

- Directed the Council to the sidebar on the agenda: the Town Council values. Preserve high quality of life and maintaining a real community.
- Part of the privilege of living here means we share the community.
- Deeply concerned about exclusionary nature of the event. Need a wristband and show ID to walk through Town. Doesn't see it being inclusionary when there are fences.
- Council has done a poor job in process, has failed the community, and created divisiveness.

Carolina Alling – 818 Sopris

- In support of businesses that are coming to support our local economy and tourism.
- Concerned about families and kids. Program for kids and community is being pushed away
- Kids are very important to the community.
- The money is not enough to buy our community.
- We can share in a respectful way.
- Things that need to be worked out such as toxicity of seal coat on the road.

Laura Silva – 53 Escalante Street.

- More than 100% in favor of event.
- The cost to live here is very expensive because it's shared with people from the outside world. They then want to share it as well.

- Being creative is all we have left until people are back for the next season. I will take whatever business I can get. I say bring it on.

Tim Wirth – 29 Maroon

- Appreciated, very much, Huckstep's opening statement. Cited it was unusual for a political person to admit being wrong.
- Unhappy for the reasons we are gathering. Doesn't want us to become a community beer parlor.
- Is this how Crested Butte should be? Public property for private gain.
- Questioned how Council can get this far down the road in absolute secrecy. Let's turn out and go a different direction. Not appropriate for Crested Butte or representative democracy.

David J Rothman – 17 Maroon

- Thanked the Council for running the meeting well and applicant for presenting a plan.
- Corrected event organizers that it is Elk Avenue, not Elk Street
- Cited democratic access issue. Some people had access. Hard to accept in the democratic process.

Priscila Banks –

- Shared experience so far working with event organizers has been so-so.
- Last week they blocked her lot with logs that they moved on to her property, and she talked to them about the huge timbers on her property. The logs are still sitting on her property today, and her employee had to roll them out of the way.
- Talked about putting a satellite on the building. No one told her there would be cable going through her space.
- Requested by 115 Elk Ave tenants to lock front door because people have been using private bathrooms.
- Agreed to help, will continue to help. Wants it to go through, but it is always a stretch, always a stretch on what I agreed.

Daniel Goldstein – 8 Ski Jump

- Fragile environment – need to include the community with that, not just the wilderness.
- Wouldn't be here if you guys didn't pull a quick one on us. Not specifically Budweiser, really what hasn't been said, is the damage to the environment.
- The concept that the town is for sale.

Monica Mesa – Yoga for the Peaceful

- Very disappointed how the event has created a divisive, reverberating effect in the community.
- It sets a precedent that our town can be purchased and that money is more important than ethics and integrity.
- Innumerable negative impacts that can only be predicted. Not worth it for \$250,000.

Dave Collucci - Teocalli in CB South

- They're our guests, not your guests.
- Obvious it's divisive.
- Everyone here wants a say in if we should do this or not.

Kat Hassebroek – 313 Belleview

- The noise at Big Mine is no different from local band practice at Mark's Automotive.
- Fun event. Looks forward to how it goes off.
- Event representatives have approached Peak Property. Trickle down. All of them are positive. Speaks in support.

Dave Ochs – 801 Red Lady Ave

- The Chamber presented a survey to members, and the results came back 90% in favor.
- Two petitions online and overall 86% in favor of the event
- Personal point of view: we are a venue.
- People come, they spend their money, and they leave.

Ceil Murray – 222 Maroon

- Comments are about process. The speed of the process has not allowed enough information to come to the public, and what comes to the public, changes daily.
- \$250,000 should not be earmarked. Should be up to the Town's people to decide.
- If you decide to approve this permit, should be approved with requirements such as firm numbers on insurance.
- People with event say one thing, and the map says something else. Look at the language carefully and decide what numbers are firm.

Mark - 572 Cascadilla

- Is a liaison to hire local people to work the event.
- \$250,000 is peanuts compared to people that pay their rent and buy their food.
- Hopes he can see everyday Joe that can benefit.

Nancy Reimer

- Company is donating \$250,000. No other events that donate.
- Slow weekend for tourism. Helps round out the season a little bit more.
- 1300 participants on Elk Avenue are not that significant when compared to other events.
- In 1970 Disney filmed the Snowball Express.
- Asking Town to consider the benefits. The employees who want the hours and want to work.
- Asking the Town to vote "Yes" for whatever.

Tyler Lucas – 32 Whiterock

- Disappointed that we don't have a better process for this.
- People have known for many months.
- Something doesn't feel right. Secretive process. Doesn't feel like representative democracy. Hopes that we can find a new way.
- \$250,000 gift for the town – let's ask for more money. Consider how to give back to other things such as: affordable housing and the Gunnison County Substance Abuse Prevention Project.

Crockett Farnell – 201 Sopris

- Best of the negotiations and deals are mutually beneficial.
- Our brand has become precious.
- Common concern has been \$250,000 valuation of the town. With problems such as traffic, parking, Internet connectivity, the mine fight, \$250,000 is not enough. AB will spend \$600,000 on flights alone.
- Based on magnitude, the legacy fee should not be less than \$10M.

Frank Stichter – Upper Highlands in CB South

- Packet was detailed, thorough.
- Economic side of equation is the event is a 48-hour period on a non-productive weekend.
- Opportunity to have immeasurable impact.
- Expressed support for Special Entertainment District.

Baron Farnell

- Not here to argue because he wanted to thank the Council for having us here.
- Bud Light thing will make a difference.
- Why waste our time? We'll wake up feeling wasted.
- Will attract the wrong tourists.

Shaun Horne – Oh Be Joyful Gallery – Plein Air Invitational – Art Walk

- Made the point that not every business in Town is going to benefit.
- Will not be a good environment for high-end retail.

- What we see in September are the leaf peepers.
- Meets some really good quality patrons during that time of the summer.
- Question of is this in tune with the Town's values. The formation of the Creative District indicates Crested Butte is an expressive community. Sounds like a massive expression of a party. Actually is in tune with our history.

David Coleman – 310 Belleview

- All restaurants in area, people are in support of the event.
- Will be really good for the economy.
- Opportunity for them to work.
- Blaming the secrecy on the Council is a problem. Secrecy was because they're trying to put on a good event.

Rob Mahedy – 105 Goren Street

- Very nervous about this.
- Asked them (event organizers) while they were taking pictures, and they said sorry we can't talk to you about it.
- Biggest concern is AB and their relation to alcohol, violence, and sporting events.
- Concerns are pollution of our air, water, and soil.

Glo Cunningham – 324 Teocalli

- Will love you just as much if you don't think like me tonight.
- This event seems fun, festive, funky, characters, costumes, and unique, which is how she describes her town.
- Snowball Express – Elk was closed for three weeks.
- Biggest problem is secrecy. When she heard it was a game, she understands it. Understands why they did it that way.

Kyleena Falzone – 222 Sopris - 4 Businesses in Town and Mt. Crested Butte

- Extra income associated with this event is pretty huge.
- Representing a number of businesses in Town. 400 residents signed petition that are in 100% in favor.
- Thanked AB for their incredible crew. If it happens, it will be awesome. Please make right decision and support the event.

Michele Simpson – 222 Gothic Ave

- Agreed with Senator Wirth.
- Event is inappropriate for Crested Butte and the process is inappropriate.
- Event is unnecessary coming off of a record summer season.
- If we paint the Town any color, it should be red for Red Lady.
- Not a venue, a community.

Johnna Bernholtz –

- Senator Wirth said it perfectly: the way the process has or has not worked is the biggest problem.
- September has been growing.
- Negative publicity goes a lot further than the good publicity.
- The \$250,000 is ridiculous, and it should benefit the community not just a section

Mike Nolan – Representing Downtown Crested Butte Lodging Association

- Everyone in lodging supports the event.
- Elk Mountain Lodge is full for five nights, rather than one or two nights.
- Social media is like a fire sale. Everyone will know where Crested Butte is.
- Voted for Council members because he thought they were pro business. If we keep shutting down every single event, it will be hard for kids to have a future here.

Doug Hudson – Owner of Gravity Groms

- Based in Nordic Center and Big Mine Ice Rink, and his business is profoundly affected. His business is closed for the fall as of today because he had to cancel after school program for kids.
- Supports this production happening in Crested Butte. We need productions and events.
- Agrees with procedural issues.
- Council should look at other avenues for the \$250,000.

Gabe Martin – 110 Floyd Ave

- Organizer of Big Air on Elk LLC put on every year. Every year their event gets better. We bring in way more people than what they're talking about.
- If it's a one-time shot, what are we afraid of? They haven't asked for money. Need events, especially for the off-season.
- They are not bringing I70 really close to us and not building a huge airport.

Gregory Gull – Resident of Mt. Crested Butte

- Brings back corporate imperialism. Let's bring McDonald's and Taco Bell in here.
- Think about what we value in this community. What kind of community are we and what do we want to be?

Solace McGruther

- Not right to not allow kids on Elk Avenue.
- I would need an escort, seriously?
- Not fair to kids in Town.

Martha Keene – 316 Butte Ave

- The secrecy is serious. Wants to know how the Council can do that.
- Record breaking summer but there hasn't been housing.
- What are they doing to relay sense of responsibility to participants? It's not some giant party where they can come and do whatever they want.

Rob Vandervort – 319 Red Lady

- We don't need the event.
- Bad brand management. Not the brand we have cultivated over the last few decades.
- Crested Butte should be selective and strategic.

Shea Wilson –

- Nothing is mentioned about sustainable.
- Doesn't want to see big businesses.
- What are we highlighting with this?
- She would not come from what she's seeing on social media.

Chris Sullivan – Behalf of the Guild LLC, Mountain Oven, First Ascent Coffee

- Has not been contacted by anyone from AB Beverage or member of the Council on how this event will impact his business.
- Access to 21 Elk is going to be impeded a total of nine days.
- Echoed the sentiment that this is not 100% positive impact for all businesses.
- Do not merely look to the short term.

Kent Preston – 66 Red Mountain Ranch Road

- Questioned if people are opposed to Budweiser coming to Town, or if the process frustrates them.
- The people they bring are not going to be falling over drunk.
- The ad this is based on, it's about whatever, enjoy the experience you'll have. Something fun is going to happen.
- They're here to show 1300 guests a fun time. They will remember the views, will remember Elk.
- The process could improve. Most will have fun and will come back and spend their money.

Greg Pettys – 414 1st St

- Surprised how little the wilderness has been mentioned.
- Let's be mindful in the process.
- People are very smart in this town. We know how all of our decisions have affects.

Leslie Locklear – 15624 Hwy 135

- Knows what a franchise can do to a small town.
- Impacted by drunken traffic that has taken out fence, trees, pasture on her property.
- Do you take your families back to the places you partied?
- \$250,000 is not enough money and community should decide where it goes.

Mickey Jackowski

- In a sense the Town has already voted for the Council's decision; we elected you to make this decision.
- Business is growing 20% every season. Repeat customers.
- If we treat them with respect, they will remember Crested Butte as a fun place.

Bruce St. John – 3 Black Diamond

- Shame the process has divided the community to the extent it has.
- Important to remember that diversity makes the community.
- Every performance bond has been woefully inadequate.
- Feels the \$250,000 is a small number for what we're providing and giving up. Wants to see it quadrupled.

Jim Starr – 323 Gothic Ave

- All comments have been about people and money. Majestic beauty has been ignored.
- If we're going to bring in more and more people, we have to deal with the impacts.
- Have the strength and the wisdom to say, "No" and take care of visitors we already have.

Zach Vaughter 111 ½ Gothic Ave Crested Butte Farmers Market

- If event is approved, the Farmers Market has to know they will be able to operate the Sunday after the event.

Corey Bryndal – 73 Packer Way

- Problem is the way the mayor, town attorney, and town council have allowed it to become divided.
- Wants to see an improvement. Process needs to play out well in advance.

Kimbire Woods – 11 Hunter Hill - Grubstake Gallery

- Business does not stand to benefit from this event.
- Most worried about lack of concern for the environment.
- Has not heard about any kind of money to go for clean up. Should be environmental deposit.

Corey Tibljas – 228 Elk Ave

- Bud Light was a big supporter of Big Air.
- We are the community that's up for whatever. This is our chance.

Dickie Brown AKA Red Lady Viktoria

- Invited the powers that are at AB, to invent a Save the Red Lady Lager and all proceeds go to Red Lady.

Eileen Dupre– 92 Alpine Court

- We have an opportunity to give businesses a cushion to carry into the next season.
- What is for the good of the community?

Todd Barnes – 17 Paradise Road

- It's not really Christmas if you know what is under the tree.
- Told staff the weekend might help pay rent and credit card payments. 25 employees that are intending on staying to work the weekend of the event.
- These guys will nail it. Think it will be a fine event.

Katherine Taylor – Brush Creek Road

- Greatest offense is the problem the Town and the people have not had a chance to evaluate and come to terms. The way it has happened has not served our community.
- Missing the process and the democracy. Community has not had time and process to do it in the right way.

Molly Murfee -124 ½ Maroon Ave

- We do not serve a drop of alcohol the night of the event (reference to Vinotok). Concerned about an event that includes tasting of beer and not very much food.
- Does not feel \$250,000 is enough money. Be more forward thinking about it. Proponent to money for keeping a mine off Red Lady.
- This is our home, please be respectful.
- Needs transparency.

Ryan Herr – 620 7th Street

- If you have event, consider greening it as much as possible. Consider using biodegradables.

Linda Roberts – 12 Ruth's Road

- Lying to ourselves if we think it's not all about money.
- Suggested if Council approves, approve with modifications.
- Look for at least \$5M: Perimeter trails, rec center, finish Snodgrass. Drop in the bucket for what this town needs.

Kyle Skinner – 215 Brackenbridge St

- Really event is only 48 hours.
- Probably will leave town cleaner.
- Only reason it's happening is because it was a secret.

Lyn Maresca –

- What's the real impact?
- What's going to stop Western State from coming? What kind of plans do we have in place to deal with people coming in, considering it's gotten out to the Front Range.

Audris Zobs - 21 Sopris

- The way this process has unfolded, no one looks past Saturday night to Monday morning.
- Doesn't seem to be any long-term plan about economic development. It's a Band-Aid that won't help anyone past the next weekend. In reality this doesn't fix anything.

Mel Harper – Riverbend

- Not a supporter.
- If this has not been voted on yet, what's going on with moving in wood and putting up fences?

Dave McGuire –

- We're all living here under a bigger secret. Secret we all have to live with. We all live with the big secret that's about to hit us. We're talking about snow!
- The secrecy is what's going to make the event work.

Mark Ewing – 218 Gothic

- Going to wear a costume and it's going to be fun.

Jill McKeown – 103 Elk Ave

- The fences worry her. We don't live in a fenced place.
- Hopes they see our paradise and leave it better than before.

Andy Tyzzer – Cement Creek Road

- Wanted to thank the Council for their work and their patience on this issue.
- Things have been happening really fast. Things that happen really fast tend to be suspect. Suggests a pause. Another option. No sense of urgency about this. It was their decision to move ahead before the final ok. We need a pause for people to come together.

Kevin Freeman –

- The locals need to stand up for what we think.
- You're making a great choice by voting, "Yes."

Ross Tunkey -

- Environment – can you address it? Can you make us proud? If you can't, tell us.
- Any brewer will tell you they can't make Bud Light. Most brewers can't refine to that quality.

Kevin McGruther-

- Good Luck! We're all counting on you.

Monica Mesa-

- Hopes we can heal from this chasm.
- Important to keep attracting people that fit our vision.
- Deep down inside you know you have made a terrible mistake. Takes great character to admit a mistake.

Sue Navy – 324 Gothic

- You have some negotiating to do. Further negotiate to help protect Red Lady.
- \$250,000 doesn't cut it for what is being offered. Need to protect our mountain in order to protect our community.

Davin Sjoberg – owner of Teocalli Tamale

- We are on a timeline with this approval, so whatever solutions let's do our best to serve.
- Would expect AB to promote the integrity and values we respect.

Kate Sealy – 516 2nd Street

- Thinks it's a good idea.
- It's 48 hours. It could be a good date or a bad date. Amazing opportunity. Eventually it will trickle down.

Corey Bryndal-

- Staging has actually increased. Things are moving. Someone has moved them to actionable decision.
- The contract is with a shell company.
- We are potentially offering our real community; the full weight of AB should be put on the line.
- Asked Huckstep to recuse himself.

Katherine Taylor-

- This feels like a show. Democratic process is flawed right now.

Johnna Bernholtz-

- Questioned transparency and why there were trailers parked at public works yard.

Molly Murfee –

- Hard for her to swallow, asked when things will start rolling out, was told it was the 26th, then they came.
- Feels like things in the process have been omitted.
- Needs to know what has been happening. Needs some details and more transparency and honesty going forward.

Shaun Horne –

- Asked the Council to make part of the agreement with AB that retail businesses that are hurt, get some type of compensation.

Glo Cunningham -

- Believes strongly a citizens committee should be formed to decide where the money should go. The entire town should benefit. Volunteering to head up the committee.

Joel Benisch -

- AB behind it - perfect. If not, need AB's indemnification.
- \$25M in insurance is necessary. Make sure we are additionally insured under each policy.
- Performance bond which guarantees performance, there's nothing in the contract they're required to do.

David Rothman – 17 Maroon

- Particularly struck by comments on shell corporation.
- If someone were to protest, on public property, we have handed over legal authority to determine if WCE (Western Colorado Events) should decide result.

Jen McGruther-

- Asked Huckstep to address Corey's (Bryndal) points.
- The idea of a conflict of interest. Asked Huck to recuse himself.

The staff was then addressed and questioned why there are trailers in the Public Works Yard. Due have allowed other people to park there in the past in similar situations. The parking was allowed with the agreement that they leave if the event is not approved.

The question was asked what would stop Western students from coming and if there was a plan for the influx of people. Event organizers said if there is a mob scenario, we've tried to keep the wraps on it up to this point, going back to the plan to keep the event a secret. Individuals from the community are always invited. Fence is to keep minors out. Homeowners that come from out of state will have access to the location. Martin said security would monitor numbers to determine when it's not safe. He said if numbers become overwhelming, they would not let in more people. Martin said he's comfortable with plan to monitor numbers.

Event organizers were asked about environmental issues and the mechanisms they're taking to reduce environmental impact. They said the impact will be in trash on Elk Avenue.

Entrance/Exit Locations: main entrance will be at 4th and Elk. This location allows them to manage individuals involved in the event. They have hired the greatest security. Event organizers said they would add access points for locals with a band. Community members implored them to communicate with invitees to inform them of the values of the local community. Event organizers said participants would sign waivers, indicating they will be removed if they break laws and rules. They have an entire plan for these individuals. Until the time they land, they have no idea where they are going.

Another question was posed asking the value of the event to AB and what was its intended use. Event organizers answered they are not doing this for a Super Bowl commercial. They are using the footage for social media and one short commercial shot. It was confirmed that possible footage could end up in a commercial.

Discussion was had regarding citizen comments from Priscilla Banks and the conflict with logs in her lot. Event organizer, Wells, apologized. He said that is not the way they operate, and he will report the situation to upper management.

The question of where people are staying was asked. Event organizers said people arrive Friday, and 95% of the guests will be staying in Mt. Crested Butte. Sunday morning they are headed back, and they are leaving around 8:30AM.

Organizers of the Farmers Market asked for validation their location would be ok on Sunday. The biggest concern was the sound stage. Wells said that portion allows them to break down after 10PM, and they will start immediately deconstructing the stage. Wells asked to be forgiven for a strike plan that is not in place at this point. In hindsight, he said they should have elaborated more on that plan.

Event organizers were asked how they arrived at the figure of \$250,000. They said it was a combination of hotel and lodging that they can inject into a town. They reported working with restaurants and bars, and the tax revenue to be gained in addition to providing jobs. They took into account the overall equation. The number

they're looking at impact to Town is north of \$2M. They see the macro view to what is being provided to the local community.

Due was asked to explain the implications of painting Elk Avenue blue. Due reported the paint being proposed is the same traffic paint that is used when adding the color that is added to paint crosswalks. He said anywhere you see traffic paint on the roads, it is the same kind; it is an industry standard. Due was asked about any additional environmental concerns. He said there is no more concern when compared to striping, painting curbs, and crosswalks. Due referenced a marijuana leaf painted on Elk in the 200 Block. They used seal coat to cover the leaf, and it didn't bleed through. Due was asked about seal coating versus slurry coating the street. He said slurry coating is basically a guarantee. Belkin added the contract asks for a \$150,000 letter of credit to cover as well as a \$250,000 cash deposit. He said with the monetary things they're putting up, he is comfortable with their protections.

Crossett said one outstanding item was the strike plan. Event organizers were asked what was the plan for removal or tear down of the event should it occur. Wells said they would like to be able to come in and develop a true strike plan. They would use local vendors. An entire strike plan needs to be developed.

The question was posed to event organizers if the speed of this particular production is comparable to other productions. Wells said they typically work under short time lines. Yes, they would have liked to have a longer runway. They think the plan is far and above other events. Wells said he wants to work on things in the next week to make sure individual parking spots are worked with and keeping things such as community.

Schmidt asked Huckstep to address the recusal question brought up from citizens regarding a conflict of interest. Huckstep answered it relates to discussions between the tenant of Big Mine Ice Arena and Crossett to resolve a frustrating issue. He answered he isn't going to sit by when a tenant has a lease terminated early. He cited it is his general policy as person is to jump in and help fix problem. A tenant of Town property was forced out of property, and former Parks and Recreation Director, Jake Jones, elaborated in a letter. The tenant, Gravity Groms, wanted to run an after school program into September, and this particular event was going to wipe out the possibility of the after school program. Huckstep elaborated that he saw an issue and jumped in, and he helped to explore opportunities. Belkin confirmed Huckstep need not recuse himself.

Schmidt brought up fencing and access issues, and he wanted to be sure anyone who has to get in is able. Wells said people would be able to get in and out once they have a wristband. Schmidt also questioned if the number of restrooms is appropriate. Wells answered people will be using the bathrooms in restaurants and bars, and he felt they had more than enough based on their numbers. But, he was willing to revisit the topic with the Council.

There was a question of indemnity of AB. It was requested that AB is added as a guarantor to the contract. Belkin said this was possible. Belkin said event organizers discussed possibly tying the \$250,000 to the deposit, so they could pay the money after they get their money back. Belkin recommended they pay \$250,000 and then get the deposit back. \$150,000 is supposed to guarantee light poles, streets, and those things.

Michel asked Crossett about the fire plan at Big Mine Ice Arena. Crossett explained that the fire plan needs to be signed off by the Fire Board. Organizers are proposing to put more people than approved capacity in Big Mine Ice Arena. The Fire Department said a fire safety engineer could sign off on the increased capacity, and it is set to go in front of the Fire Board on September 2. It was added that the fire safety engineer would need to identify the draft he's signing. Owen commented that with other special events, the Chief or Scotto signs. Crossett said it is up to the Fire District, and with their plan to increase the number of people the decision needs to be made by the Board. Mason asked if there is there a back up plan if the Fire Board does not sign off. It was answered that the plan presented should be what the Fire Board is looking for.

Michel confirmed with Wells that Gothic Field is not being painted blue as it appeared in the plan. Wells further confirmed that nothing is planned at Gothic Field. Michel asked Crossett what is his estimation was on the completeness of the application. Crossett said it was about 90% complete. Owen said the Major Special Event ordinance required a complete application. Ideally the Town could require an application six months ahead, a complete application three months ahead, and then the Town can do a better job of public participation. Huckstep said the Major Special Event ordinance was passed the second meeting in July, and every timeframe has been blown on the ordinance. Belkin said that, according to the ordinance, the timeframes are waivable by the Town Manager for good cause. Owen said that he recalled the ordinance required a pre-application conference, and he wondered if that occurred in this case. Crossett said there were a number of conversations that would qualify. He said the Town has struggled with getting detailed information from the organizers. Owen questioned why there was not a complete application by August 8. He asked Crossett if he considered too much too late to be handled. Crossett said he felt like progress was made by August 8. Wells said it was conveyed to him by staff that it was supposed to be ready by August 8. Crossett said in retrospect he might have recommended never to start the process. He said if the Council is not comfortable to vote, "No." Matuszewicz said the ordinance is clear to show what is considered a complete application. He said it is hard to weigh in on an application that is not complete. He addressed the event organizers and said he found it almost impossible they don't have a strike plan at this hour. He went on to say they are asking to waive a signage ordinance, but they had no idea what they wanted to put in place. Wells answered they have a short window for the strike plan, and their determination was to focus on the upfront. Wells agreed the strike plan should have been more of a focus. Wells went on to say that the creative work that is outlined in the event is proprietary, and with it being a public document, renderings would give away

the full concept. The Council agreed the community desired full disclosure of the above-mentioned items.

The Council further questioned Wells if he had contacted the residents around the 1st and Elk parking lot. It was pointed out to Wells that they might need to plan the Farmers Market for a different location if they can't execute a strike plan at night. Huckstep suggested a creative use of infrastructure and possibly using the stage for the Farmers Market. Mountain Oven and Vinotok were also mentioned as being impacted. It was suggested Wells could take an opportunity to help them. Wells said he could figure out alternatives to make sure everyone is happy. Michel said he wants to see the guarantee for the Farmer's Market and Vinotok immortalized in the document. He asked what their plan is for these events to go off properly. Huckstep reminded them that the event is also making a 1% to Open Space donation. Michel clarified that he just wanted the organizers to listen to them; most people just want to be heard.

Matusewicz asked about the signage plan and what happens in regards to non-participating restaurants in the zone. Wells said businesses that are participating will have Bud Light signs, but non-participating businesses do not get signs. He also asked Wells about their staffing plan regarding security and people getting into the event zone. Matusewicz asked if they intended to security wand people. Wells said they want to do it. It's an extra security measure. He said everyone should be able to enter and it's not their intention to quiz people on their residency. Mason expressed concern that residents could be hassled by security, and this would be detrimental to the effort the Marshals make to cultivate relationships. Wells said that AB does not have jurisdiction, and a problem local would be approached first by a Marshal. Wells further expounded that he does not think escalation will get very far with security that is in place.

Owen confirmed that the insurance levels in the contract are \$5M per occurrence. He asked if that should be increased to something more substantial. Belkin said to take into account the value of the governmental immunity. He said he confirmed with the Town insurance provider, CIRSA, and they indicated the coverage was sufficient.

Schmidt asked the event organizers if they have the ability to negotiate the amount of \$250,000. Byrne said they would have to circle back to their clients at the request of the Council. Byrne said they are not coming to change the town. They are trying to create an experience. He assured the Council they would make 100% make sure the questions that are on the table will be taken care of immediately. He asked for leniency on the town staff. Byrne further stated he started with apology and will end with an apology. He said it is on the event organizers because they asked for secrecy behind it. The secrecy was done for reason, and he said it did not work well.

Michel confirmed from Crossett's staff report that there are 16 major items still pending. He said it is the first time the public has had a chance to take a swing at it.

Wells said there is not time to wait days. This event is up against the wall, and they have to move tomorrow.

Owen said the Council's job is to protect and ensure public safety and welfare of the Town. He can't say they are protecting health and safety by voting on this incomplete plan. Huckstep said contingencies could be added to the approval. Owen said that normally a contingency approval is waiving one thing, like insurance; this application has 16 items. Matuszewicz further elaborated that they are major pending items.

Huckstep said the Council has set a very high bar. There is a reimbursement in place. He said with this is the bar, he's not sure they would ever approve another event. Bar might prove to be a deterrent in the future, and the flip side of the coin is that we'll ruin our Town's values.

Michel said there are really good concerns the community has raised. He said the \$250,000 has to be more. There are a lot of questions that haven't been answered, and it is not the fault of the Council that the applicant has waited so long.

Wells said they need to start tomorrow. They have an extreme amount of effort and resources committed, and they need to start with the full plan tomorrow. He assured the Council they would have everything in next 24 to 36 hours. Huckstep asked the Council if they would entertain a licensing agreement. He asked the Council if they would allow them to start work at Big Mine, and if the Council denies the application, they would have to take their work down.

Matuszewicz said the plan pertaining to the carnival needs to be more detailed. He asked how tall are the structures involved in the carnival. He asked if we know about the lighting and the noise. Belkin said the staff could come back on the carnival. The Council decided the plan was good enough if the staff okay's it.

The Council decided to continue the hearing due to the number of outstanding, significant issues.

Michel moved and Schmidt seconded a motion to continue this public hearing to Thursday, August 28, 2014 at 6PM, including the availability of the e-packet by close of business Wednesday, August 27, 2014. A roll call vote was taken with all voting, "Yes." (Except for Ladoulis who recused himself). **Motion passed unanimously.**

The staging, planned at Big Mine and 1st and Elk parking lot, was again discussed. The Council decided it was possible to issue a written license agreement. The discussion of the licensing agreement was added under Other Business.

- 3) Ordinance No. 10, Series 2014 – An Ordinance Amending Chapter 6 of the Crested Butte Municipal Code to Add Regulations for the Creation of an Entertainment District in which Common Areas for the Consumption of Alcohol May be Operated by a Promotional Association.

The above-mentioned public hearing (originally Item #1 and Item #2 under Public Hearing) and Item #3 under Public Hearing on the agenda were continued.

Schmidt moved and Matuszewicz seconded a motion to continue Item #3 under Public Hearing until Thursday, August 28, 2014 at 6PM. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

- 4) Ordinance No. 9, Series 2014 – An Ordinance Amending and Replacing the Affordable Housing Guidelines for Paradise Park Subdivision, Blocks 77 and 78 Contained in Appendix N, Part VII of the Crested Butte Municipal Code, Applicable to Block 77, Lot 4, Unit B Only; Amending and Replacing the Affordable Housing Guidelines for the Town Ranch House Contained in Appendix N, Part IV of the Crested Butte Municipal Code; and Amending the Rental Guidelines for Town Owned Units the in the Affordable Housing Guidelines for Paradise Park Subdivision, Blocks 77 and 78 Contained in Appendix N, Part VII of the Crested Butte Municipal Code.

Schmidt moved and Mason seconded a motion to approve Ordinance No. 9, Series 2014. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

- 1) Resolution No. 10, Series 2014 - Resolutions of the Crested Butte Town Council Creating an Entertainment District Authorized by C.R.S., § 12-47-301. (*if necessary*).

It did not become necessary to address Resolution No. 10, Series 2014 at the meeting.

- 2) Ordinance 11, Series 2014 – An Ordinance Amending Chapter 16, Article 18 of the Crested Butte Municipal Code to Include Regulations for the Allowance of Signs on Public Property where Certain Conditions Are Met.

Schmidt confirmed the ordinance has to do with trail signs.

Owen moved and Schmidt seconded a motion to set Ordinance No. 11, Series 2014 for public hearing. **Motion passed.**

- 3) Discussion and Possible Action Regarding Award of Design Build Contract for Tennis Court Replacement Project with Renner Sports in an Amount not to Exceed \$240,000.00.

Matuszewicz confirmed with Hansen that the bid came back at \$212,000. He questioned the 10% overage. Hansen said the courts will have a vapor barrier, and she added a 12% contingency on top of it.

Matuszewicz moved and Ladoulis seconded a motion to award the tennis court replacement project with Renner Sports in an amount not to exceed \$240,000. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

None

COUNCIL REPORTS AND COMMITTEE UPDATES

Schmidt mentioned the last Public Policy Forum of the year.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Huckstep referred to a request from Rozman and Yerman to increase a budget line item in the affordable housing budget for housing maintenance. Ladoulis asked if the assumption was the Town repairs the unit and recoups the costs upon the sale of the unit. Huckstep said it was for regular maintenance on a town owned unit. It was mentioned that revenues are higher than expected. Crossett said it was bought in low enough that the Town would get money out of it. It was stated that if the outside was not painted, it would need to be re-sided.

Schmidt moved and Mason seconded a motion to increase the affordable housing 2014 budget to increase the housing maintenance line item. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The discussion returned to the licensing agreement that would allow AB/Bud Light event organizers to begin using the Big Mine Ice Arena and surrounding area and the 1st and Elk Parking Lot. The agreement does not imply future approval.

Ladoulis recused himself.

Michel moved and Mason seconded a motion to authorize the Mayor or Town Manager to sign a licensing agreement upon the terms discussed. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Tuesday, September 2, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, September 15, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, October 6, 2014 – 6:00PM Work Session – 7:00PM Regular Council

ADJOURNMENT

Mayor Huckstep adjourned the meeting at 2:26AM.

Aaron J. Huckstep, Mayor

Lynelle Stanford, Town Clerk (SEAL)



Staff Report

September 2, 2014

To: Mayor and Town Council
From: Michael Yerman, Town Planner
Subject: Ordinance 2014, 11- Signs on Public Property
Date: September 2, 2014

BACKGROUND:

The Town has had conversations to create trail kiosks with both the Nordic Center and the Crested Butte Mountain Bike Association. At this time, the Land Use Code does not address the placement of these signs or other future requests. This ordinance will create provisions to allow these organizations to process sign requests on public property. This process should help coordinate efforts for summer and winter trail users.

The review procedure will be the same required for sign permits and require the BOZAR chair and the Building Inspector to review and approve the sign proposal. It is particularly important for signs located in the historic core to be review. Possible locations include at the four-way and Big Mine Park where the Town would want the kiosk to fit the historic context of its location.

There will be ongoing maintenance costs and possibly staff time to change out sign panels if they serve a multi-use function or for their installation. This ordinance allows staff to review applications and make the appropriate arrangements with the applicants to ensure the success of these signs in the future.

RECOMMENDATION:

Staff would suggest approving the second reading of Ordinance 2014-11.

RECOMMENDED ACTION:

Staff recommends a motion "to approve Ordinance 2014-11."

ORDINANCE NO. 11

SERIES 2014

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 18 OF THE CRESTED BUTTE MUNICIPAL CODE TO INCLUDE REGULATIONS FOR THE ALLOWANCE OF SIGNS ON PUBLIC PROPERTY WHERE CERTAIN CONDITIONS ARE MET

WHEREAS, the Town of Crested Butte, Colorado (“**Town**”) is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, Chapter 16, Article 18 of the Crested Butte Municipal Code (the “**Code**”) contains limitations and requirements for the placement of signage;

WHEREAS, the Town staff has recommended amending the Code to allow signs on public property and on public rights-of-way where certain conditions are satisfied;

WHEREAS, the Town Council finds that allowing signs on public property and on public rights-of-way where certain conditions are satisfied could assist the users of such signs, without adversely impacting the effected public property and public rights-of-way and any neighboring properties; and

WHEREAS, the Town Council finds that amending the Code to allow signs on public property in public rights-of-way in accordance with the below is in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Amending Chapter 16, Article 18 to Add a New Subsection 16-18-90. A new Section 16-18-90 is added to the Code that shall read as follows:

“Sec. 16-18-90. Signs on public property.

Signs not specifically exempt in subsections 16-18-20 (1), (21), (22) and (25) that are located on public property or in a public right-of-way are subject to the following regulations:

(1) Permitting and approval of signs are subject to Section 16-18-10 and Section 16-18-100. Conditions may be applied to the placement of a sign on public property including but not limited to the duration of the use, the maximum size, height and the lighting.

(2) Sign content should be instructional or informative for the benefit of the general public.

(3) No signs on public property may be used for the purpose of advertising a particular business or organization at an alternative location. Logos of organizations may be permitted for identification purposes as long as they are minimal in size and not the primary message being conveyed by the sign.

(4) Signs shall be primarily constructed with wood or metal components. The use of synthetic materials is permitted for attached boards, maps, or messages.

(5) Signs shall use earth tone color schemes.

(6) Changeable content of the sign shall be reviewed and approved by the Building Official or his designee.

(7) Signs may be approved by the Board accordance with Section 16-18-70 with the consideration of the architectural appropriateness of a proposed structure.

(8) If a lease or other property right is required for the sign post or location it shall be approved first by the Town Council.”

Previous Section 16-18-90 is hereby renumbered to be Section 16-18-100 and shall remain unchanged.

Section 2. **Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. **Savings Clause.** Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS __ DAY OF _____, 2014.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS __ DAY OF _____, 2014.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

[SEAL]

TOWN OF CRESTED BUTTE
PROMOTIONAL ASSOCIATION/Common Consumption Area Certification
REQUEST
 (September 2, 2014)

Promotional Association Name (exactly as it appears on incorporation documentation):	
Elk Avenue Promotional Association, Inc.	
Description of Common Consumption Area Boundaries:	
See attached Appendix "A"	
Mailing Address of Promotional Association:	
P.O. Box 2919, Crested Butte, CO 81224	
Primary Contact:	
Joel Lewis, Chairman	
Primary Contact Phone Number:	Primary Contact E-mail Address:
(970) 275-1644	cbmotorheard@hotmail.com

The following must accompany this Promotional Association/Common Consumption Area Certification Request:

- \$100 for Initial Application Fee; OR**
- \$100 for Annual Renewal Fee**
- Written Security Plan** (include evidence of training and approval of personnel as required under Section 6-7-30 of the Crested Butte Municipal, a detailed description of security arrangements, and the planned location of security personnel within the proposed Common Consumption Area during operating hours)
- Certification or documentation for security personnel and sellers/servers completing required Responsible Vendor Training**
- Articles of Incorporation**
- Bylaws and Officer/Director Listing** (shall include one member of each licensed premises and represent at least two licensed establishments)
- Attached Licensed Establishment Listing**
- Detailed diagram of proposed Common Consumption Area, 8 ½ x 11** (location and description of physical barriers, entrances and exits, location of attached licensed establishments, and identification of licensed establishments that are adjacent but not attached to the proposed Common Consumption Area)
- Possessory Document for use of the area proposed as Common Consumption Area** (e.g., lease)
- Proof of Insurance of General Liability and Liquor Liability** (naming the Town of Crested Butte as an additional insured in a minimum amount of \$1,000,000)

Responses to Questions Above:

- (1) Initial application fee to be paid by funds from Western Colorado Events, LLC (“**Western**”).
- (2) Security Plan and security personnel details included in Western submittals.
- (3) Articles of Incorporation attached hereto as **Appendix “A.”**
- (4) Bylaws attached hereto as **Appendix “B.”**
- (5) See licensed establishment list attached hereto as **Appendix “C.”**
- (6) See detailed diagram of proposed Common Consumption Area attached hereto as **Appendix “D.”**
- (7) See lease of Town rights-of-way and other Town-owned property attached hereto as **Appendix “E.”**
- (8) Certificate of insurance naming the Town as additional insured to be provided prior to the commencement of Major Special Event at issue. Such certificate to be attached to and incorporated in this application upon issuance.

Promotional Association/ Common Consumption Area General Guidelines:

- ✓The size of Common Consumption Area is to be contained wholly within an Entertainment District which has been defined by Crested Butte Municipal Code.
- ✓Common Consumption Areas are to be clearly delineated using physical barriers to close the area to motor vehicle traffic and limit pedestrian access.
- ✓Alcohol beverages sold or served within the Common Consumption Area shall be served in a container that is no larger than 16 ounces, is disposable and contains the name of the vendor in at least 24 point font type.
- ✓Revisions and amendments to this original application for Common Consumption Area Designation shall be reported to the Crested Butte Liquor Licensing Authority and approved using the same procedures under which this original request for certification was made.
- ✓The Crested Butte Liquor Licensing Authority shall consider the merits of the application for a Promotional Association of a Common Consumption Area and may refuse to certify a Promotional Association if the Association: 1) Fails to establish that the licensed premises and Common Consumption Area can be operated without violating the State or local Liquor Codes or creating a safety risk to the neighborhood; 2) Fails to have at least two licensed establishments attached to the Common Consumption Area; 3) Fails to obtain or maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Crested Butte Liquor Licensing Authority and names the Town of Crested Butte as an additional insured; or 4) Is in violation of 12-47-909, Colorado Revised Statutes, as may be amended from time to time, related to Common Consumption Area operations.
- ✓Application for Recertification of a Promotional Association must be made by March 1, 2014 of each year.

Certification of Applicant

I hereby certify that the information contained in this certification request and all attachments is true, correct, and complete to the best of my knowledge and that it is my responsibility and the responsibility of my agents/employees and Board of Directors to comply with all applicable local and State laws, rules, and regulations as they relate to the serving, selling and distribution of alcohol beverages.

Authorized Signature

Title

Date

[Handwritten Signature]
8/29/14

Chairman

Report and Approval of the Local Liquor Licensing Authority

Aaron J. Huckstep, Mayor

Lynelle Stanford, Town Clerk

Date

Date

[SEAL]

APPENDIX "A"

Articles of Incorporation



Colorado Secretary of State
 Date and Time: 08/28/2014 12:06 PM
 ID Number: 20141528539
 Document number: 20141528539
 Amount Paid: \$1.00

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Nonprofit Corporation

filed pursuant to § 7-122-101 and § 7-122-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the nonprofit corporation is Elk Avenue Promotional Association, Inc.

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the nonprofit corporation's initial principal office is

Street address

Whiterock Professional Building
(Street number and name)
502 Whiterock Avenue, Suite 200
Crested Butte CO 81224
(City) (State) (ZIP/Postal Code)
United States
(Province - if applicable) (Country)

Mailing address

(leave blank if same as street address)

P.O. Box 2919
(Street number and name or Post Office Box information)
Crested Butte CO 81224
(City) (State) (ZIP/Postal Code)
United States
(Province - if applicable) (Country)

3. The registered agent name and registered agent address of the nonprofit corporation's initial registered agent are

Name

(if an individual)

(Last) (First) (Middle) (Suffix)

OR

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

J. D. Belkin & Associates, LLC

Street address

Whiterock Professional Building
(Street number and name)
502 Whiterock Avenue, Suite 200
Crested Butte CO 81224
(City) (State) (ZIP Code)

Mailing address
(leave blank if same as street address)

P.O. Box 2919

(Street number and name or Post Office Box information)

Crested Butte

(City)

CO

(State)

81224

(ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual)

(Last)

(First)

(Middle)

(Suffix)

OR

(if an entity)

J. D. Belkin & Associates, LLC

(Caution: Do not provide both an individual and an entity name.)

Mailing address

P.O. Box 2919

(Street number and name or Post Office Box information)

Crested Butte

(City)

CO

(State)

81224

(ZIP/Postal Code)

United States

(Country)

(Province - if applicable)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. (If the following statement applies, adopt the statement by marking the box.)

The nonprofit corporation will have voting members.

6. Provisions regarding the distribution of assets on dissolution:

See attachment

Elk Avenue Promotional Association, Inc.
Distribution of Assets

In accordance with the bylaws duly adopted by Elk Avenue Promotional Association, Inc., the proceeds of the corporation upon dissolution of the company shall be donated to another non-profit agency that is deemed non-profit per section 501(c) of the Internal Revenue Code.

APPENDIX "B"

Bylaws

**BYLAWS
OF
ELK AVENUE PROMOTIONAL ASSOCIATION, INC.**

The name of the corporation is the “Elk Avenue Promotional Association, Inc.” The corporation shall have an office located at 502 Whiterock Avenue, Suite 200, Crested Butte, CO 81224 and at such other places as shall be designated by the Board of Directors from time to time by resolutions. The corporation has not been formed for the making of any profit or personal financial gain. The assets and income of the corporation shall not be distributable to, or benefit the trustees, directors, officers or other individuals. The assets and income shall only be used to promote corporate payment of reasonable compensation to employees and independent contractors for services provided for the benefit of the corporation. The corporation is organized exclusively for charitable, educational, scientific and educational purposes. The corporation shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax. The corporation shall not participate in any political campaign in any manner. The corporation shall not attempt to influence legislation. The specific purpose of the corporation shall be to provide entertainment opportunities to the general public within the boundaries of the Town of Crested Butte’s designated: “Town of Crested Butte Elk Avenue Entertainment District,” which includes all matters in managing a Common Consumption Area in connection therewith.

**ARTICLE I
MEETINGS**

Section 1. Annual Meeting. An annual meeting of the directors of the corporation shall be held once each calendar year for the purpose of the transaction of business as may properly come before the meeting. The annual meeting shall be held at the time and place designated by the Board of Directors from time to time.

Section 2. Special Meetings. Special meetings may be requested by the Chairman or the Board of Directors.

Section 3. Notice. Written notice of all meetings shall be provided under this section or as otherwise required by law. Notice shall state the place, date and hour of meeting, and if for a special meeting, the purpose of the meeting. Such notice shall be mailed to all directors of record at the address shown on the corporate books at least 10 days prior to the meeting. Such notice shall be deemed effective when deposited in ordinary U.S. mail, properly addressed, with postage prepaid.

Section 4. Place of Meeting. Meetings shall be held at the corporation’s principal place of business unless otherwise stated in the notice.

Section 5. Quorum. A 2/3 majority of the directors shall constitute at quorum at a meeting. In the absence of a quorum, a majority of the directors present at the meeting may adjourn the meeting to another time without further notice. If a quorum is

represented at an adjourned meeting, any business may be transacted that might have been transacted at the meeting as originally scheduled. The directors present at a meeting represented by a quorum may continue to transact business until adjournment, even if the withdrawal of some directors results in representation of less than a quorum.

Section 6. Informal Action. Any action required to be taken, or which may be taken, at a meeting, may be taken without a meeting and without prior notice if consent in writing, setting forth the action so taken, is signed by the directors with respect to the subject matter of the vote.

ARTICLE II DIRECTORS

Section 1. Number of Directors. The corporation shall be managed by a Board of Directors consisting of each participating business with a liquor license of the Entertainment District within the Town of Crested Butte Elk Avenue Entertainment District.

Section 2. Quorum. A 2/3 majority of directors shall constitute a quorum.

Section 3. Adverse Interest. In the determination of a quorum of the directors, or in voting, the adverse interest of a director shall not disqualify the director or invalidate his or her vote.

Section 4. Annual Meeting of Board. The Board of Directors shall meet annually for the purpose of electing its new officers, appointing new committee chairpersons and for transacting such other business as may be deemed appropriate. Notice of such meeting shall be required.

Section 5. Regular Meeting. The Board of Directors shall have regular meetings two times (2X) per year, the schedule of which shall be established at the annual meeting, to accomplish the business of the corporation. Notice of such meeting shall be required.

Section 6. Special Meeting. Special meetings may be requested by the Chairman, Vice-Chairman, Secretary or any two directors by providing five days' written notice by ordinary United States mail, effective when mailed. Minutes of the meeting shall be sent to the Board of Directors within two weeks after the meeting.

Section 7. Procedures. The vote of a majority of the directors present at a properly called meeting at which a quorum is present shall be the act of the Board of Directors, unless the vote of a greater number is required by law or by these by-laws for a particular subject. A director of the corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless their dissent shall be entered in the minutes of the meeting. The Board of Directors shall keep written minutes of its proceedings in its permanent records.

Section 8. Emergency Action. Should action be required when it is not possible to assemble the Board of Directors in a properly called meeting or when the Executive Committee explicitly cannot assume the powers of the full Board of Directors, written or oral approval of the proposed action by a majority of the directors may be obtained in a poll of the entire Board of Directors authorized by the Chairman or majority of the Executive Committee. Any action so taken shall be recorded in the minutes of the next properly called Board of Directors meeting.

Section 9. Informal Action. Any action required to be taken at a meeting of directors, or any action which may be taken at a meeting of directors or of a committee of directors, may be taken without a meeting if a consent in writing setting forth the action so taken, is signed by all of the directors or all of the members of the committee of directors, as the case may be.

Section 10. Removal / Vacancies. A director shall be subject to removal, with or without cause, at a meeting called for that purpose. Any vacancy that occurs on the Board of Directors, whether by death, resignation, removal or any other cause, may be filled by the remaining directors. A director elected to fill a vacancy shall serve the remaining term of his or her predecessor, or until a successor has been elected and qualified.

Section 11. Standing Committees. There shall be three (3) standing committees of the corporation: executive, nominating and entertainment. The Chairman shall appoint the chairpersons of all committees from the membership of the Board of Directors. All committee appointments shall terminate upon the election of a new Chairman, unless specifically determined otherwise at the annual meeting. All committees shall function within the guidelines and budgets established by the Board of Directors.

Section 12. Executive Committee. The Executive Committee shall be composed of the officers of the corporation, as specified herein, and shall have the full authority to undertake the duties and powers of the Board of Directors except as these by-laws specifically state otherwise. All actions of the Executive Committee shall be reported to the Board of Directors at its next meeting.

Section 13. Ad Hoc Committees. The Chairman may establish ad hoc committees at any time. All ad hoc committees are subject to the same rules and operating procedures as standing committees.

Section 14. Budgets. The Board of Directors shall approve the annual budget of the corporation during the first quarter of each calendar year upon recommendation of the Executive Committee.

Section 15. Personnel Responsibilities. The Board of Directors may employ and discharge employees of the corporation and may prescribe their duties and compensation. The Board of Directors shall discharge its duties with respect to personnel organizational

matters without regard to age, sex, race, color, creed, sexual orientation, or the national origin of any person.

Section 16. Records. Every director shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the corporation.

Section 17. Compensation. No board member or officer of or any member of a committee shall receive at any time any of the net earnings or profit from the operations of the corporation. This shall not prevent the payment to any such person of reasonable compensation for services rendered to or for the corporation or the reimbursement or reasonable expenses.

ARTICLE III OFFICERS

Section 1. Number of Officers. The officers of the corporation shall be a Chairman, one or more Vice-Chairmen (as determined by the Board of Directors), a Secretary and a Treasurer. Two or more offices may be held by one person.

a. Chairman. The Chairman shall be the chief executive officer and shall preside at all meetings of the Board of Directors and its Executive Committee.

b. Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman and shall assist that office in the discharge of its leadership duties.

c. Secretary. The Secretary shall give notice of all meetings of the Board of Directors and Executive Committee, shall keep an accurate list of the directors and shall have the authority to certify any records or copies of records as the official records of the corporation. The Secretary shall maintain the minutes of the Board of Directors' meetings and all committee meetings.

d. Treasurer. The Treasurer shall be responsible for conducting the financial affairs of the corporation as directed and authorized by the Board of Directors and Executive Committee, and shall make reports of corporate finances as required, but no less often than at each meeting of the Board of Directors and Executive Committee.

Section 2. Term of Office. The officers shall be elected annually by the Board of Directors at the first meeting of the Board of Directors in January of each year. Each officer shall serve a one year term or until a successor has been elected and qualified.

Section 3. Elections. The nominating committee, a standing committee of the corporation, shall nominate, at least 30 days prior to the annual meeting, a slate of qualified candidates for the director position whose terms are to expire or are vacant, and its slate of candidates shall be included with the notice of the annual meeting. Following

the report of the nominating committee at the meeting, any director of the corporation may nominate other candidates for the available director positions, provided that the nominees agree to serve if elected. At the conclusion of nominations, the Board of Directors shall vote for each position by secret written ballot.

Section 4. Removal or Vacancy. The Board of Directors shall have the power to remove an officer or agent of the corporation. Any vacancy that occurs for any reason may be filled by the Board of Directors.

ARTICLE IV COMMON CONSUMPTION APPLICATION

The Board of Directors will apply to the Local Licensing Authority as and when required thereby with a plan of operation for the Common Consumption Area that will include:

1. Dates and hours of operation
2. Security provisions
3. Insurance policy
4. Physical barriers layout
5. List of attached licenses and past violations of those licenses
6. Needs of the neighborhood addressed

ARTICLE V REMOVAL OF PARTICIPATING LICENSE HOLDERS

The Board of Directors reserves the right to remove a license holder from the corporation by a vote of 2/3 of all directors present at a regular or special meeting of the Board of Directors. License holders can be removed for one or more of the following reasons:

1. Failure to pay agreed upon dues to the corporation
2. Liquor violations cited by the Local License Authority
3. Violations of the bylaws of the corporation
4. Failure to attend at least half of the regular meeting scheduled annually

**ARTICLE VI
CORPORATE SEAL, EXECUTION OF INSTRUMENTS**

The corporation shall not have a corporate seal. All instruments that are executed on behalf of the corporation which are acknowledged and which affect an interest in real estate shall be executed by the Chairman or any Vice-Chairman and the Secretary or Treasurer. All other instruments executed by the corporation may be executed by the Chairman or any Vice-Chairman. Notwithstanding the preceding provisions of this section, any written instrument may be executed by any officer(s) or agent(s) that are specifically designated by resolution of the Board of Directors.

**ARTICLE VII
AMENDMENT TO BYLAWS**

The bylaws may be amended, altered, or repealed by the Board of Directors only after a vote at any regular or special meeting when a quorum is present and where such proposal is passed by 2/3 vote the Board of Directors present. The text of the proposed change shall be distributed to all board members at least 10 days before the meeting.

**ARTICLE VIII
INDEMNIFICATION**

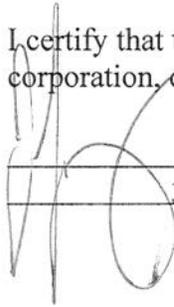
Any director or officer who is involved in litigation by reason of his or her position as a director or officer of this corporation shall be indemnified and held harmless by the corporation to the fullest extent authorized by law as it now exists or may subsequently be amended (but, in the case of any such amendment, only to the extent that such amendment permits the corporation to provide broader indemnification rights).

**ARTICLE IX
DISSOLUTION**

In the event of the dissolution of the corporation, the assets shall be applied and distributed as follows: all liabilities and obligations shall be paid, satisfied and discharged, or adequate provision shall be made therefor. Assets not held upon a condition requiring return, transfer or conveyance to any other organization or individual shall be distributed, transferred, or conveyed in trust or otherwise, to charitable and educational organization, organized under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, of a similar or like nature to this organization, as determined by the Board of Directors.

Certification

I certify that the foregoing is a true and correct copy of the bylaws of the above-named corporation, duly adopted by the initial Board of Directors on August 28, 2014



Joel Lewis Chairman



Jason Keenan Vice Chairman

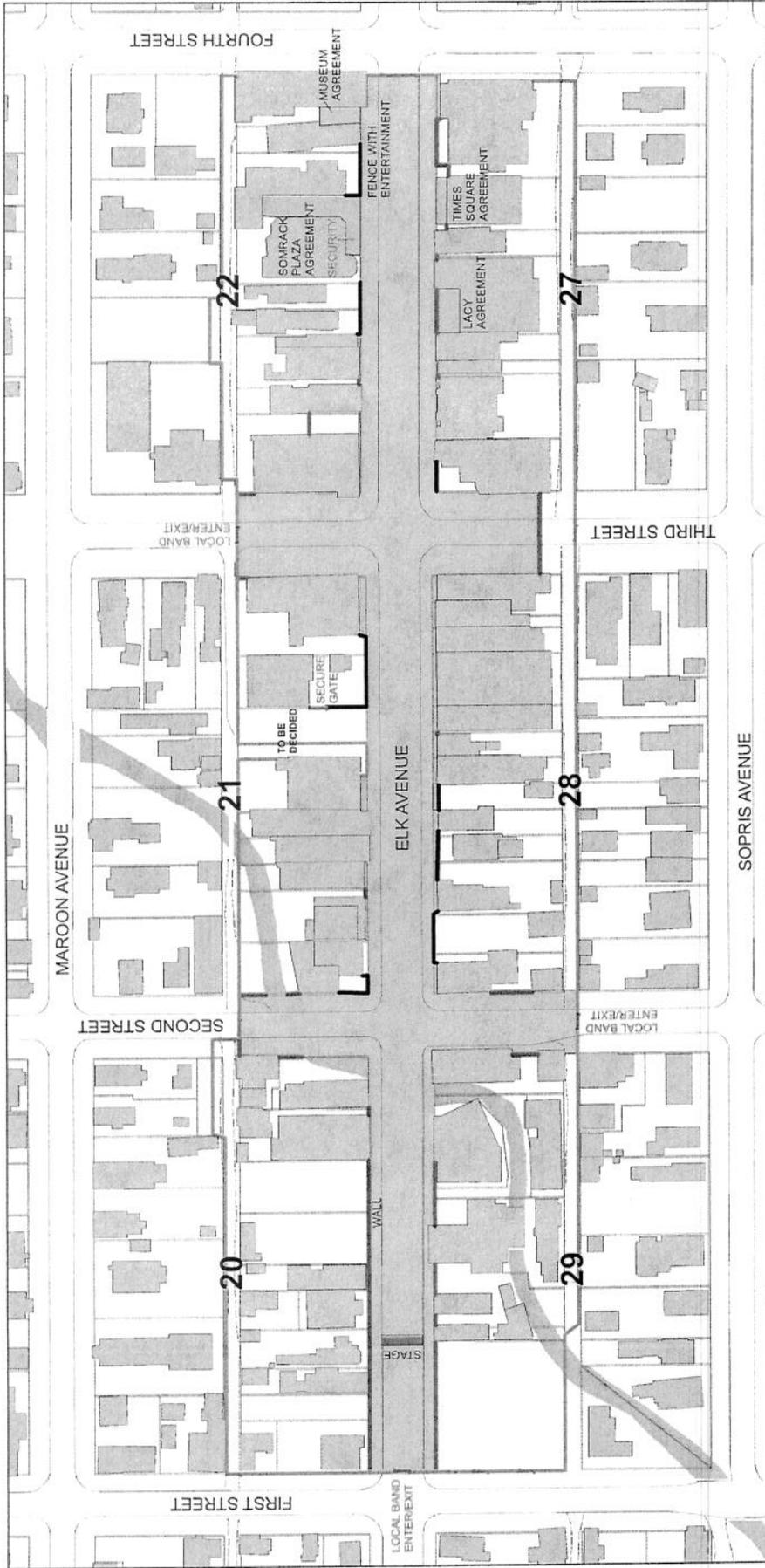
APPENDIX "C"

Licensed Establishment List

Kevin Hartigan – Last Steep
Dan Loftus and Brian Schneider – Brick Oven
Michael Marchitelli – The Gourmet Noodle
Kay Cook – Donitas Cantina
Jason Vernon – Kochevars
Drew Stichter – Pitas in Paradise
Craig Higgins – Maxwells
Olen Bogert – Ryce Asian Bistro
Kate and Chris Ladoulis – Bacchanale
Dana Rose and Matt Smith – Lil’s Sushi Bar and Grill
Jamie Timmons - McGills
Dave Coleman – Coal Creek Grill
Robin Joy Yost – The Sunflower
Joel Lewis – Talk of the Town
Davin Sjoberg – Teocalli Tamale
Kyleena Falzone – Secret Stash and Red Room
Eric Roemer – Wooden Nickel
Lexy Archer – The Eldo
The Dogwood – Phoebe Wilson

APPENDIX "D"

Detailed Diagram of Common Consumption Area



FENCING PLAN

- Event Containment Fence
Typical alley configuration is 14 foot drive surface and 2 foot pedestrian access in Blocks 20, 22, 27, 28, and 29
- Consumption Fence
Liquor consumption fence may be existing fence, new fence, agreement with private property owner for use, or control by security personnel
- Existing Fence
- New Fence
- Wall
- Areas to be accessed by agreement with property owner
- Gates
- Local Band Enter/Exit
- Secure Gate
- Consumption Area
- Buildings
- Parcel Boundaries
- Coal Creek

Filename: C:/project/AB_2014/Fencing Plan-b.mxd
Date: August 27, 2014

APPENDIX "E"

Lease of Town Rights-of-Way and Town-owned Property

SHORT TERM LEASE AGREEMENT

(Portion of the Town of Crested Butte Elk Avenue Entertainment District)

THIS SHORT TERM LEASE AGREEMENT ("lease") is made and entered into as of the ____ day of _____, 2014, by and between the **TOWN OF CRESTED BUTTE, COLORADO**, a Colorado home rule municipality ("lessor") and the **ELK AVENUE PROMOTIONAL ASSOCIATION, INC.** ("Lessee").

1. **Premises.** Lessor hereby leases to Lessee and Lessee hereby leases and takes from Lessor for the term of the rental and upon all terms, covenants, and conditions set forth herein, that area defined as the "Common Consumption Area" located within the Elk Avenue Entertainment District (a drawing of which is attached hereto as **Exhibit "A"** and incorporated herein by reference), Crested Butte, Colorado, hereinafter referred to as the "Premises". Lessee understands and agrees that this lease is for the Premises only and is therefore independent of any license granted by the Town of Crested Butte Liquor Licensing Authority. Lessee also understands and agrees that this lease does not alter in any manner the Lessee's obligation to obtain a liquor license from the Town of Crested Butte Liquor Licensing Authority to operate a Common Consumption Area within the Crested Butte Elk Avenue Entertainment District, nor does it alter or diminish the Lessee's obligation to obtain any other licenses or permits required by the Crested Butte Municipal Code.

2. **Term.** The term of this Lease Agreement ("term") shall be for the period beginning on September 5, 2014 and ending September 7, 2014 and, specifically, for those dates as authorized for use as a Common Consumption Area by the Town of Crested Butte Liquor Licensing Authority.

3. **Rent.** Lessee shall pay the Lessor as rent for the use of the Premises the amount of ten and no/100 dollars (\$10.00), due on the date of execution of this agreement.

4. **Improvement, Repair, and Maintenance of Premises.**

a) The Premises shall be improved by Lessee, at Lessee's sole cost and expense, to include outside fencing which has been temporarily affixed to and enclosing the Common Consumption Area, to permit food and legal beverage service to be consumed in the designated area in compliance with local and state laws and regulations. It is expressly understood that the fencing is required during those periods in which Lessee desires to allow liquor consumption on the Premises.

b) The Premises shall be maintained in its present condition solely by the Lessee at Lessee's expense. Upon termination of the lease, the Premises, including but not limited to, the sidewalk structure and surface shall be restored to its original condition, solely at Lessee's expense. The Lessee shall provide access to the Town for purposes of maintaining all planters within the Premises and other governmental purposes.

c) Lessee shall be required to obtain minimum liability insurance of One Million and No/100 Dollars (\$1,000,000.00). The Lessee agrees that said insurance shall be maintained during the life of the lease, and said insurance shall name the Town of Crested Butte as an additional insured on such policy. Lessee shall deliver to Lessor a certified copy of said insurance and shall direct the insurer to notify Lessor in the event said insurance is canceled.

d) Lessee shall be solely responsible for garbage collection/disposal and all other appropriate maintenance of the Premises. Additionally, the fence or railing affixed to and upon the sidewalk shall be removed at termination of this lease or if requested by the Lessor for any right of way or utility maintenance issues.

5. **Assignment and Subletting.** Lessee shall not have the right to assign this lease, or sublease all or a part of the Premises.

6. **Indemnity.** Except as otherwise agreed herein, the Lessee shall indemnify and save Lessor harmless from any and all claims, demands, costs and expenses of every kind whatsoever, including reasonable attorneys' fees for the defense thereof, arising from the Lessees' wrongful act or negligence in or about the Premises.

7. **Remedies Upon Lessee's Default.** In the event of any such material default by Lessee, Lessor may enter in the Premises, remove Lessee's property and take hold possession of the Premises and expel Lessee. Lessor may recoup costs of such removal from Lessee and pursue any other remedies available to Lessor under the laws of the State of Colorado.

8. **Termination.**

a) This lease shall immediately terminate upon the earlier of the following: 2:00 AM on September 7, 2014; or

b) Upon the date Lessee either surrenders or has its Common Consumption Area designation and license revoked by the Town of Crested Butte Liquor Licensing Authority; or

c) Upon notification by Lessee of Lessee's intention to vacate the Premises prior to the end of the lease period.

9. **Severability: Choice of Law.** The invalidity or unenforceability of any provision of this Lease, as determined by a court of competent jurisdiction, shall in no way affect the validity of the remainder of this lease or any other provision hereof. This lease shall be governed by the laws of the State of Colorado. All actions herein shall be venued in Gunnison County, Colorado.

10. **Effect of Waivers.** No waiver by Lessor or Lessee of any provision hereof shall be deemed a waiver of any other provision or of any subsequent breach by Lessee or Lessor of the same or any other provision. Lessor's consent to or approval of any act by Lessee shall not be deemed to render unnecessary the obtaining of Lessor's consent to or approval of any subsequent act by Lessee.

11. **Cumulative Remedies.** No remedy or election hereunder shall be deemed exclusive but shall, whenever possible, be cumulative with all other remedies at law or in equity.

12. **Entire Agreement.** The lease and any addenda and exhibits attached hereto or to be attached hereto, set forth all of the covenants, promises, agreements and conditions between Lessor and Lessee concerning the Premises and this lease and there are no covenants, promises, agreements, or conditions, either oral or written, between them. This lease may not be modified or amended in any manner except by an instrument in writing executed by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this lease as of the date first set forth above.

LESSOR:

TOWN OF CRESTED BUTTE,
COLORADO, a Colorado home rule
municipality

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

By: _____
Lynelle Stanford, Town Clerk

(SEAL)

LESSEE:

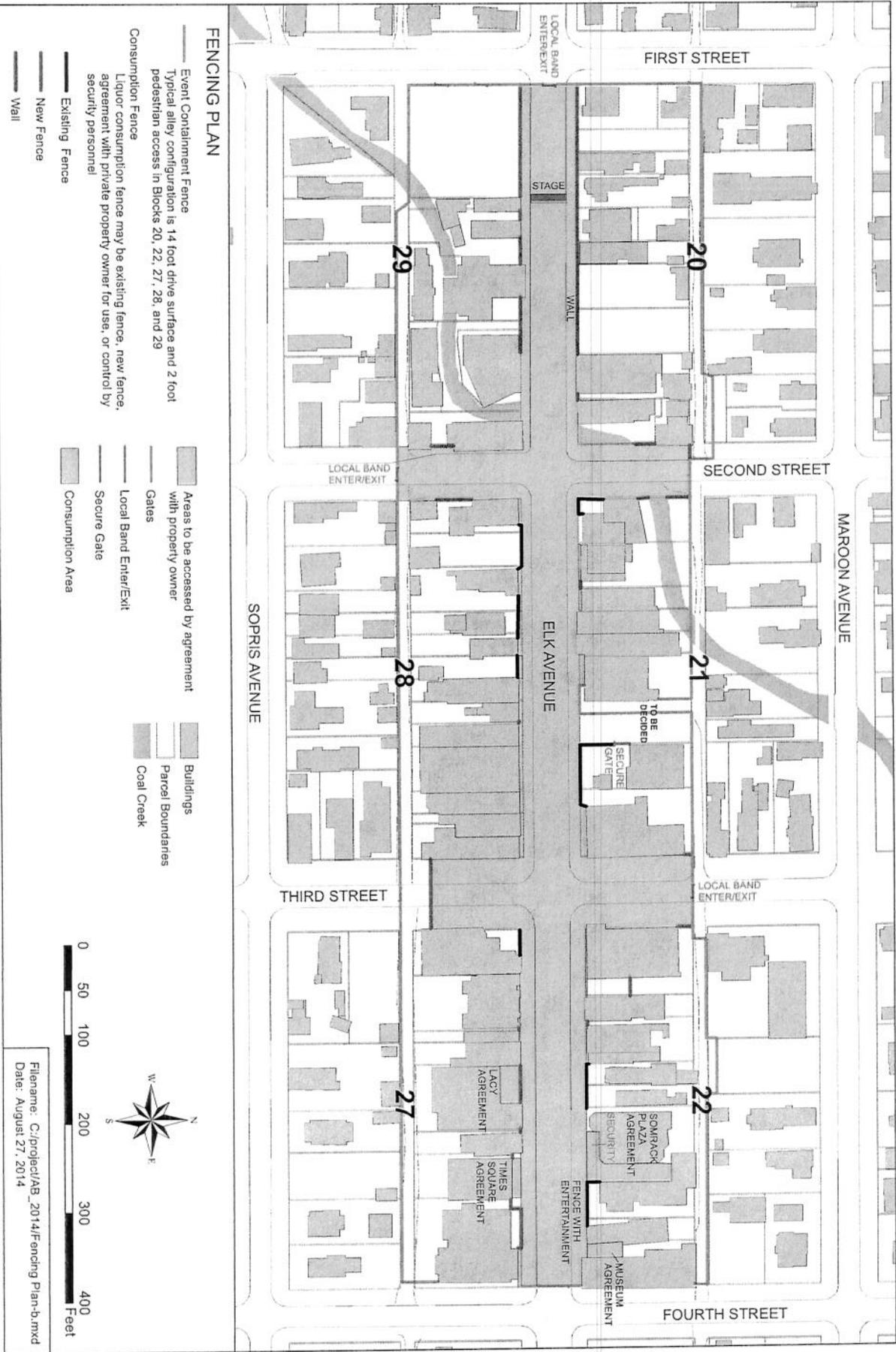
ELK AVENUE PROMOTIONAL
ASSOCIATION, INC., a Colorado non-
profit corporation

By: _____
Name: Scott Lewis
Title: Chairman

EXHIBIT "A"

Premises

[attach description of Premises here]



FENCING PLAN

- Event Containment Fence
Typical alley configuration is 14 foot drive surface and 2 foot pedestrian access in Blocks 20, 22, 27, 28, and 29
- Consumption Fence
Liquor consumption fence may be existing fence, new fence, agreement with private property owner for use, or control by security personnel
- Existing Fence
- New Fence
- Wall

- ▭ Areas to be accessed by agreement with property owner
- ▭ Buildings
- ▭ Parcel Boundaries
- ▭ Local Band Enter/Exit
- ▭ Consumption Area
- ▭ GATES
- ▭ Coal Creek
- ▭ Local Band Enter/Exit
- ▭ Secure Gate
- ▭ Consumption Area



Filename: C:/project/AB_2014/Fencing Plan-b.mxd
Date: August 27, 2014



Staff Report

August 21, 2014

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Lynelle Stanford, Town Clerk
Subject: **Vinotok Special Event Application**
Date: 8-21-2014

Summary: Vinotok is planned for September 19 and 20, 2014. The festivities are scheduled to begin on Friday, September 19 with the Harvest Feast, which would be held in the 100 Block of Elk Avenue, beginning at 5:30PM. The 100 Block of Elk Avenue would close on Friday, September 19 at 8AM to allow for set up for the Harvest Feast. Event organizers have applied for a special event liquor permit. They would delineate the Harvest Feast boundaries, and they have one entrance and exit where they would have security to control alcohol and to check the IDs of the people that are entering. No alcohol is to leave the perimeter. Elk Avenue would reopen at 6AM on September 20. Beginning at 5AM on September 20, the Chamber Lot would be closed for fire construction to begin. Elk Avenue would close in its entirety starting at 2nd Street beginning at 5PM on September 20 for “mumming” and the processional down Elk Avenue. Elk Avenue would reopen at 8:30 PM on September 20 beginning at 6th Street when the procession moves to the Chamber Lot. The Chamber Lot would be closed through Sunday, September 21 and would reopen after clean up is completed. At the time of this staff report, the Town Manager has not signed off on the event due to questions still unanswered pertaining to the inspection of the construction of the fire. It is anticipated that the issue of who would sign off on the construction of the fire could potentially be remedied in the upcoming days.

Recommendation: To approve the Vinotok special event application contingent upon an approved fire expert signing off on the construction of the Vinotok bonfire and contingent upon the Town Manager’s approval.

Suggested Motion: To approve the Vinotok special event application contingent upon an approved fire expert signing off on the construction of the Vinotok bonfire and contingent upon the Town Manager’s approval.

TOWN OF CRESTED BUTTE SPECIAL EVENT APPLICATION



- A **complete** application must be submitted a **minimum** of forty-five (45) days prior to your event. A **complete** application includes all **fees** and **deposits**.
- Incomplete applications will not be accepted.
- A \$100 late fee will be charged for late applications and no applications will be accepted less than ten (10) business days prior to an event.
- In addition to the application fee and a special event permit fee, a clean-up deposit may be charged depending on the size and scale of the event (see special event fee schedule for details).
- All special events require a minimum of \$1,000,000 in general commercial liability insurance naming the Town of Crested Butte as an additional insured. If you have reserved the Big Mine Ice Arena for more than 299 people you will also need to add the Crested Butte Fire Protection District as an additional insured.
- Additional application fees are required for a Special Event Liquor License.
- Please print clearly and **legibly**
- Block parties must comply with the Block Party Policies and are not Special Events. Contact the Clerk's Office for more information.

Name of Event: Vinotok

Date(s) of Event: September 19th, 2014

Name of Organization Holding the Event ("Permittee"): Vinotok Council

Note: The permittee of an event must be the same as the named insured on the insurance binder.

Name of Event Organizer: Molly Murfee

Phone: 349-0947 Cell Phone: _____

E-Mail: mmurfee.aei@usa.net Fax Number: 349-1775

Name of Assistant or Co-Organizer (if applicable): Kat Harrington

Phone: _____ Cell Phone: 770-319-5112 E-Mail: Katharrington@gmail.com

Mailing Address of Organization Holding the Event: P.O. Box 1067; Crested Butte, CO. 81224

Email Address of Organization: mmurfee.aei@usa.net Phone Number: 349-0947

Detailed Event Description: Please attach an event schedule if applicable Event Schedule Attached

Event Location: *(Attach map showing location of event; Also attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc):*

Map Attached Showing Location of Event Diagram Attached Detailing Event

Event Time (start time of scheduled event to end time of scheduled event): see attached
Total Time (including set-up, scheduled event, break-down & clean-up): see attached
Expected Numbers: Participants: see attached Spectators: see attached

Do You Intend to Sell or Serve Alcohol? Yes No

If Yes, a Special Event Liquor License is Required, You must Submit a Separate Application for a Special Event Liquor License to the Town Clerk at least 30 days prior to the event to ensure adequate time to comply with state regulations.

Special Event Liquor License Application is Attached with Appropriate Fees and Diagram

Proof of General Commercial Liability Insurance Naming the Town of Crested Butte as Additional Insured, with Coverage of No Less than \$1,000,000 is Required for All Special Events. If your event is in the Big Mine Ice Arena and over 299 people you will also need to add the Crested Butte Fire Protection District as Additional Insured. Events Selling Alcohol also Require Liquor Liability Insurance (Note your application cannot be approved until we receive Proof of Insurance). *Contact the Clerk's Office if you would like to receive an insurance quote through the Town's Insurance Provider.*

Is Proof of Insurance is Attached? Yes / No

If No, Why Not: In process

Will There Be Amplified Sound at This Event? Yes / No

If Yes, Describe: see attached

Note: If there will be amplified sound during your event then the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Upon completion and submission of this application the Town will provide you with additional information, including details on how to comply with the neighborhood notification process that you will be required to follow.

Are you requesting Town Manager approval for a 1-day banner at the event location for the hours of the event? Yes / No
Town Manager Approval: _____

Do you plan to apply for a banner permit to erect a banner at the Pitsker Outfield Fence? Yes / No
If yes, you must apply for a banner permit separately through Diane at the Front Desk of Town Hall.

How much trash do you anticipate generating at the event? see attached

What recyclable products will be generated at the event? see attached

Describe Your DETAILED Plan for Trash, Recycling and Clean-Up (all events are required to have a plan for handling recycling and garbage during the event and the removal of recycling and garbage after the event). Please note that any plan should emphasize increased recycling and decreased waste production. If you feel that your event will require assistance from a waste company contact the Clerk's Office at 349-5338 or look on the special event section of the Town's website at www.townofcrestedbutte.com for details on the two different waste companies that serve Crested Butte and the scope of their services. Be creative and detailed in you plan. Please note that any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

see attached

Describe Plan for Security (All major impact events, as well as events that receive a special event liquor license, are required to have a security plan):

see attached

Describe Plan for Parking: see attached

Describe Plan for Portable Toilets and/or Restrooms: see attached

Is Your Event Requesting Any Additional Services from the Town of Crested Butte (such as barricades, utility irrigation locates, traffic control, snow removal, electrical power, trash removal, additional police etc.)? Yes / No

If Yes, explain request for services in detail (attach additional page if necessary): see attached

Will Your Event Require Any Road Closures? Yes / No

If Yes, Explain in Detail Streets Closures and Times of Closures: see attached

Will Your Event Impact Mt. Express Bus Service and/or Routes? Yes / No

If Yes, Explain Impact: see attached

Will Your Event Affect Any Handicap Parking Spaces? Yes No

If yes then you must work with the Marshal's Department to create a temporary handicap parking space/s for the duration of your event.

Describe Plan for Notifying Businesses and Neighbors Impacted by Your Event:

see attached

Does Your Event Include a Parade? Yes / No foot parade

If yes you must read and sign the following: I understand that if items are to be distributed during the parade (i.e. candy, beads, etceteras) individuals will do so exclusively by foot from along-side the vehicles/floats to minimize the likelihood of spectators running up to the vehicles/floats. I understand and agree that items will not be thrown from any vehicle/float.

Melley Muehle
Signature of Event Coordinator

Will You Be Selling Products (food, drink or merchandise) At Your Event? Yes No all by donation

If Yes, You must Collect Sales Tax and Attach a Completed Town of Crested Butte Sales Tax License Application. Town of Crested Butte Sales Tax Application is Attached.

If Approved Would You Like Town Staff To Post The Event On The Gunnison-Crested Butte Online Community Calendar (this service is free of charge)? Yes No

If yes, please write two sentences below describing the event in the exact wording it will appear on the calendar: _____

Contact Name & Phone Number for the Calendar: _____

Event Fee for the Calendar: _____ Website for More Info: _____

Additional Applicant Comments: _____

Please Review Carefully:

In consideration for being permitted by the Town to engage in the permitted event, the Permittee, its heirs, successors, executors, assigns, transferees, employees, officers, directors, members, managers, representatives, contractors, subcontractors, agents, assigns, guests and invitees (collectively, the "Releasor/Idemnitor") hereby acknowledge and agree to the following: (i) Releasor/Idemnitor assume all risk of injury, loss or damage to Releasor/Idemnitor, any of them, arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (ii) Releasor/Idemnitor waive and release the Town from any and all claims, demands and actions for injury, loss or damage arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (iii) Releasor/Idemnitor agree to defend, indemnify and hold harmless the Town from and against any and all liability, claims, damages and demands, including any third party claim asserted against the Town, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, arising out of or in any way related to the permitted use, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause. For purposes hereof, the term "Town" shall include, individually and collectively, its officers, employees, agents, insurers, insurance pools, contractors and subcontractors. By signing this Special Event Application, the Permittee acknowledges and agrees that this assumption of risk, waiver and indemnity extends to all acts, omissions, negligence or other fault of the Town and that said assumption of risk, waiver and indemnity is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. In any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding such invalidity, continue in full legal force and effect.

The undersigned Permittee certifies that all the statements and answers to the above questions are true without any reservations or evasions. The undersigned also understands that the Town of Crested Butte reserves the right to require payment for additional services for major impact events

Molly Murfee / Molly Murfee
Print Name Clearly / Signature of Applicant (Permittee)

8-13-14
Date

Application is Approved: _____ Date: _____

VINOTOK PERMIT INFORMATION

2014

COMMUNITY FEAST

Friday, September 19

Event Description:

The Vinotok Community Feast is a family-friendly event where community members may come together to share a regionally produced and seasonal meal. The evening is complimented with poetry readings, community members bringing their acoustic instruments to play around the fire pits, and demonstrations of fire art.

Event Location: The 100 block of Elk Avenue

Event Time: 5:30 – 10 p.m. Friday, September 20

Total Time: 8 a.m. Friday, September 19 – 6 a.m. Saturday, September 20

Expected number of participants: 50 (volunteers)

Expected number of spectators: 250 - 300 (diners)

Schedule of Events:

Thursday, Sept. 18	4 p.m.	Marshalls place cones placed on street to advise of no parking for the following day; barricades staged
Friday, Sept. 19	8 a.m.	Road closed for Community Feast Preparation; barricades up
	8 a.m.	Feast preparation begins
	5:30 p.m.	Feast begins
	8 – 10 p.m.	Poetry readings, impromptu acoustic music around the fire pits
	10 p.m.	Feast ends, clean-up begins; Vinotok crew moves barricades to side of the Slope building for next day
Saturday, Sept. 20	6 a.m.	Roads re-opened

Alcohol:

Mountain Roots will be obtaining their Special Events Liquor License for the feast in a designated tent. Feast attendees will be carded at the ticket booth and given a wristband or stamp if they are over 21. A thematic boundary will be established for the designated feast area where people may consume their purchased alcoholic beverages.

Amplified Sound:

A small speaker and microphone will be used for announcements, awards and music during the feast

Trash:

Vinotok aims to be a zero waste festival. No eating or drinking utensils will be provided and community members must bring their own. Beverages will be served in "bring your own" glasses. Any trash generated will be handled in partnership with the Vinotok Green Team Coordinator and the Crested Butte Farmer's Market. The minimal trash will be collected in a bear proof bin and taken care of by the Crested Butte Farmer's Market office trash service. Recycling will be handled the same. Food waste will be stored in secure buckets and taken by Nancy Wicks to her farm for composting.

Security:

Vinotok volunteers and principle organizers will be maintaining the boundary of the feast, which will be clearly marked. Tickets and over 21 wristbands will be taken and given at the designated ticket booth.

Parking:

No parking needed for this event

Toilets:

Community Feast guests will be able to use the public restrooms at the Old Town Hall as well as restrooms at Kochevar's.

Additional Services:

None needed

Road Closures:

Cones will be placed by the Marshall's office on the 100 block of Elk to advise the community of upcoming parking restrictions beginning on Thursday, Sept. 18 at 4 p.m. The road will be closed from Friday, Sept. 19 at 8 a.m. until Saturday, Sept. 20 at 6 a.m. whereupon the cones will be removed by the same.

Mountain Express:

The Mountain Express bus route will not be impacted by this event

Handicap Parking:

Handicap Parking will not be impacted by this event

Notification Plan:

Vinotok schedule of events is announced through psa's on KBUT, on the KBUT online calendar, the gcbcalendar.com, facebook, and press releases in the *Crested Butte News*.

Fire Plan:

Please note: Vinotok has secured insurance that covers fire art

Fire Art:

Fire art will be demonstrated by the Crested Butte Fire Spinners after the feast between 8 and 10 p.m. The following practices will be employed during this time:

- The Crested Butte Fire Spinners follow the NFPA 160 – the Standard for the Use of Flame Effects Before an Audience by the National Fire Protection Association

- Fire-spinning will only be demonstrated in the designated areas
- Only official members of the fire-spinning group will be allowed to spin
- Only official and professional fire tools in excellent condition will be used for spinning
- Kerosene is used as fuel for its low burn temperature
- Fuel is kept in a designated dipping space away from performance space. Lighting occurs away from the dipping space.
- A safety person from the Crested Butte Fire Spinners is always on hand ready with fire blanket and extinguisher
- 2 UC certified fire extinguishers are on site for demonstrations
- Artists use a Duvetyn fire retardant material as a fire blanket
- A fire retardant spray is used for artist clothes
- All fire art tools and fuels in their original containers are kept in a metal box
- Vinotok Fire Artist Coordinator Calvin West is available for demonstration of fire art and fire art equipment if desired

Fire Pits:

- Elevated backyard fire pits are used during the feast to set the ambiance and to provide a place for community members to read poetry and play acoustic music
- Fire pans will be placed underneath the backyard fire pits for ground / street protection
- Fire extinguishers and fire retardant fire blankets from the Crested Butte Fire Spinners are on hand at all times.
- Fire logs are of standard wood burning stove size (i.e. no bigger than what you can purchase at the grocery store). Fires are intentionally kept small and cozy – no more than 2-3 logs burning at a time.
- Fire in fire pits will be completely extinguished and removed from the premises at the end of the feast (10 p.m.)

VINOTOK DAY
Saturday, September 20

Event Description:

On Vinotok Day the Vinotok Theatre Troupe performs short “mumming” plays in the local bars and restaurants in an informal procession up Elk Avenue. A play of seasonal characters then takes place on an outdoor stage in front of the Eldo. The play ends in a final procession of escorting the “Grump” back down Elk to the 4-way where he is ceremoniously burned in a fire in order to assure good luck and good snow for the winter.

Event Location: The entirety of Elk Avenue culminating at the parking lot at the 4-way

Event Time: 5:00 – 10:30 p.m. Saturday, September 20

Total Time: 5 a.m. Saturday, September 20 –12 p.m. Sunday, September 21

Expected number of participants: 75

Expected number of spectators: 800 +

Schedule of Events:

Saturday, Sept. 20	5 a.m. - 8:30 p.m.	Block between 2 nd & 3 rd as well as the 600 block will coned for no parking
	5 a.m.	Chamber parking lot blocked off (through Sunday, September 22)
	5 a.m. – 8:30 p.m.	Block between 2 nd & 3 rd blocked off Mtn Express avoids Elk Ave
	4:30 p.m.	Fire construction inspection
	5 - 7:30 p.m.	Mumming & moving barricades begin
	7:30 p.m.	Trial of the Grump in front of Eldo
	7:30 – 8:30 p.m.	Elk from 2 nd to 4-way completely closed for play & procession
	8:15 – 10:30 p.m.	Block between 6 th & 7 th blocked off
	8:30 p.m.	Elk re-opens (when procession arrives at 4-way)
	10:30 p.m.	Fire out
Sunday, Sept. 21	9:30 a.m.	Tweezers, buckets, garbage bags dropped off at Chamber by Parks and Rec
	9:30 a.m.	Bobcat at 4-way by Parks and Rec
	9:30 a.m.	Volunteer clean up begins

Alcohol:

No alcohol is served during Vinotok

Amplified Sound:

A sound and lights system is established on the temporary stage in front of the Eldo for community members to hear the theatre performance.

Trash:

Vinotok aims to be a zero waste festival. No food or drink of any sort is served by the Vinotok Theatre Troupe. However, Vinotok recognizes that many of the spectators create trash of their own volition. For these purposes we have a firmly established trash and recycling plan.

- Vinotok has a Green Team Coordinator dedicated especially to trash and recycling
- Pre-existing trash receptacles already present at the 4-way will be moved closer to the fire circle to be better accessible to the public
- Waste Management is providing Vinotok with an additional 4 event boxes for the site
- Eight large plastic bins will be delivered by Parks & Rec to the 4-way Friday afternoon or Saturday morning. Four of these will be placed at the fire site and "manned" by volunteers to avoid contamination. Vinotok volunteers will be responsible for dumping trash from these.
- The remaining four large plastic bins will be brought by Vinotok to the 200 block of Elk Avenue on Friday afternoon or Saturday morning. Vinotok volunteers will be responsible for dumping trash from these.
- Vinotok volunteers will pick up major grievances on the 200 block of Elk as the procession leaves the stage. When the block is clean, Vinotok volunteers will move barricades from the 200 block to the side of the Grubstake and Slope buildings
- After the fire is extinguished, Vinotok volunteers will pick up major grievances at the 4-way
- On Sunday, September 21 at 9:30 a.m. the entire Vinotok Theatre Troupe convenes and cleans Elk Avenue to Sopris and Maroon including adjacent alleys.
- A bear proof 10-yard dumpster will be reserved through Waste Management and will be placed at the 4-way for remaining fire debris to be deposited on Sunday.
- Volunteers will assure no contamination of recycling and return the containers to their proper park
- A magnet is used at the 4-way to remove any nails released in the fire.

Parks & Rec Special Requests

- Parks and Rec should assure that trash cans in the 4-way vicinity and designated recycling bins to be moved to the 4-way will be emptied on Friday, before pickup for the event
- Four large plastic bins will be delivered by Parks & Rec to the 4-way Friday afternoon or Saturday morning. These will be placed at the fire site and "manned" by volunteers to avoid contamination.
- Four large plastic bins will be placed by Vinotok along the 200 block of Elk Avenue on Friday afternoon or Saturday morning. Vinotok volunteers will be responsible for dumping trash from these.
- To deposit tongs, buckets and trash bags on the backside of the Chamber building the morning of Sunday, September 21 by 9:30 a.m.
- A bobcat on Sunday, September 21 by 9:30 a.m. to scoop and deposit fire debris in dumpster

Security:

All Vinotok Theatre Troupe volunteers are charged with maintaining the boundary of the fire ring for the safety of the public. Police and fire department volunteers are also present

Parking:

No parking needed for this event

Toilets:

Chamber restrooms will be open for us

Additional Services:

- The CB Marshalls have agreed to place cones to prevent parking on Elk Avenue between 2nd and 3rd so that Vinotok volunteers may safely establish and decorate the stage and the sound system can be installed. These will be placed out by 7:00 a.m. and remain until 8:30 p.m.
- Barricades will be left by the marshals at The Slope and the old Grubstake building to block off this section of Elk when construction of the stage begins. This should be around 11:00 a.m. At this point, Mtn. Express will need to reroute around this block

Road Closures:***Parking lot behind the Chamber***

- The parking lot behind the Chamber should be closed for the entire day of Vinotok so that trailers and flatbeds may be moved in, dumpster arrive, and fire crew begin to construct fire.
- Marshalls will place no parking cones on the 600 block of Elk for the day so fire preparations may take place from 5 a.m. – 8:30 p.m.
- During the fire (8:30 p.m. – 10:30 p.m. and after) the block of Elk from 6th and 7th should also be closed to assure public safety (ie clueless people wandering around after the fire)
- The parking lot will be closed through Sunday, Sept 21, until all trash has been cleared of the area. The barricades will then be removed.

Elk Avenue

- Mummings begins at 5:00 p.m. Marshalls will work with temporary closures on Elk as the Mummies move up Elk Avenue to allow parking and restaurant visitation. In other words, a moving barricade will precede and follow the mummies as they move from restaurant to restaurant so they and the community may have a block to dance and move. The block between 2nd and 3rd remains closed the entire time.
- Mummies agree to pause for drumming / dance performances / parties at 2 – 3 designated spots. These spots will not interfere with intersections. Two confirmed designated spots will be in front of the Community Store and the Brick Oven.
- During this time, it would be within the best interest of Mountain Express to completely avoid Elk Avenue. Second Street will be open at the Old Town Hall for that stop, however.
- Elk Avenue from 2nd to the 4-way will be completely closed from 7:30 until 8:30 p.m. so that the street theatre can occur and the community procession can begin towards the 4-way.
- Vinotok agrees to create the Grump in such a manner that it can be expediently moved down Elk Avenue to avoid delays. Grump pullers will begin staging the Grump after

mumming at the West End Public House to expedite initiation of the play and procession.

- By 8:30 p.m. everyone should be at the 4-way and Elk Avenue can completely reopen

Mountain Express:

- Mountain Express will need to avoid Elk Avenue entirely from 12 p.m. - 8:30 p.m. until the procession has arrived at the 4-way
- Buses coming through the 4-way should be able to utilize the 4-way bus stop during the entire festival as well as the Old Town Hall stop
- It is requested by the Marshalls department that Mtn. Express run buses until 2:30 a.m. on Saturday

Handicap Parking:

Handicap Parking will not be impacted by this event

Notification Plan:

Vinotok schedule of events is announced through psa's on KBUT, on the KBUT online calendar, the gcbcalendar.com, facebook, and press releases in the *Crested Butte News*.

Fire Plan:

Please note: Vinotok has secured insurance that covers fire art, simple pyrotechnics including but not limited to electric starts, smoke bombs and flares

Fire Art:

Fire art will be demonstrated by the Crested Butte Fire Spinners on the Vinotok Stage in front of the Eldo to occupy the crowd while the Vinotok Theatre Troupe is retrieving the Grump. Additionally, fire spinners are used to entertain the crowd at the four way as well as inside the fire ring while the Grump is being situated and the Vinotok Theatre Troupe is taking its place

- The Crested Butte Fire Spinners follow the NFPA 160 – the Standard for the Use of Flame Effects Before an Audience by the National Fire Protection Association
- Fire-spinning will only be demonstrated outside of the fire ring at the 4-way and at the 600 block before the Grump arrives to lessen the intensity of the crowd pushing against the barricades. Each artist will have a safety watching their circle. Once the Grump arrives, fire spinners will resume their spinning inside the fire ring.
- Only official members of the fire-spinning group will be allowed to spin
- Only official and professional fire tools in excellent condition will be used for spinning
- Kerosene is used as fuel for its low burn temperature
- Fuel is kept in a designated dipping space away from performance space. Lighting occurs away from the dipping space. One safety person is always present at this dipping station at both locations.
- A safety person from the Crested Butte Fire Spinners will be on the stage and on hand at the fire ring with fire blanket and extinguisher
- Several safety persons from the Crested Butte Fire Spinners will line the front of the stage on the street during that performance
- 2 UC certified fire extinguishers are on site for demonstrations
- Artists use a Duvetyn fire retardant material as a fire blanket

- A fire retardant spray is used for artist clothes
- All fire art tools and fuels in their original containers are kept in a metal box
- Vinotok Fire Artist Coordinator Calvin West is available for demonstration of fire art and fire art equipment if desired

Bonfire Safety Plan:

Goal:

- To create a safe and enjoyable fire to protect crowds and property while maintaining the persona and excitement of the burning of the Grump at Vinotok

Objectives:

- To create a fire that burns in stages:
 - An initial intense fire period at take off
 - A second fire period burning less intense
 - A final phase of burn out and putting out of the fire
- To have a quick lighting, quick burning fire to alleviate unnecessary unburned materials and to assure the fire is ready to be put out at the appropriate time
- Clean up

Communication:

- The public will be informed on a weekly basis through press releases run in the local paper that inappropriate materials and behavior surrounding the fire will not be tolerated
- Bob Wojtalik has agreed, as a public citizen, to oversee the fire creation to assure that the Vinotok fire is constructed as safely as possible while still maintaining the persona of the Vinotok festival. Bob will also serve as the liaison between Vinotok and the Crested Butte Fire Department.
- Communication will be kept open between the Vinotok committee, the fire department and the police department to assure all safety needs are being met while still constructing an exciting fire for the community.
- Bob will be available for conversations with Tommy Martin and Rick Ems to refine strategies of fire building to assure safety and address concerns

Construction

Please Note: A fire diagram is attached, as requested

- Fire will be constructed by a special Vinotok Fire Committee
- Molly Murfee, Vinotok Organizer, will hold a special meeting with the Vinotok Fire Committee with Vinotok Fire Marshall Bob Wojtalik to discuss safety requirements of the fire
- Wood materials will be gathered and stored at a private residence.
- Special attention will be made to assure only proper and safe materials are used in construction
- Height and diameter of the fire will be overseen by Bob to assure safety
- The bulk of the height of the fire structure to 10' high while keeping the diameter at 20'.
- At the outside of the fire diameter we will use smaller and fast burning less dense materials such as brush. This outside material will be burned first and the fire will then spread into the fire ring. At approximately the 16' diameter we will build the 10' high fire structure using

pallets and dry rounds no more than 4" diameter. Inside the 16' ring there will be a stack of dry pallets on which the "Grump" will be placed. The pallets will provide most of the fire load and should reduce the flying embers. For aesthetic purposes, some dry rounds may sporadically reach above 10'.

- Palettes are used to help hold up loose downed wood. This provides an area for the "Grump" to be wheeled into.
- Palettes will be used as a "grate" system underneath the Grump to provide air circulation
- We will rely heavily on a 50/50 mix of diesel and gasoline accelerant to start the fire and also create a larger fire. The accelerant will be contained in double plastic bags to reduce vapor hazard. The use of an accelerant will create a larger crowd pleasing fire without creating additional embers
- We will use an electrical ignition system to light the main fire and any other effects. The fire will be initially lite by event staff as an effect.
- The use of theatrical pyrotechnics will be used for additional crowd pleasing effects. These pyrotechnics will not explode or send projectiles vertically or laterally into the crowd. We can provide a list of effects one week prior to the event for review
- Bob will provide complete supervision of the fire building, after completion of the fire structure building and during the burn. This will prevent unauthorized fireworks, flammables, or other items to be placed in the fire.
- When the procession reaches the fire area, Torchbearers "light" the fire with small preplaced diesel soaked rags and then back away from the fire to give the illusion they started the fire.
- Ignition will be remotely controlled through prewired electrical system to help ensure safety
- Barricades will be placed around the fire so that the crowd is maintained at a safe distance from the fire
- An inspection of fire will be held on Saturday, Sept. 20 at 4:30 pm. Bob Wojtalik will be present for the inspection for representatives of the Police and Fire departments
- After fire inspection, area will be secured, no community member will be allowed in fire area. No further fuel will be added. Vinotok will arrange for the fire to be manned by only approved volunteers at all times after inspection.
- Bob will be in tight coordination Vinotok organizers to assure proper lighting and safety until the fire is extinguished.
- The fire department will soak the burm on the east side of the parking lot before the bonfire is lit

During the Fire

- Vinotok cast and crew (maidens, torchbearers, flagbearers and Fire Committee) will be coordinated so as to serve as additional safety barriers during the fire. They will actively keep the crowd outside of the fire barricade
- Marshals from the Crested Butte Marshals Office will be on hand to maintain the peace and respond to any citizen that is being disorderly and disobedient in regards to the fire
- Fire Committee will be clearly designated with uniforms that alert the crowd as to their "fire role" while also maintaining the mood of Vinotok
- Vinotok will construct an inner barricade around the fire and an outer barricade further out until the fire has been lit and become smaller. The outer barricade will be opened when it becomes safe to get closer to the fire.

- Andrew Winogradow will be the “go-to man” for coordination of the Vinotok volunteers in opening the barricades
- Bob will be the point person for any safety concerns made by the fire and police departments
- A guaranteed fire truck with firefighters will be close by for fire emergencies during the fire as well as to put out the fire at the end of the burning period
- The fire department will provide three firefighters with bladder bags to patrol the neighboring block for embers and spot fires for the first 30 – 45 minutes when the fires is the most intense
- The police department will assist in dispersing the crowd when it is time to put out the fire. This is also well done by the fire engine turning on its lights which acts as a natural crowd dispersant

Other Safety Notes:

- The Eldo has identified their fire extinguishers to be located by the front door and by the bar. Eldo personnel will be on hand to watch for fire from cigarettes and decorations meeting, and ready with fire extinguishers. They are aware of this combination of fire potential.

NOTIFICATION OF AMPLIFIED SOUND

Pursuant to Crested Butte Ordinance No. 19, Series 2007 (a.k.a. The Noise Ordinance) please be advised that there will be amplified sound in your neighborhood on the date(s) and time(s) described below during a Town approved Special Event.

Event Name: Vinotok Feast

Event Date(s): Friday, ~~XXXX~~ Sept. 19

Event Location: 100 block of Elk

Scheduled Start Time & End Time of Amplified Sound: 5:30-10:00

Type of Amplified Sound: mic + amp

Event Holder Contact Name: Molly Murfee Phone: 349-0947

Town Council Approval Date & Time if Applicable: _____

NOTIFICATION OF AMPLIFIED SOUND

Pursuant to Crested Butte Ordinance No. 19, Series 2007 (a.k.a. The Noise Ordinance) please be advised that there will be amplified sound in your neighborhood on the date(s) and time(s) described below during a Town approved Special Event.

Event Name: Vinotok Grump Trial

Event Date(s): Saturday, Sept. 20

Event Location: 200 block of Elk Avenue

Scheduled Start Time & End Time of Amplified Sound: 7:30- 8:30 p.m.

Type of Amplified Sound: mic + pa

Event Holder Contact Name: Molly Murfee Phone: 349-0947

Town Council Approval Date & Time if Applicable: _____

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:

2110 MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY

2170 FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE
Mountain Roots Food Project

State Sales Tax Number (Required)
98-006105

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)

*PO Box 323
 Gunnison, CO 81230*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)

*Elk Ave - 100 Block
 Crested Butte, CO*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <i>Holly Conn</i>	<i>11-01-72</i>	<i>721 Gothic Ave Crested Butte CO 81224</i>	<i>970 417 7848</i>
5. EVENT MANAGER <i>Molly Murphee</i>	<i>5-29-69</i>	<i>Po Box 1067 CB CO 81224</i>	<i>349-0947</i>

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? *1 Day May 2014*

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO YES TO WHOM? _____

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	From	To	Hours	From	To	Hours	From	To	Hours	From	To
<i>Fri Sept 19 2014</i>			<i>5:00</i>	<i>pm</i>	<i>10:00</i>	<i>pm</i>					

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE *H Conn* TITLE *director* DATE _____

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY) *Town of Crested Butte* CITY COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK *970-349-5338*

SIGNATURE *[Signature]* TITLE *Town Clerk* DATE *8-22-2014*

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

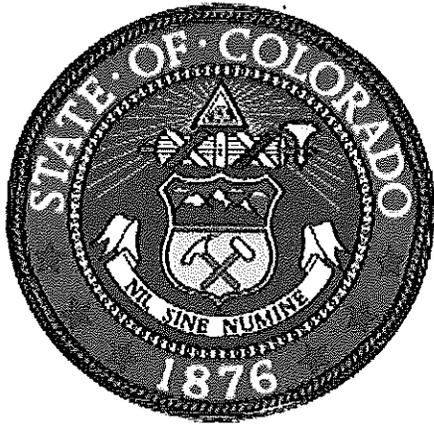
I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Mountain Roots Food Project

is a **Nonprofit Corporation** formed or registered on 05/11/2011 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20111277607.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 08/12/2014 that have been posted, and by documents delivered to this office electronically through 08/13/2014 @ 11:52:03.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 08/13/2014 @ 11:52:03 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8927379.

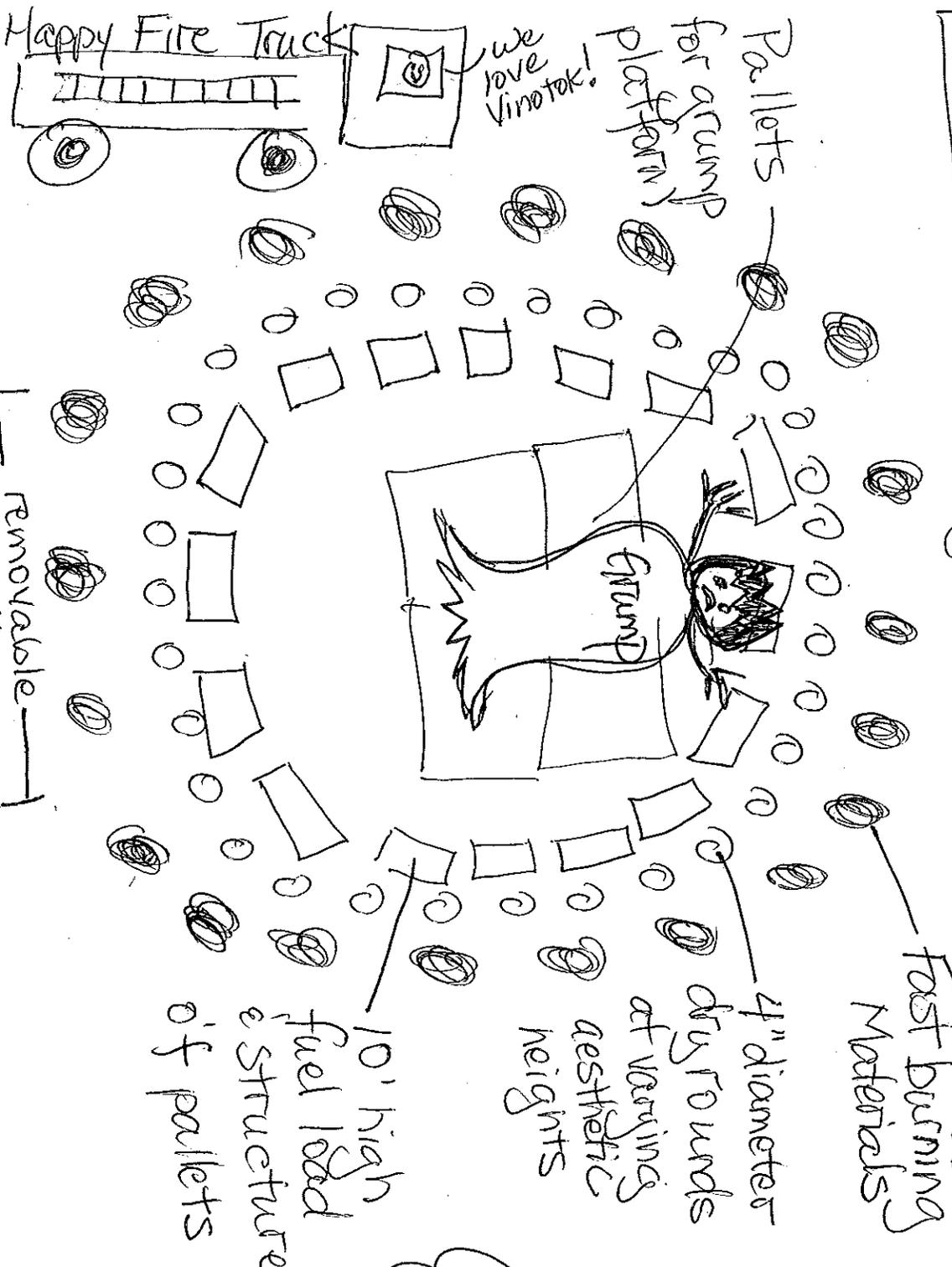


Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."

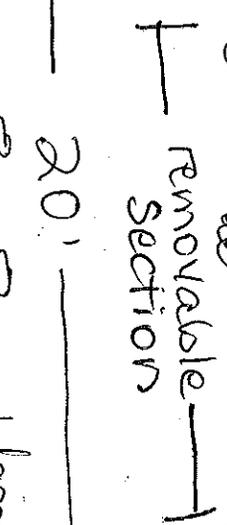
2014 Vinotok Fire Diagram



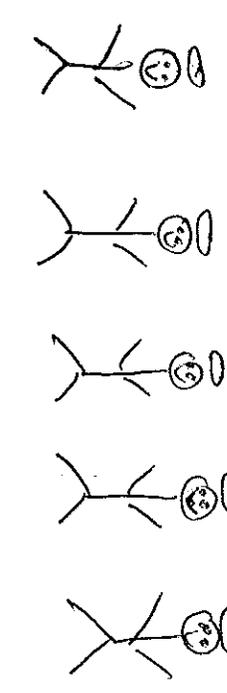
Fast burning Materials

4" diameter dry rounds at varying aesthetic heights

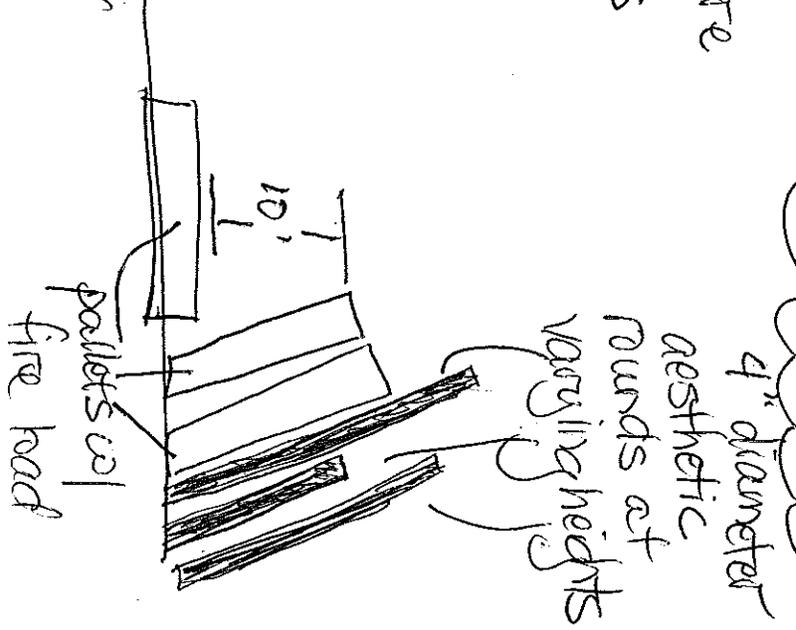
10' high fuel load structure of pallets



20'



Happy, calm crowd, organizers, police, fire departments who have been cleansed of their grumps!

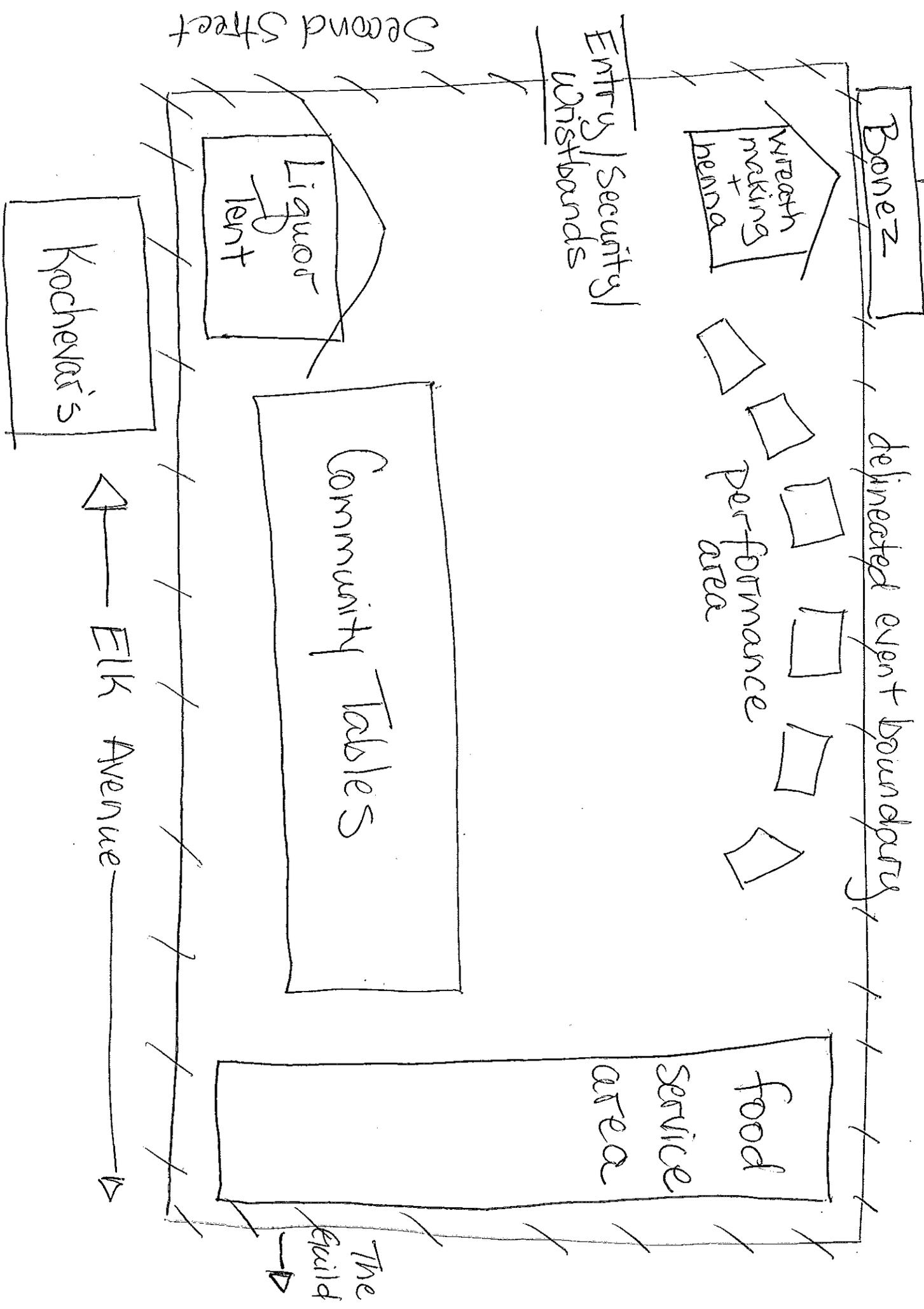


• Fire ring designed to fall inward

• Dry rounds selected to reduce flying embers

4" diameter aesthetic rounds at varying heights

Vinotok Community Feast
Friday, September 19, 2014



dejected event boundary

wreath making + henna

performance area

ENTRUS | Security | Wristbands

Liquor tent

Kocher's

Community Tables

food service area

ELK Avenue

The Guild

Second Street

Vinotok

DEPARTMENT APPROVALS (For Official Use Only)

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

From: Tom Martin
Sent: Thursday, August 14, 2014 5:42 AM
To: Lynelle Stanford
Subject: RE: Vintok Special Event Application

Conditions/Restrictions/Comments:

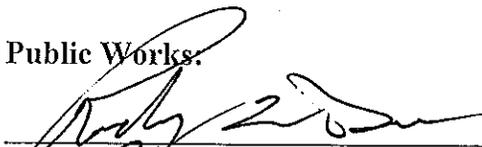
The Marshal's Office
will not be the responsible
agency for fire inspection.

Will work with event organizers as needed.

Tom Martin

with the exception of the
construction of the fire

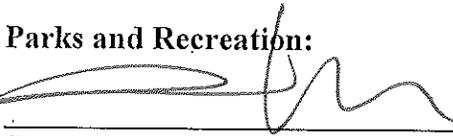
Public Works:

 8/22/2014
Signature _____ Date _____
Name (Printed) Randy R Dune

Conditions/Restrictions/Comments:

Will work with event organizers
& Marshal's Dept. as
needed

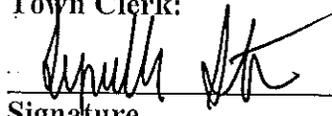
Parks and Recreation:

 8/22/14
Signature _____ Date _____
Name (Printed) Janna Hansen

Conditions/Restrictions/Comments:

All good ☺

Town Clerk:

 8-13-2014
Signature _____ Date _____
Printed Name (Printed) Lynelle Stanford

Conditions/Restrictions/Comments:

^{LMS}
~~Contingent upon~~ INSURANCE!
Insurance received 8-26-2014

Town Manager:

Signature _____ Date _____
Printed Name (Printed) _____

Conditions/Restrictions/Comments:

No sign off without a signed
off fire plan by Fire Dept., including
an inspection by the Fire Dept.
Currently, this includes
no fire plan and no agreement
from FD to inspect. 8/28/14

Vinotok

9/19 + 20/14

Crested Butte Fire Protection District:

W Scott Wimmer 8/21/14
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

NO SMOKING ON ELDO DECK BEFORE & DURING + AFTER TRAIL, NO SMOKING ON DECK WHILE COMBUSTIBLE DECORATIONS ARE PRESENT!

8/25/14
WSSO
WE HAVE REC'D UPDATED PLANS

~~WE HAVE NOT RECEIVED UPDATED PLANS FOR CONSTRUCTION OF~~

Mt. Express Bus Service:

Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

~~BON FIRE. WE WILL NOT INSPECT BON FIRE OR SIGN OFF ON CONSTRUCTION OF BON FIRE. PER FIRE CHIEF RIC EMS~~

8/25/14 SPOKE W/MOLLY MURPHY + LYNELLE STANFORD; CLARIFY NO SMOKING DURING TRIAL WHEN CROWD IS PRESENT. WE HAVE RECEIVED UPDATED PLAN WE WILL NOT INSPECT BONFIRE.

Official Use Only:

Application Received 8-14-2014 Date Distributed

Council Date (if applicable) 9-2-2014

Approval Date Method of Approval: Administratively By Town Council

Approval Contingencies

Application fee \$25 Check # 1042 Date Paid 8-14-2014

Permit Fee \$200 Check # 1042 Date Paid

Local Liquor License Fee \$25 Check # 1041 Date Paid 8-14-2014

State Liquor License Fee Check # Date Paid Date Liq. Application Sent

Additional Fee Check # Date Paid

Clean Up Deposit \$200 Check # 1042 Date Paid 8-14-2014 Date Returned:

Lynelle Stanford

From: Scott Wimmer [scotto@crestedbutte.net]
Sent: Monday, August 25, 2014 5:02 PM
To: 'Molly Murfee'; Lynelle Stanford
Subject: RE: FW: vinotok signature page

Clarification of point 2.

The requirement for inspecting the fire was required by both the Town of CB and the CBFPD. This requirement has been revisited over the years.

Due to instances where fuel load was added to the fire after inspections by both the Town Marshals and CBFPD in more than one instance, the CBFPD no longer will participate in the inspection of the fire construction.

CBFPD feels the Town of CB shall be responsible for inspection of the Bonfire.

-----Original Message-----

From: Molly Murfee [mailto:mmurfee.aei@usa.net]
Sent: Monday, August 25, 2014 4:24 PM
To: Lynelle Stanford
Cc: scotto@crestedbutte.net
Subject: Re: FW: vinotok signature page

Hi Lynelle -

I just hung up with Scotto. Here is what I understand to be a synopsis of our conversation:

1. The updated plans for the fire just got overlooked. So they have in fact received updated plans for the fire
2. The requirement of the fire department inspecting the fire and signing off on it was created as a requirement by the fire department years ago, not by the town. They are lifting this requirement. Constructors and organizers of the fire are responsible for making sure the fire is built to specifications as outlined in the permit narrative and diagram
3. Vinotok will speak with Eldo owner Karl Plembeck about not allowing smoking on the Eldo deck during the production of the play on Saturday night

Thanks,
Molly

----- Original Message -----

Received: Fri, 22 Aug 2014 04:32:53 PM MDT
From: Lynelle Stanford <lstanford@crestedbutte-co.gov>
To: "mmurfee.aei@usa.net" <mmurfee.aei@usa.net>
Subject: FW: vinotok signature page

Hi Molly,

Please read Scott Wimmer's statements regarding the Vinotok fire. It seems more follow up might be needed with them.

Lynelle Stanford
Town Clerk

Town of Crested Butte
970-349-5338 (phone)
970-349-6626 (fax)
lstanford@crestedbutte-co.gov

From: Scott Wimmer [<mailto:scotto@crestedbutte.net>]
Sent: Thursday, August 21, 2014 9:38 AM
To: Lynelle Stanford
Subject: vinotok signature page

See attached

[<http://static.avast.com/emails/avast-mail-stamp.png>]<http://www.avast.com/>>

This email is free from viruses and malware because avast!
Antivirus<http://www.avast.com/> protection is active.

> -----
> Attachment: Vinotok SE application 9-19,20-2014 signature page.pdf
> MIME Type: application/pdf
> -----

This email is free from viruses and malware because avast! Antivirus protection is active.
<http://www.avast.com>

Vinotok

Crested Butte Fire Protection District:

Conditions/Restrictions/Comments:

Signature _____ Date _____

Printed Name (Printed) _____

Four horizontal lines for handwritten conditions/restrictions/comments.

Mt. Express Bus Service:

Signature _____ Date 8/19/14

Printed Name (Printed) Chas Lassen

Conditions/Restrictions/Comments:

See attached sheet

Four horizontal lines for handwritten conditions/restrictions/comments, with a vertical line on the right side.

Official Use Only:

Application Received 8-14-2014 Date Distributed _____

Council Date (if applicable) 9-2-2014

Approval Date _____ Method of Approval: Administratively By Town Council

Approval Contingencies _____

Application fee \$25 Check # 1042 Date Paid 8-14-2014

Permit Fee \$200 Check # 1042 Date Paid _____

Local Liquor License Fee \$25 Check # 1041 Date Paid 8-14-2014

State Liquor License Fee _____ Check # _____ Date Paid _____ Date Liq. Application Sent _____

Additional Fee _____ Check # _____ Date Paid _____

Clean Up Deposit \$200 Check # 1042 Date Paid 8-14-2014 Date Returned: _____

803 Butte Avenue
P.O. Box 3483
Crested Butte, CO 81224
Ph: (970)349-5616
Fax: (970)349-1214

Mountain Express

Vinotok September 19 & 20, 2014

Listed below are the route changes for Mountain Express during the Vinotok.

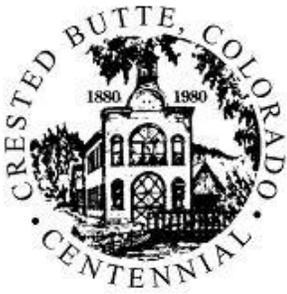
Friday, September 19th, there are no route changes with the schedule of events.

Saturday, September 20th, the route changes as follows:

- When Elk Avenue is closed between 2nd & 3rd street, Mountain Express will use Maroon Avenue to access the Old Town Hall.
- At 5:00 pm when the mumming begins, Mountain Express will only stop using the Old Town Hall stop and go to the Teocalli stops, 4 way stop and 6th & Bellevue. Even though 2nd street is open it is too congested with participants and spectators to safely proceed through the intersection.
- At 7:30 pm when the procession moves towards the 4 way, Mountain Express will use only the Teocalli stops.
- Once Elk Avenue is open, Mountain Express will resume the regular town route.

For safety reasons, Mountain Express is requesting that no parking be allowed on the north side of Maroon Avenue from the 200 block to the 400 block on Saturday, September 20, 2014.


Chris Larsen
Transit Manager



Staff Report

August 21, 2014

To: Mayor and Town Council

Thru: Todd Crossett, Town Manager

From: Lynelle Stanford, Town Clerk

Subject: Letter of Support for Fund Raising Efforts for the Center for the Arts

Date: 8-21-2014

Summary: The Center for the Arts is raising money for a new performing arts center in the Town of Crested Butte. Jenny Birnie, Executive Director for the Center for the Arts, has requested the council authorize the mayor or town manager to sign a letter of support on behalf of the Town to include in their fund raising efforts.

Recommendation: Authorize the mayor or town manager to sign a letter of support for fund raising efforts for the Center for the Arts.

Proposed Motion: Authorize the mayor or town manager to sign a letter of support for fund raising efforts for the Center for the Arts once a draft of the letter has been provided.

The Center for the Arts is an integral organization in our community that has directly contributed to our cultural and community identity. For 28 years, the Center has served as the largest performing and visual arts venue in the Valley that provides programming year round. The Center is a community-based facility that offers opportunities for local performers and visual artists to showcase their talents as well as a place for people of all ages to learn and grow through visual arts classes, dance programs, community education programs, and outstanding performances with nationally touring artists.

A new building for the Center for the Arts will effectively serve the needs of our Town in a variety of ways including:

- Employment and involvement of hundreds of artists as instructors, performers, creators and public educational resources
- Needed facilities for over 50 community organizations in the Valley
- Creating a positive economic and cultural impact on Crested Butte's students and their families and on the historic downtown area of the city of Crested Butte.

For the entire community, the Center brings people together uniting Crested Butte's residents, both full-time and part-time. The experience of engaging in the arts weaves people together with the common thread of shared experiences. With the rapid growth of local arts programs and increasing event attendance, a larger, more advanced facility is vitally important.

The Town of Crested Butte enthusiastically supports the Center's efforts to raise funds for a new building and is proud to be a strong supporter of the Center as a significant economic driver for our community. When completed, the building will be a dynamic Community Arts Center housing seven non-profit arts organizations under one roof and a literal *center* for the town. A cultural heart of the community.



CASE STATEMENT

IMPACT OF THE ARTS IN CRESTED BUTTE

The arts are booming in Crested Butte!

Gunnison Valley is home to a **robust arts scene throughout the year** with an amazing array of one-of-a-kind festivals, a multitude of cultural events, recreational opportunities, and live performances that reflect the lifestyle, natural beauty, and western traditions for the Colorado Rocky Mountains. Crested Butte acts as the cultural center of the valley connecting the communities from the Ohio Creek, north to Mt. Crested Butte and Gothic.

In April 2013, ARTPLACE named **Crested Butte one of America's top small town art places**. This new initiative recognizes smaller communities in the country where the arts are central to creating the kinds of places where people want to live, work, and visit. Designation was given because **Crested Butte had the highest concentration of arts non-profits**, core arts-oriented businesses, and workers in creative occupations among smaller towns in the U.S.

For the entire community, art brings people together uniting Crested Butte's residents, both full-time and part-time. The experience of engaging in the arts weaves people together with the common thread of shared experiences. **The Center for the Arts has been providing this sense of connection and belonging for the past 28 years and now is the time to grow our impact.**

"The Center of the Community and The Center for the Arts"

HISTORY

The Center has a history of a vibrant culture of volunteerism, a strong can-do ethic, and a deep sense of community. In 1985, a passionate group of local residents began raising money for a community arts center. Two years later they had raised \$425,000 and the old county road maintenance garage was renovated into the current 6,000 square-foot Center for the Arts facility. It houses a 215-seat auditorium with a stage, lobby, art gallery (exhibiting the work of

local artists) set shop and two dressing rooms, and an attached outdoor stage. It is a facility that for 28 years has been well used and well loved, weathering economic storms and consistently morphing cultural trends. Currently, the Center's building is owned by the city and the organization is in the 3rd year of a 50-year (\$1/yr.) lease.

The Center plans to continue the history of ***bringing the community together*** through expanded programs and partnerships in a new community arts center for the community to continue to enjoy and expand the arts in Crested Butte.

PROGRAMS AND PARTNERSHIPS

The Center impacts the community with **350 annual** programs and partnerships across a range of art: music, visual arts, children's programming, dance, culinary, and film. The Center is also **THE** leader in coordinating arts efforts in the area through the Arts Alliance of the East River Valley. These efforts all combine to build community in Crested Butte.

Programs: The Center is a community-based facility that offers a performing and visual arts venue that provides programming year-round. The Center provides opportunities for local performers and visual artists to showcase their talents. But, there is also an incredible list of world-class performers who have come to Crested Butte and performed at the Center for the Arts including Arlo Guthrie, Junior Brown, Los Lobos, Robert Earl Keen, and Lisa Marie Presley. And although our guests may have seen these amazing performers in New York, San Francisco, or Dallas, nothing compares to the intimate setting of the Crested Butte Center for the Arts. They can see every pick of the guitar, every toe point in the ballet shoe and every extra gasp for air. An event at the Crested Butte Center for the Arts often feels like a private performance.

Partnerships: No other arts organization has the vast array of partnerships that the Center has in Crested Butte. Those partnerships are:

- Crested Butte Dance Collective
- Crested Butte School of Dance
- Crested Butte Film Festival
- Crested Butte Music Festival
- The Trailhead Children's Museum
- School Enrichment Program
- Crested Butte Wine and Food Festival
- The Arts Alliance of the East River Valley

The Center launched additional programs and partnerships without adequate space several years ago. The Center needs a space commensurate to the impact; **a space that can and will** accommodate increased impact through the various and vibrant arts that are a part of the Center.

Through the broad range of programs and partnerships, **the Center for the Arts is truly the Center of the Community.**

POISED FOR GROWTH

In many of the programs and partnerships, the Center has seen doubling and tripling of attendance/interest (e.g. the Crested Butte School of Dance has tripled their impact on the community through the classes program) just in the past few years. The time to replace the Center's historical "maintenance garage" to match the impact in the community is now.

- In 2013 alone the Center welcomed over 33,000 people through its doors through 624 separate events – 277 being produced by the Center alone, the remaining through the Center's wide network of partnerships.
- There were over 20 Piper Gallery and Art Studio Receptions for local and regional artists.
- The Crested Butte Dance Collective held 52 classes serving over 650 dancers, in addition to conducting 146 rehearsals on the Center Stage. Their annual sell-out smash hit "Move the Butte" currently entertains over 1,000 dance enthusiasts.
- The Art Studio conducted over 90 days of instruction to over 500 budding artists at our satellite campus at 111 Elk Avenue. This also included several hundred private lessons, Shared Artist Space participants, and art browsers to the gallery.
- Through our partnership with the Crested Butte Film Festival, the Center offered 24 films to 857 film fans through the Monthly Film Series and hosted over 1,200 during the film festival itself, tripling its growth and impact.
- For the past two years (2013 and 2014), the Center has led the efforts of the Crested Butte Wine and Food Festival to over 750 patrons annually. In addition, because of the Center's leadership partnering with Larimer Associates, the festival had generated income to help fund the Center's other activities and programs.
- The Center's "Tour de Forks" series connected over 800 people at various different events from home "private" concerts, to elaborate meals in many of Crested Butte's finest homes featuring the region's most accomplished chefs.

THE NEED FOR A NEW BUILDING

In the past decade, the Center has outgrown the capacity of the existing facility, staff offices, classrooms, meeting and work spaces – all while demand for services have grown. In order to continue to welcome newcomers and expand our programming, the Center must replace the existing facilities. Furthermore, the Center cannot fulfill the mission of being a home for all as many of the spaces are not accessible to those with special needs. For example, the Piper Gallery, an incredible place for local visual artists to showcase their work, is not handicap accessible. This is also true for the offices and the stage.

The need also extends to the main theater space as well as the need for bigger and higher quality classroom and other spaces. The existing theater is lauded as “intimate”, yet lacks basic space between seats, adequate climate control, and state-of-the-art audio/visual/stage support. In addition, the Center has seen attendance grow over the years that increasing the pure number of seats is needed as well (from approximately 215 seats now to a 260 seat theater, including a balcony).

The Center does not have adequate space to meet the community’s needs.

Programs have expanded beyond the current space. Partnerships have double and even tripled their impact, further cramping the capacity of the existing facility. And economically, there are additional opportunities with an increased space to maximize impact in the community.

NEW BUILDING PROGRESS

Ever since the old county maintenance garage was converted, there was a need for a new building that truly matched the community’s strong desire for the Arts. The initial building conversations started over 10 years ago that led to dozens of community conversations with the Town of Crested Butte and with members of the community. Then, the Center did a feasibility study to understand the potential for a new facility in Crested Butte. **This feasibility study came back with recommendations that line up with the current plan for the new building.**

In addition, the Center has been in direct one-on-one conversations with dozens of champions of the Center and the arts and the overwhelming response is positive. The existing facility must be replaced. Furthermore, the Center has done an exhaustive, multiple-round “needs assessment” with arts organizations and the community as a whole. ALL of these conversations, dialogues, and plans are built into the current vision and building design.

THE CENTER FOR THE ARTS CAMPAIGN FOR A NEW BUILDING

The Center’s vision for the future is to build a new \$12M Center for the Arts. This reflects the Center’s unwavering commitment to improving public arts opportunities and education, supporting the urban renewal and economic revitalization of Crested Butte, and ensuring the Gunnison Valley’s rich cultural history. This project will have a tremendous long-term economic and cultural impact on Crested Butte’s students and their families, the historic downtown area of the city of Crested Butte, as well as the larger community of Gunnison County and western Colorado. Those impacts include:

- Continuing to be a proven economic driver that supports jobs, generates government revenue, and leverages significant event-related spending by the Center’s audiences. Currently the Center’s annual operations **generate over \$3 million** in the economy annually.
- Continuing to attract tourists to the community to support the region’s economic vitality

- Serving as an important catalyst for learning, discovery, achievement, and making significant contributions to the vibrancy of the community

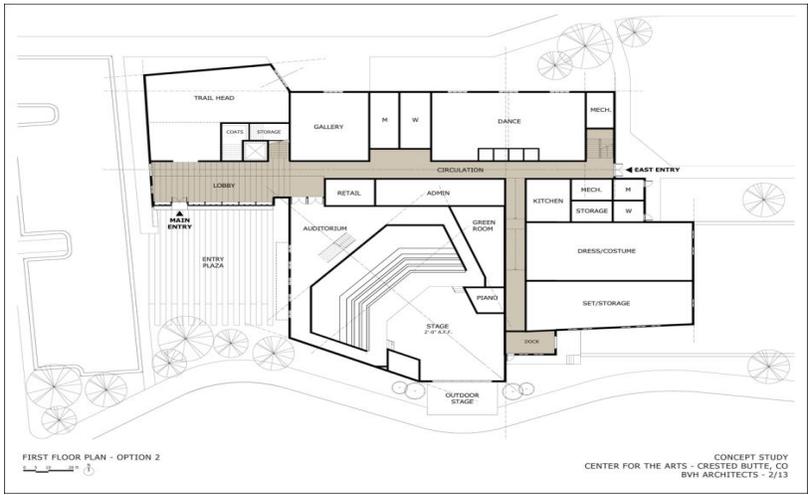
Key Features of our new Community Arts Center Include:

- 300 seat, ADA compliant theater including a balcony
- State-of-the-art lighting, sound and visual equipment
- A music rehearsal room for use by the CB Community school for instruction and lessons
- A catering kitchen for large events, receptions and culinary demonstrations
- 4,000 square feet for the Trailhead Children’s Museum with outdoor music garden
- Three times the space for Visual Arts programs and a Clay Studio
- Three dedicated dance studios for the Crested Butte School of Dance and the Crested Butte Dance Collective
- Energy efficient HVAC and LEED certified
- Several multipurpose community spaces
- The current Center for the Arts building, at 6,000 square feet, will be torn down and a new 38,000 square foot building will be erected in the same location adjacent to Town Park.
- Total project cost: \$15M (\$12M construction/\$3M operating)

Once this historic project is completed, we will:

- Instruct over 1,000 children and youth in long-term professional hands-on training in music, dance, theater, and media arts
- Partner with our local public school district to bring a minimum of 3,000 school children to the Center each year for workshops, arts and drama clubs, artist in residence programs and performance events
- Serve and entertain 20,000 local and regional audience members in the performance spaces
- Engage the entire community of full-time residents, part-time residents, and tourists each year in public events and self-determined programming, by, for, and about the community
- Serve thousands of children through a partnership with the Trailhead Children’s Museum
- Employ and involve hundreds of artists as instructors, performers, creators, and as public educational resources
- Support Crested Butte Community Schools teachers with workshops and curriculum – aimed at incorporating culturally diverse performing and visual arts into their classrooms
- Offer needed meeting room space to over 50 community organizations in the Valley

The Center hopes that you will join the organization in this seminal moment for arts in Crested Butte. The Center has dramatically grown its impact despite a limiting facility over the last 28 years. The Center is poised with strong programs and partnerships to replace the existing facility and move forward for the next 28+ years.



Center for the Arts Funding Plan

The leadership of the Center has initiated a capital campaign to raise the funds needed for the center. Plans are underway to raise \$15 million in total: \$12 million for the new building and \$3 million to support the operations of the new facility. The Center's board plans to fundraise for the entire cost of the building and operations and does not plan to incur any debt through this project.

1 gift @ \$3.0M

2 gifts @ \$2.0M

3 gifts @ \$1.0M

4 gifts @ \$500K

8 gifts @ \$250K

10 gifts @ \$100K

+ Broad Based Community Support

TOTAL = \$15 Million

Center for the Arts Capital Budget Estimate

Description of Work	Cost Estimate* (in thousands)
Demolition, Site Work, and Foundation	\$1,021
Superstructure, Exterior, and Roofing	\$2,975
Interior and Conveying	\$1,643
Systems (Fire, Plumbing, Electrical, HVAC)	\$2,929
Equipment	\$520
Project Staffing and Contractor Indirect Costs	\$1,671
Contingency	\$1,241
Total Building Estimate	\$12,000

*This represents the cost estimate the Center received from GE Johnson Construction Company in April 2014.

Center for the Arts Operational Budget and Proforma Estimates

	<u>2014 Current</u>	<u>2021 Projected</u>
<u>Revenue:</u>		
Ticket sales	\$70,000	\$285,000
Programs	\$337,000	\$698,000
Rental Events	\$31,000	\$84,000
Wine & Food Festival	\$50,000	\$100,000
Tour de Forks	\$60,000	\$100,000
Corporate/Business Sponsorships	\$55,000	\$85,000
Gifts and Contributions	\$525,000	\$600,000
<u>Expenses:</u>		
Staff	\$270,000	\$400,000
Operating	\$890,000	\$1,200,000

Approximately 67 percent of the Center's \$800,000 operating budget comes from community-based efforts, including ticket sales and facilities rental. Each year nearly 40 percent of the budget must be raised through corporate sponsorships, business supporters, major donors, and other donations from individual donors.

The Center for the Arts is committed to the Gunnison Valley. One way the Center demonstrates this commitment is by providing greatly reduced rent to community based organizations. Some of the larger organizations are the:

- Crested Butte Mountain Theater
- Crested Butte Music Festival
- Crested Butte School of Dance
- Crested Butte Search and Rescue
- Crested Butte Nordic Center
- Crested Butte Community School

Governance and Staff: A 21-member Board of Directors comprised of full-time local and part-time residents that reflects the demographic makeup of the Upper East River Valley provides oversight and governance for the organization. Three full-time, five part-time and ten on-call staff members operate the facility, including managing, renting and booking programs.



Staff Report

September 2, 2014

To: Mayor and Town Council
From: Michael Yerman, Town Planner
Subject: Creative District Work Session
Date: September 2, 2014

The Town of Crested Butte has been nominated as a Colorado Creative District by the State of Colorado. To become a certified Creative District the Town and the creative community must complete several tasks over the next 2 years including the creation of a strategic plan for the Creative District.

As part of the nomination Colorado Creative Industries (“CCI”) is providing the Town with financial and technical assistance over the next 2 years to help the Town prepare a strategic plan and help fund other projects within the district.

Town staff with several members of the Crested Butte Arts Alliance attended a 2 day instructional conference on the steps and process necessary to become a certified Creative District. During this conference the group also toured several successful districts within the Denver area. Over the next year the Town will be required to meet several milestones including creating a strategic plan to become certified.

At this time, staff would request that Town Council appoint the Arts Alliance with a Town staff liaison to begin the planning for public workshops to create the strategic plan and to select a consultant to help prepare the plan. CCI is contributing 30 hours of consulting services to the Town and \$10,000 towards this initial effort. If appointed to lead the effort, the Arts Alliance will report back to Council on the steps being taken to create the strategic plan and the use of the grant funds.

Once the strategic plan is prepared it will be presented to Town Council for consideration on the adoption of the plan.