



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
Monday, September 8, 2015
Council Chambers, Crested Butte Town Hall

5:30 WORK SESSION

1) Affordable Housing Strategy, Policy, and Guideline Discussion.

7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:04 CONSENT AGENDA

- 1) Approval of August 17, 2015 Regular Town Council Meeting Minutes.
- 2) Approval of August 18, 2015 Special Town Council Meeting Minutes.
- 3) Approval of August 24, 2015 Special Town Council Meeting Minutes.
- 4) Approval of Vinotok Special Event Application and Special Event Liquor Permit for September 18, 2015 in the 100 Block of Elk Avenue from 6AM to 6AM on September 19, 2015 and September 19, 2015 in the 200 Block of Elk, Closure Starting at 5AM Throughout the Day, Then Rolling Closure on Elk During the Processional Starting at 7:30PM, and the Chamber Parking Lot Closed All Day September 19 Until the Clean Up is Concluded on September 20.
- 5) Approval of Resolution No. 26, Series 2015 – Resolutions of the Crested Butte Town Council Authorizing the Grant of a Revocable License to Robert V. Hunt to Encroach into the Third Street Public Right-of-Way with Sewer Lines Adjacent to Lots 17-21, Block 39, Town of Crested Butte.
- 6) Approval of Resolution No. 27, Series 2015 – Resolutions of the Crested Butte Town Council Authorizing the Grant of a Revocable License to Ice House LLC to Encroach into the Second Street Public Right-of-Way with Water and Sewer Lines Adjacent to the South Half of Lot 16, Block 28, Town of Crested Butte.
- 7) Approval of Resolution No. 30, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Vacation and Termination of the Lost Miner Condominiums According to the Plat Thereof Recorded in the Official Real Property Records of the Clerk and Recorder of Gunnison County, Colorado on February 21, 206 at Reception No. 563032.

7:06 PUBLIC COMMENT

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.

7:16 STAFF UPDATES

7:30 PUBLIC HEARING

1) Ordinance No. 8, Series 2015 - An Ordinance of the Crested Butte Town Council Amending Chapter 16, Article 4, Division 10 ("R2A" Residential District) of the Crested Butte Municipal Code to Modify the Minimum Lot Area and the Maximum Building Height in such District.

7:35 NEW BUSINESS

1) Resolution No. 23, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Big Mine Park Master Plan.

8:00 2) Resolution No. 28, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Creative District Strategic Plan.

8:20 3) EPA Update on Standard Mine.

8:40 4) Resolution No. 29, Series 2015 – Resolutions of the Crested Butte Town Council Authorizing the Expenditure of Up to \$1,000,000.00 from the Town's Open

Space Fund for the Purchase and Conservation of 4,348 Acres As Identified in Exhibit A.

8:50 5) Discussion and Possible Action Regarding Options for Enforcement of Accessory Dwelling Unit (ADU) Restrictive Covenant Agreements.

9:20 6) Approval of the Appropriation of Matching Funds from the Open Space Fund for the 2016 Great Outdoors Colorado Youth Corps Crews Open Space Maintenance Project Grant and Authorizing the Town Manager to Sign the Grant Application.

9:30 **LEGAL MATTERS**

9:40 **COUNCIL REPORTS AND COMMITTEE UPDATES**

10:00 **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

10:15 **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Tuesday, September 15, 2015 – 5:00PM Budget Work Session
- Monday, September 21, 2015 – 5:00PM Budget Work Session – 7:00PM Regular Council
- Monday, October 5, 2015 – 5:00PM Budget Work Session – 7:00PM Regular Council
- Wednesday, October 14, 2015 – 5:00PM Budget Work Session
- Monday, October 19, 2015 – 6:00PM Work Session – 7:00PM Regular Council

10:20 **ADJOURNMENT**



To: Mayor Huckstep and Town Council

From: Michael Yerman, Town Planner

Subject: **Affordable Housing Strategy, Policy, and Guidelines Discussion Work Session**

Date: September 8, 2015

Background:

The Town Council and Town staff have made considerable strides this year on putting in place the infrastructure to build upon the Town's existing affordable housing program. There is still much to accomplish before the snow season begins, including: continued construction on Anthracite Place, finishing streets and utilities in Block 79 and 80, grant reporting to DOLA, the creation of new home ownership guidelines, and qualifying applicants over the winter for the upcoming lottery for properties in Block 79 and 80.

Over the past few months, Town staff, with assistance from the Gunnison Valley Regional Housing Authority, has been building partnerships with lenders and other entities that may assist applicants for financing future home construction. This effort is ongoing and will influence how guidelines will be established.

Staff will be engaging the Town Council in an initial high level policy discussion on how the new home ownership guidelines will come to fruition. Staff anticipates several additional meetings with the Council will be needed before guidelines can be finalized. The goal of the work session is to have a high level discussion and to receive initial feedback from the Council as to how to begin to refine the guidelines for Block 79 and 80.

The Town has a well-established affordable housing program, and previous guidelines will serve as the foundation on which the staff will build new regulations for Block 79 and 80. However, changes in the national economy and lessons learned from previous efforts will necessitate changes to the approach for Block 79 and 80.

Lastly, Town staff will be presenting the Council with an 8 year development strategy for the property and the preliminary 2016 Affordable Housing budget.

As stated before, the staff expects that this high level policy discussion will need to be further supplemented with additional information and meetings prior to final guidelines being established for this project.

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, August 17, 2015
Council Chambers, Crested Butte Town Hall

Mayor Huckstep called the meeting to order at 6:04PM.

Council Members Present: Jim Schmidt and Skip Berkshire
(There were not enough Council Members present for a quorum).

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, and Town Clerk Lynelle Stanford

ADJOURNMENT

Mayor Huckstep adjourned the meeting at 6:05PM.

Aaron Huckstep, Mayor

Lynelle Stanford, Town Clerk (SEAL)

MINUTES
Town of Crested Butte
Special Town Council Meeting
Tuesday, August 18, 2015
Council Chambers, Crested Butte Town Hall

Mayor Huckstep called the meeting to order at 7:05PM.

Council Members Present: Jim Schmidt, Glenn Michel, Roland Mason, and Skip Berkshire

Staff Present: Town Attorney John Belkin was present for the duration of the meeting, including the Executive Session.

Town Manager Todd Crossett, Public Works Director Rodney Due, Parks and Recreation Director Janna Hansen, Finance Director Lois Rozman, and Town Clerk Lynelle Stanford (all for part of the meeting)

APPROVAL OF THE AGENDA

Item #3, Resolution No. 23, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Big Mine Park Master Plan, under New Business was removed from the agenda.

There was a request from the Town Attorney to add an Executive Session after Other Business for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Michel 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

- 1) Approval of July 28, 2015 Special Town Council Meeting Minutes.**
- 2) Approval of August 4, 2015 Regular Town Council Meeting Minutes.**
- 3) Approval of Special Event Application for the 2nd Annual Gore-Tex Grand Traverse Mountain Run on September 5, 2015 on Elk Avenue, Mid-Block in the 200 Block, from 5AM to 6:10AM and in the Southeast Corner of the Chamber Parking Lot from 10AM to 6:00PM.**

4) Approval of Resolution No. 21, Series 2015 - Resolutions of the Crested Butte Town Council Approving the Amended and Restated Intergovernmental Agreement between the Town of Crested Butte and Mt. Crested Butte Water and Sanitation District Regarding Storage Building Construction and Usage Located at the Town Public Works Yard Property.

5) Approval of Resolution No. 22, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Award of the Construction Contract let jointly from the Town of Crested Butte and Mt. Crested Butte Water and Sanitation District in an Amount Not to Exceed \$250,000 to PCI Construction Inc for Construction of a Storage Building Located at the Town Public Works Yard.

Item #5, Approval of Resolution No. 22, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Award of the Construction Contract let jointly from the Town of Crested Butte and Mt. Crested Butte Water and Sanitation District in an Amount Not to Exceed \$250,000 to PCI Construction Inc for Construction of a Storage Building Located at the Town Public Works Yard, was removed from the Consent Agenda and added to New Business.

Schmidt moved and Michel seconded a motion to approve the Consent Agenda with the removal of #5. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

PUBLIC COMMENT

None

STAFF UPDATES

Janna Hansen

- Had been working with Crossett and Belkin in discussions with Renner on the tennis courts, and she would report back with the consensus.
- Crews were working to get the parking lot at the tennis courts graded. It would be done in the next few weeks, and the asphalt for the parking lot would be in next year’s budget.
- Dasher boards were repaired, and they were ready to go for hockey.
- Softball would end this Thursday, and fall sports would start on the 31st.
- The Crested Butte Film Festival would be using space in the warming house for their office this fall.

Rodney Due

- Mentioned they had slurry sealed a patch on 8th Street between Teocalli and Gothic. Encouraged the Council to see how it looked.

Lois Rozman

- Referred to two reports she included in the packets. One report provided suggested dates for budget work sessions, and the other report was the 2nd Quarter Financial Update.

Lynelle Stanford

- Reminded the Council the next meeting would be on a Tuesday (September 8).
- There would be a jury trial in Municipal Court on October 14.
- Mentioned upcoming special events.

Todd Crossett

- Postcards for the voter rolls would go out next Thursday. The public relations campaign would also be starting. He explained the campaign to update voter registrations. Berkshire thought it sounded soft. Crossett said they were trying to thread the needle to not be intimidating or threatening to people.
- CBMBA would be holding an overnight next weekend at Baxter Gulch. Crossett confirmed for Berkshire they would be camping at Avalanche Park.
- The 2nd Block of Elk Avenue would be closed tomorrow to cut utilities for Eleven's building.
- Elk Avenue surfacing was out to bid, and it was on track to be completed in September.

PUBLIC HEARING

1) Ordinance No. 6, Series 2015 – An Ordinance of the Town Council of Crested Butte Submitting to the Registered Electors at an Election to Be Held on November 3, 2015, the Question of Whether the Town of Crested Butte Taxes Shall be Increased by up to \$500,000 Annually Beginning on January 1, 2016, and by Whatever Amounts are Received Thereafter, with a Sales Tax and Use Tax of One-Half of a Percent (0.5%, or Five Cents on Each \$10.00 Purchase) to Provide Revenue for Parks and Recreation Facility Maintenance, Parks and Recreation Capital and Programs and Trails and Said Increase in Use Tax to be Applied as it Always Has Been under the Crested Butte Municipal Code; Setting forth the Ballot Title; Providing for the Conduct of the Election; and Amending Certain Provisions of the Crested Butte Municipal Code if a Majority of the Voters Approve the Ballot Issue.

Huckstep confirmed proper public notice had been given. The public hearing was opened. Huckstep referred to a staff report from Crossett with the recommendation to approve. There were no public comments. The public hearing was closed, and there was no further Council discussion.

Schmidt moved and Michel seconded a motion to approve Ordinance No. 6, Series 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Ordinance No. 7, Series 2015 – An Ordinance of the Town Council of Crested Butte Submitting to the Registered Electors at an Election to be Held on November 3, 2015, the Question of Whether, Without Increasing Taxes by the Measure, the Town of Crested Butte Shall Re-establish its Local Authority that has been Restricted by the Colorado General Assembly Since 2005 by Title 29, Article 27 of the Colorado Revised Statutes, to Provide “Advanced Services” (High-Speed Internet), “Telecommunications Services” and “Cable Services”, Including any New or Improved High Bandwidth Services Based on Existing or Future Technologies, Telecommunications Services and Cable Television Services to Residents, Businesses, Schools, Libraries, Non-Profit Entities, Governmental Entities and Other Users of Such Services as Expressly Permitted by Title 29, Article 27, C.R.S.; Setting Forth the Ballot Title; and Providing for the Conduct of the Election.

Huckstep confirmed proper public notice had been given. The public hearing was opened. Huckstep mentioned a staff report from Crossett with the recommendation to pass Ordinance No. 7. The public hearing was closed, and it was opened for Council discussion. Schmidt mentioned that the best town to live, according to *Outside Magazine*, was Chattanooga, Tennessee, and a reason was they had high speed internet.

Schmidt moved and Mason seconded a motion to pass Ordinance No. 7, Series 2015. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

NEW BUSINESS

1) Discussion and Possible Approval of Special Event Application and Special Event Liquor Permit for The Sustain Festival on August 22, 2015 in Town Park on the Soccer Field from 11:30AM to 6:30PM.

Huckstep referred to a staff report from Stanford with a summary of the event and the recommendation to approve.

Mason moved and Schmidt seconded a motion to approve The Sustain Festival Special Event Application with the following contingencies: no stakes in the ground on the soccer field, no vehicles allowed on the grass, no fencing, no camping in the park, and ensure one crowd control manager for every 250 people. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

2) Request from The Trust for Public Lands and Consideration and Possible Action by the Town Council to Fund the Purchase of the Trampe Ranch Conservation Project.

Justin Spring from The Trust for Public Lands (TPL) and Stacy McPhail, Executive Director of Gunnison Ranchland Conservation Legacy, were present at the meeting. Spring explained they were requesting \$1M from the Town toward the Trampe Ranch Conservation Project. Spring identified three points of significance to the project: 1) Big Picture 2) Leverage 3) Urgency.

Spring continued to explain that the Trampe Ranch Parcel was more important than one property and one town. He said it was attracting both statewide and nationwide attention, and it had drawn new interest to the community. Spring said the project ranked in the top three land projects in Colorado. They anticipated that 60% of the funding for the easement would come from public sources, and 40% of funding would come from private sources. Spring also wanted to leave the option open for them to come back to Council in a year when they would know more about the status of the fundraising. He said the Trampe family had been considering the project for decades. They had a number of considerations, and now was the time. They had a contract with the family to move forward. In addition, Spring stated they could leverage a multi-million dollar grant from Great Outdoors Colorado. The conservation easement was forever, and the project would live beyond its completion. He asked the Council how many investments they came across where they could preserve without the obligation of ongoing maintenance. Berkshire was supportive, and he was honored to vote for it. However, it nagged him that the money came from people in Crested Butte in property transactions. He felt bad there weren't any doors left open in the project to allow for better recreational access to areas that required traversing the property. It was a little tarnish on an otherwise brilliant project. Schmidt said the public benefit extended beyond the public access. He recalled there was nothing in the easement that would prevent access from a future landowner. The easement was forever, and forever was a long time. It was a heavy lift financially, but it lasted in perpetuity. He questioned Rozman on the timeframe and available funds. Rozman said the real estate transfer tax (RETT) was doing well in 2015. The fund was over halfway to the \$1M goal. She acknowledged they had a year and a half left to fund in December 2016. From a conservative estimate they would be at the \$1M mark in time. Schmidt confirmed with Rozman there would be no additional funds remaining for a significant project, and Rozman agreed it would be the main endeavor for the next year and a half. She recognized it was a big piece of property and most likely the third biggest project in the state for conservation measures.

Mason asked if Mt. Crested Butte and Gunnison had been approached. Spring said they had not been, but the City of Gunnison was on the radar. Mason compared the Trampe parcel to the Snodgrass Trailhead contribution. Rozman said Town contributed \$700K to the Snodgrass project. Mason thought the ask from TPL was reasonable.

Huckstep asked if anyone present from the public wanted to speak:

Chris Kopf – 15 Winterset in Mt. Crested Butte - Real estate agent in Town

- Stated that Trampe could do whatever he wanted with private property, but when public funds were requested, it was ridiculous there was not public recreation access.
- He suggested that no public funds were used unless there was recreation access upfront in the conservation easement. It was hard to come back after the fact, and he thought it was a false hope that it could be changed in the future.
- The public was not getting entitlement back for the money.
- It was a small thing to ask for access, and it wouldn't impact the property at all.

McPhail countered that recreation access would have a direct impact on private ranching, and ranchers only could testify to the impacts. No changes would have to be made to the conservation easement to enable future landowners to allow access.

Huckstep asked what they wanted the Council to do tonight. Crossett said they could make a motion, or they could ask for more information. Belkin said they could direct Staff to come back to the next meeting with a funding agreement and a resolution. Spring said they would ask for a resolution because they didn't need the funding until 2016. Huckstep suggested they direct Staff to come back with a resolution authorizing the funds on the next agenda. Schmidt said they needed to stipulate the Town raised money through the RETT. Huckstep clarified the easement would still allow the family to run their cattle operation, but there wouldn't be development on the property into perpetuity. Schmidt reminded the Council they had funded other properties that didn't grant access, but he did wish this one were more open.

Schmidt moved and Michel seconded a motion to direct Staff to prepare a resolution authorizing the contribution of \$1M to the Trampe Ranch Conservation Easement Project contingent on a funding agreement and the money being available. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

3) Resolution No. 24, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Consulting Services Agreement with JVA, Incorporated for the Preparation of Concept Intersection Improvement Design for the Red Lady Intersection.

Crossett mentioned that, along with Yerman and Gillie, he met with CDOT in June. They offered to work with Crested Butte, and JVA worked with CDOT in the past. Berkshire confirmed that implementation wasn't required. Crossett said they would work to come up with a design, and they had the opportunity to work with CDOT. It placed Crested Butte in a favorable position relative to future funding. Berkshire didn't want it perceived they were charging forward. Crossett said it was subject to the Transportation Plan, and would be subject to both Council and community discussion. Huckstep said it was years out, and the Council had instructed Yerman to talk to CDOT and find a consultant.

Michel moved and Mason seconded a motion to approve Resolution No. 24, Series 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

4) Ordinance No. 8, Series 2015 - An Ordinance of the Crested Butte Town Council Amending Chapter 16, Article 4, Division 10 ("R2A" Residential District) of the Crested Butte Municipal Code to Modify the Minimum Lot Area and the Maximum Building Height in such District.

Mason moved and Berkshire seconded a motion to set Ordinance No. 8, Series 2015 for Public Hearing. **Motion passed.**

5) Approval of Resolution No. 22, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Award of the Construction Contract let jointly from the Town of Crested Butte and Mt. Crested Butte Water and Sanitation District in an Amount Not to Exceed \$250,000 to PCI Construction Inc for Construction of a Storage Building Located at the Town Public Works Yard.

Schmidt noticed the title in the packet differed from the title on the agenda. Huckstep read the resolution title from the packet, which Belkin confirmed was correct. There was a brief discussion about the language used: resolution versus resolutions. Huckstep confirmed there was a staff report from Due, and he confirmed there had been no changes since it was written.

Mason asked Due if the new building was considered in the Public Works Master Plan. Due confirmed the building's location was known during the master planning, and the plan would work around it.

Schmidt moved and Mason seconded a motion to approve Resolution No. 22, Series 2015 awarding the 2015 Crested Butte Vehicle Storage Building Project to PCI Construction Inc. for an amount not to exceed \$250,000.00. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

Belkin referred the Council to a letter in the packets to the Water Quality Control Division. He said the Board of County Commissioners approved it, and he recommended Council authorize the Mayor to sign it. Alli Melton, Public Lands Director of High County Conservation Advocates, was present at the meeting. She was supportive of the letter.

Schmidt moved and Michel seconded a motion to direct the Mayor to sign the letter addressed to Director Pfaltzgraff dated August 18, 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

COUNCIL UPDATES AND COMMITTEE UPDATES

Aaron Huckstep

- There would be a CAST meeting next Thursday and Friday.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Huckstep mentioned an email from Matuszewicz requesting that Michel be appointed to the Board of Directors of the Center for the Arts. Michel thought that it could wait until after the election. Mason thought Michel should be appointed if he was willing to attend the meetings. Michel said he was glad to attend. No one on the Council objected.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- *Tuesday*, September 8, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- *Monday*, September 21, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- *Monday*, October 5, 2015 – 6:00PM Work Session – 7:00PM Regular Council

Rozman asked for two budget work sessions on off weeks for Council meetings. She suggested September 14 or 15 and October 13 or 14. She said they could also start work sessions at 5PM on Council meeting nights, and they would agree to a lighter agenda.

Huckstep asked the Council what would work for them. Berkshire would be gone the first two weeks of September. Mason and Schmidt said they could make the dates work.

It was decided on September 15 at 5PM and October 14 at 5PM. There were no objections to starting at 5PM on the regular meeting nights. Berkshire asked to adjust the agendas accordingly.

EXECUTIVE SESSION

Schmidt moved and Mason seconded a motion to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

Council went into Executive Session at 8:07PM. Council returned to open meeting at 8:47PM. Mayor Huckstep made the required announcement after returning to the open meeting. No action was taken.

ADJOURNMENT

Mayor Huckstep adjourned the meeting at 8:48PM.

Aaron Huckstep, Mayor

Lynelle Stanford, Town Clerk (SEAL)

MINUTES
Town of Crested Butte
Special Town Council Meeting
Monday, August 24, 2015
Council Chambers, Crested Butte Town Hall

Mayor Huckstep called the meeting to order at 6:01PM.

Council Members Present: Jim Schmidt, Roland Mason, Glenn Michel, and Skip Berkshire

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, Public Works Director Rodney Due, and Town Clerk Lynelle Stanford

Huckstep mentioned the Town's website was being updated, and there were paper packets available.

APPROVAL OF THE AGENDA

1) Discussion and Possible Action Regarding Settlement Agreement by and between the Town of Crested Butte, Colorado and Mosaic Sales Solutions US Operating Co., LLC and Western Colorado Events, LLC Regarding the Repair of Elk Avenue in Connection with the *Whatever USA* Major Special Event.

Belkin explained the outcome was successful for everybody. He thought the Town was in the middle of Mosaic and Fusion. Schmidt asked if it would mean they would cover all the paving costs. Belkin said they would but the number was slightly off due to his costs and expenses.

Berkshire asked if it was okay to surrender the letter of credit and the \$60K Town had been holding. Belkin said there would be a warranty from United. Berkshire asked if the warranty would be one year. Crossett said it was for two years.

Huckstep asked if anyone objected to moving forward. Schmidt questioned the difference in the estimated quantity of overlay compared to fog seal. Due explained they didn't want Elk Avenue to look like patchwork.

Michel moved and Schmidt seconded a motion to approve the agreement with the two entities as set forth in the packets and the settlement agreement terms included in the packets. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Approval of Paving Contract with United Companies for the Resurfacing of Elk Avenue in Connection with the *Whatever USA* Major Special Event.

Schmidt moved and Mason seconded a motion to approve the Town Manger's execution of the paving contract with United. A roll call vote was taken with all voting, "Yes."

Motion passed unanimously.

3) Resolution 25, Series 2015 – Resolutions of the Crested Butte Town Council Approving the Lease Agreement with the Crested Butte Film Festival for 620 2nd Street, aka the Nordic Center Warming House.

Crossett explained the Gravity Groms were done at the end of the month, and the Nordic Center didn't need to use the downstairs until October. The Film Festival asked to use the space, and there were no others in line for it. They would be charged the same rate as other tenants. The state statutes required a resolution. Crossett recommended Council approve the resolution. Mason asked if the Groms were doing an after school program. Crossett said they were not. Schmidt asked if the bathrooms would still be available. Crossett said he would double check they would be available.

Berkshire moved and Mason seconded a motion to approve Resolution No. 25, Series 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

ADJOURNMENT

Mayor Huckstep adjourned the meeting at 6:12PM.

Aaron Huckstep, Mayor

Lynelle Stanford, Town Clerk (SEAL)



Staff Report

September 8, 2015

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Lynelle Stanford, Town Clerk
Subject: **Vinotok Special Event Application and Special Event Liquor Permit**
Date: September 3, 2015

Summary:

Vinotok is planned for September 18 and 19, 2015. The festivities are scheduled to begin on Friday, September 18 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 September 18 at 8AM to allow for set up of the Harvest Feast. Event organizers have applied for a special event liquor permit. They would delineate the Harvest Feast with “thematic boundaries.” Feast attendees would be carded at the ticket booth and given a stamp or wristband for age designation. No alcohol is to leave the perimeter of the Harvest Feast. The 100 Block of Elk Avenue would reopen at 6AM on September 19.

On Saturday, September 19, beginning at 5AM, the 200 Block of Elk Avenue would be closed, along with the Chamber Parking Lot for fire construction to begin. “Mumming” would begin at 5PM on Elk Avenue. From 7:30PM to 8:30PM, Elk Avenue would be closed from 2nd Street to 6th Street for the trial and processional. Elk Avenue would reopen at 8:30PM when the processional moves to the Chamber Parking Lot. The Chamber Parking Lot would remain closed on Sunday, September 20 and would reopen after clean up is completed.

During both the trial and bonfire portions of last year’s event, it became clear that additional toilet facilities would be necessary due to the number of people in attendance and the consumption of beverages. The Chamber Board directed Executive Director, David Ochs, to close the Chamber bathrooms during this year’s event due to extensive damage to the facilities during last year’s Vinotok. Ochs has secured funding to provide five portalets in lieu of the regular Chamber bathrooms. The language in the Chamber lease says that the Chamber is responsible for keeping the bathroom open during Chamber hours, which are identified in the lease as 9AM – 5PM, seven days a week, or as otherwise reasonably required by the Town.

Also, the 308 bathrooms are going to be under repair. Staff identified budget to provide three portalets in lieu of that Town facility that would normally be available. No portalets are required for the Harvest Dinner on Friday evening. The Old Town Hall bathrooms will be open. The event

organizers have agreed to help keep those bathrooms stocked and clean. Staff recommends that the event organizers be required to provide five additional portalets on Saturday, for a total of ten, to be located at the Chamber Parking Lot. Ten toilets would allow reasonable coverage on the west end of Elk and the 4-way.

Recommendation:

To approve the Vinotok special event application and special event liquor permit with the following contingencies:

- The event organizers must provide access to no less than ten total, five provided by the Chamber and five provided by the event organizers, toilets in the vicinity of the event in the Chamber Parking Lot.
- The Fire Department must be provided with a list of theatrical pyrotechnics from Bob Wojtalik.
- The Fire Department strongly recommends moving the fire location to a more remote location, but it is not Staff's recommendation to require such at this time.
- The fire must be out by 10:30PM.
- No parking allowed on the north side of Maroon Avenue from the 200 Block to the 400 Block on Saturday, September 19, 2015.

Suggested Motion:

Motion to approve the Vinotok special event application and special event liquor permit with the following contingencies:

- The event organizers must provide access to five toilets in the vicinity of the event in the Chamber Parking Lot.
- The Fire Department must be provided with a list of theatrical pyrotechnics from Bob Wojtalik.
- The fire must be out by 10:30PM.
- No parking allowed on the north side of Maroon Avenue from the 200 Block to the 400 Block on Saturday, September 19, 2015.

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 18th & 19th 2015

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

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

Name of Event Organizer: Kat Harrington

Phone: 970.319.5112 Cell Phone: same

E-Mail: katnharrington@gmail.com Fax Number: _____

Name of Assistant or Co-Organizer (if applicable): Molly Murfee

Phone: 970.349.0947 Cell Phone: --- E-Mail: mmurfee.aei@usa.net

Mailing Address of Organization Holding the Event: PO Box 4195, Crested Butte, CO 81224

Email Address of Organization: katnharrington@gmail.com Phone Number: 970.319.5112

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: _____

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.

Kathleen Harrington
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) es **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

Kat Harrington / Kathleen Harrington
Print Name Clearly / Signature of Applicant (Permittee)

7 Aug 2015
Date

Application is Approved: _____ Date: _____

VINOTOK PERMIT INFORMATION

2015

COMMUNITY FEAST Friday, September 18

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 18

Total Time: 8 a.m. Friday, September 18 – 6 a.m. Saturday, September 19

Expected number of participants: 50 (volunteers)

Expected number of spectators: 250 - 300 (diners)

Schedule of Events:

Thursday, Sept. 17	4 p.m.	Marshalls place cones placed on street to advise of no parking for the following day; barricades staged
Friday, Sept. 18	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. 19	6 a.m.	Roads re-opened

Alcohol:

Vintok is 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 or stamps 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.

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. 17 at 4 p.m. The road will be closed from Friday, Sept. 18 at 8 a.m. until Saturday, Sept. 19 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 gbcalendar.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:

- There will be a fire trained and certified person (on the list provided by the Town Hall of Crested Butte) watching the fire spinning crew.

- 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.
- Non combustable 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 19

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: Elk Avenue, between 6th St. and 2nd St., culminating at the parking lot at the 4-way

Event Time: 5:00 – 10:30 p.m. Saturday, September 19

Total Time: 5 a.m. Saturday, September 19 –12 p.m. Sunday, September 20

Expected number of participants: 75

Expected number of spectators: 1000 +

Schedule of Events:

Saturday, Sept. 19	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 20)
	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
Sunday, Sept. 20	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
	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 four 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 20 at 9:30 a.m. the entire Vinotok Theatre Troupe convenes and cleans Elk Avenue to Sopris and Maroon including adjacent alleys.
- A 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, it is not bear proof.
- 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.
- Eight 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 of these large plastic bins will be placed by Vinotok along the 200 block of Elk Avenue on 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 20 by 9:30 a.m.
- A bobcat on Sunday, September 20 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 as this is a community event that bring ample business to the

Chamber's members and other business alike during a slowing time of the year. Vinotok will rent two port-o-potties (one standard and one which is ADA compliant) to supplement the demand for facilities during the two hours of the bonfire.

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 20, until all trash has been cleared of the area. The barricades will then be removed.

Elk Avenue

- Mumming 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 behind Kochevar's 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.
- Mountain Express has agreed to avoid Elk Avenue once mumming has began and through the duration of the Stage Performance.
- Mountain Express has agreed to only utilize the Teocalli bus stop once the procession to the bonfire has begun and until they deem it safe to proceed through the 4-way.
- It is requested by the Marshalls department that Mountain Express run buses until 2:30 a.m. on Saturday.
- Mountain Express has agreed to run the buses every 20 minutes until midnight and then every 40 minutes with the last bus leaving Old Town Hall at 2:15am.

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 gbcalendar.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. There will be a fire trained and certified person (on the list provided by the Town Hall of Crested Butte) watching the fire spinning crew.

- 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.
- Kat Harrington, 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. 19 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 with 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 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 search lights which acts as a natural crowd dispersant.

Contingency Plan for the Fire (Partial Burn or No Burn)

The following points lay out the plan for if there is a need for a partial burn or no burn and a dismantling of the fire completely.

- The Vinotok Organizing Committee understands that if the concern for wind is deemed too great at the time the fire is to be ignited it will not be lit. In the event that it occurs, the Vinotok Organizing Committee will require assistance in safely dispersing the crowd and safely dismantling the burnable bonfire materials.
- If the wind is too great to light the full bonfire, there may still be a possibility to just burn the Grump itself without the fire load of the bonfire. In this case, the outer and inner ring will be dismantled along with the main fire load created by pallets. This will also necessitate the removal of the accelerant bags. The electrical ignition system will be utilized to light and burn the Grump.
- If wind is a concern, all avenue available for weather prediction will be utilized to assist in determining when the wind may die down. It is understood that wind is often a temporary condition that can change over the course of a few hours in an evening.
- The Marshall’s Department will be paying special attention to wind the evening of the bonfire. Tommy Martin will alert Molly Murfee, the Procession Leader, of any wind concerns when the Cast goes to inspect the bonfire site between 4:30 and 5pm on Saturday, September 19th.
- Tommy Martin will also alert Molly Murfee of any wind concern as the Cast is processing down Elk Avenue to the 4-way to the bonfire site for the burning of the Grump after the Trial.
- At this point, Molly can slow down the procession in order to delay the start of the bonfire to allow the wind to subside so the crowd doesn’t end up at the bonfire site too early, especially if the lighting of the fire is to be delayed.
- Tommy Martin can keep Molly Murfee updated as to wind concern throughout the procession from the Trial to the 4-way to notify her if the wind concerns has been terminated.
- Fire art can be used as a time delay in the instance the procession and cast reach the bonfire site and the wind is still a concern.
- It is understood that if the light time is extended the burn time may also be extended past 11pm so that the fire lighting ceremony may take place and the crowds can be satisfied.
- The Vinotok Organizing Committee understands that if the concern for wind is deemed too great at the time the fire is to be ignited it will not be lit. In the event that it occurs, the Vinotok Organizing Committee will require assistance in safely dispersing the crowd and safely dismantling the burnable bonfire materials.

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.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Vinotok

is a **Nonprofit Corporation** formed or registered on 08/25/2015 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 20151552998.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 08/24/2015 that have been posted, and by documents delivered to this office electronically through 08/25/2015 @ 17:04:58.

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 08/25/2015 @ 17:04:58 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9287940.



A handwritten signature in blue ink that reads "Wayne W. Williams".

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."

VINOTOK BUDGETARY ASSISTANCE REQUEST

August 2015

Intro

Vinotok is a week-long, 31-year old festival run entirely through volunteer efforts. We're younger than the Al Johnson, about the same age as the Alley Loop, older than Big Air on Elk. As such, we are a quintessential icon of Crested Butte culture often held up as the example of its authentic, quirky nature. While we do not invest in marketing efforts outside of Crested Butte, local entities from CBMR to the Chamber of Commerce to the Tourism Association heavily market this event as a demonstration of Crested Butte's unique personality. Our primary focus is to provide our community members with a bonding experience that honors the cycles of nature in this wild place that is our home. Yet through efforts outside of our own, our audience numbers coming in from around the country have grown immensely.

With this, the requirements we must complete in order to run a safe, environmentally friendly and responsible festival grow each year. As such we have found that we need financial assistance in order to be able to continue the festival in the manner in which is being requested of us, and in which we strive to comply.

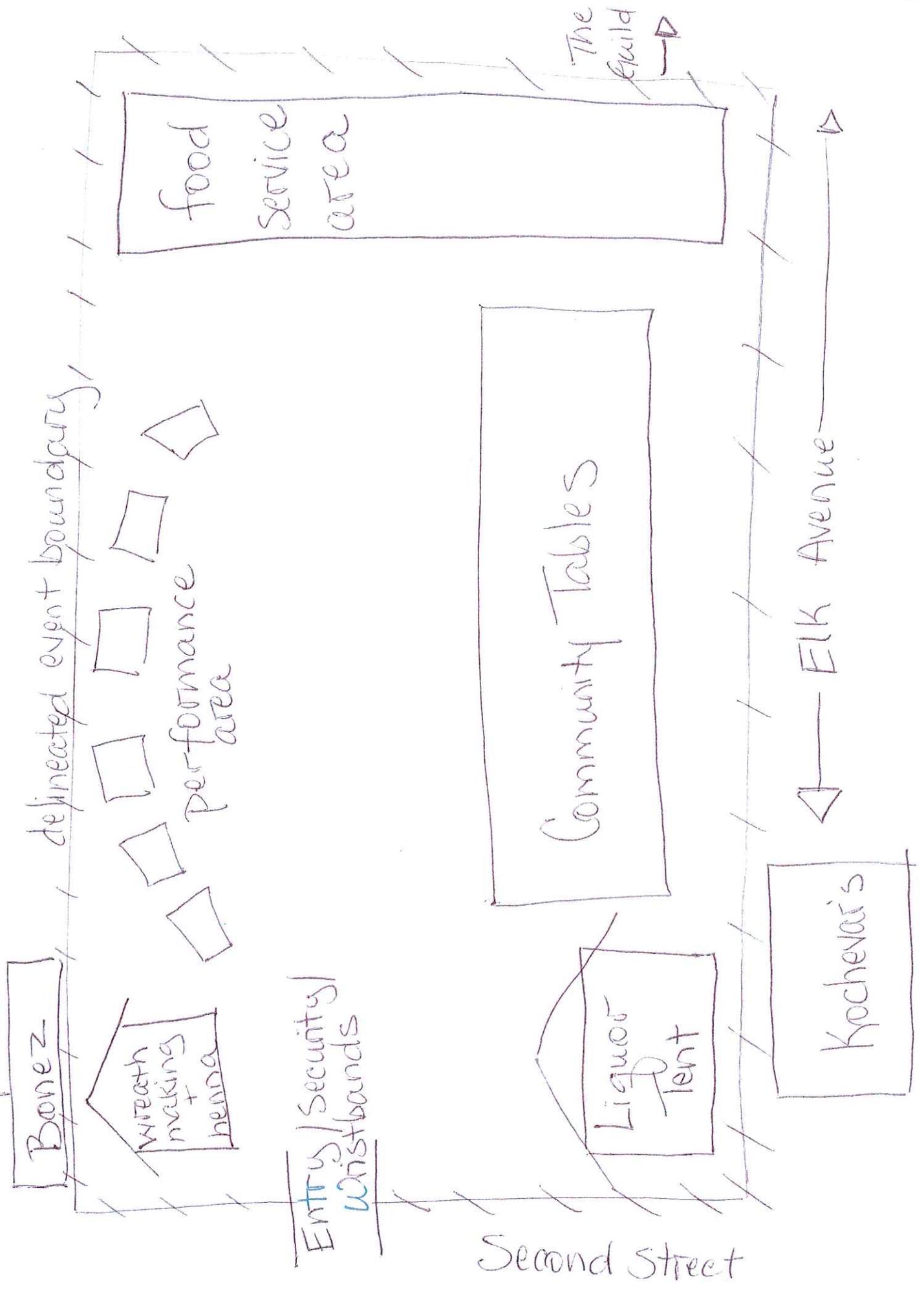
Budgetary Thoughts & Contributions

- Vinotok is run entirely through volunteer efforts. Even Mountain Oven, who prepares the food for our Community Feast, volunteers their time.
- We work very intentionally to keep our suggested donation prices low, to be inclusive to all parts of our community so that everyone may attend. Our most expensive event, the Community Feast, is only \$25.
- Our most major events – the Harvest Mother Celebration and the Vinotok Bonfire with Mumming and Theatre Procession – are completely free.
- Many of our volunteers are also donating hundreds of dollars of materials. These include such things as materials to construct the Grump, create costumes, and install safe fire ignition devices for the bonfire.
- Vinotok occurs at a time when businesses are facing a severe downturn in income heading into off season. We help provide needed and powerful income for businesses as well as serve as a major sales tax generator during this time. Indeed, many businesses report to us that Vinotok Night has served not only as their largest money making event of the entire year, but in some cases – in the entire history of their establishment.
- Vinotok is much more than the bonfire on Saturday. We have old-timer storytelling events to honor our history, and the Celebration of the Harvest Mother to honor our families and our future. Our dates correspond to the Autumn Equinox, thereby honoring our natural cycles. We honor local and organic food at the Community Feast. We honor artists in the creation of the Grump and our costumes. We offer mythology workshops, so people may understand the cultural underpinnings and depth of the festival and to reroute the energy from just the bonfire.
- These events help to demonstrate that we are the community. This festival is a community festival. We want to continue serving the community in a safe and respectable manner. But we need help. Below are just some of the expenses we incur in producing the free bonfire event on Saturday night of Vinotok.

Requested Help

Portalets	\$360 (1 regular @ \$160, 1 ADA @ \$200)
Event Insurance	\$490
Liquor Liability Insurance	\$742 (for the Community Feast)
Waste Management	\$471
Permits	\$250
Grump materials	\$300
Fire ignition materials	\$150
Legal consultation	\$260
TOTAL	\$3,023

Vinotok Community Feast
Friday, September 18, 2015



delineated event boundary

Boney

wreath making + henna

performance area

Entry / Security / Wristbands

Liquor tent

Community Tables

food service area

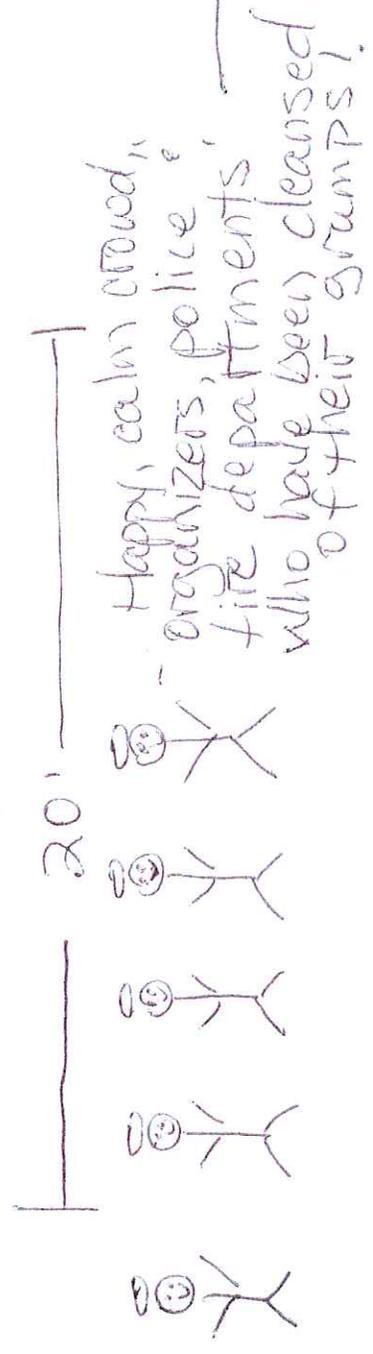
The Guild

Second Street

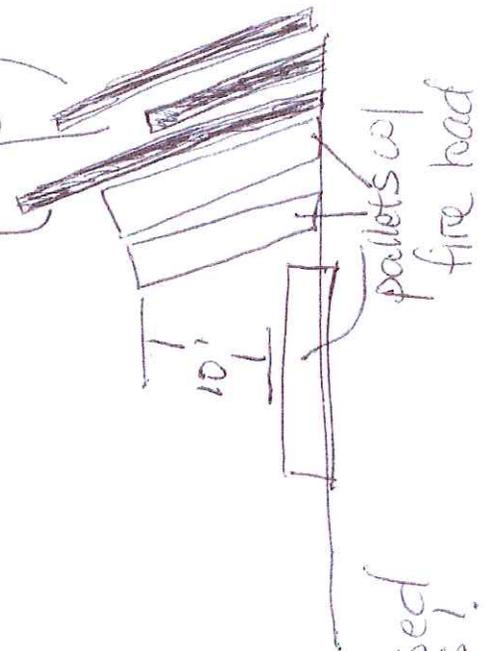
Elk Avenue

Kocherai's

2015 VINTOK FIRE DIAGRAM!



- Fire ring designed to fall inward
- Dry rounds selected to reduce flying embers



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 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY 2170 <input type="checkbox"/> 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 Vinotok	State Sales Tax Number (Required) 20151552998
---	--

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) P.O. Box 1067 Crested Butte, CO 81224	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) EIK Ave, 100 Block Crested Butte, CO 81224
---	--

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Molly Murfee	5.29.69	121 1/2 Maroon Ave Crested Butte, CO 81224	970.349.0947
5. EVENT MANAGER Kat Harrington	3.22.83	508 HORSESHOE, Mt. Crested Butte, CO 81224	970.319.5112

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? _____

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	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
Fri Sept 18, 2015		5:00 p.m.	10:00 p.m.												

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 Molly Murfee	TITLE Executive Director Pres	DATE 8-10-15
---	--	---

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	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK (970) 349-5338
SIGNATURE [Signature]	TITLE DEPUTY TOWN CLERK	DATE 8-12-15

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

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

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: Vivotok

Event Date(s): September 18th & 19th, 2015

Event Location: See attached

Scheduled Start Time & End Time of Amplified Sound: See attached

Type of Amplified Sound: See attached

Event Holder Contact Name: Kat Harrington Phone: 970.319.5112

Town Council Approval Date & Time if Applicable: SEPTEMBER 8, 2015

VINOTOK (SEPTEMBER 18-19, 2015)

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.

Marshal's Department :

Signature: [Signature] Date: 8-31-15
Name (Printed): Tom Martin

Conditions/Restrictions/Comments:
OK

Public Works:

Signature: [Signature] Date: 9/20/2015
Name (Printed): Rodney E. Due

Conditions/Restrictions/Comments:
OK, Are Public Restrooms enough @ Old Town Hall for 250-300+ diners? Request meeting prior to event with organizers

Parks and Recreation:

Signature: [Signature] Date: 9/2/15
Name (Printed): Janna Hansen

Conditions/Restrictions/Comments:
All items requested of Parks & Rec will be staged at the 4-way.
Thanks!
-Janna

Town Clerk:

Signature: [Signature] Date: 9-3-2015
Printed Name (Printed): Lynelle Stanford

Conditions/Restrictions/Comments:
Contingencies: Event organizer must provide no less than five portaloets in the area of the Chamber Lot, Fire Dept must be provided w/ a list of theoretical pyrotechnics from Bob Wojtalik, Fire Dept also strongly recommends moving the bonfire location

Town Manager:

Signature: [Signature] Date: 9/3/15
Printed Name (Printed): Todd Crossett

Conditions/Restrictions/Comments:
to a more remote location, and the fire must be out by 10:30 PM. No parking on Maroon - 200 block → 400 block on 9-19-2015.
With conditions as listed on this this approval form.

VINOTOK (SEPTEMBER 18-19, 2015)

Crested Butte Fire Protection District:

W Scott Wimmer 9/3/15
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

Received addendum as requested. Still need

list of theatrical pyrotechnics from Bob Wjatalik. *continued on next page*

Conditions/Restrictions/Comments:

Conditions/Restrictions/Comments:

See attached letter

Mt. Express Bus Service:

Chris Larsen 8/20/15
Signature Date

Printed Name (Printed)

Official Use Only:

Application Received 8/13/15 Date Distributed 8/20/15

Council Date (if applicable) SEPTEMBER 8, 2015

Approval Date _____ Method of Approval: Administratively By Town Council

Approval Contingencies Event organizer must provide no less than five permits - see previous page for list

Application fee \$ 25 Check # 1046 Date Paid 8/17/15

Permit Fee \$ 200 Check # 1046 Date Paid 8/17/15

Local Liquor License Fee \$ 25 Check # 1046 Date Paid 8/17/15

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

Additional Fee _____ Check # _____ Date Paid _____

Clean Up Deposit \$ 200 Check # 1046 Date Paid 8/17/15 Date Returned: _____

VINOTOK

9/18 + 19/15

Crested Butte Fire Protection District:

W Scott Wimmer 9/3/15
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

Received addendum as requested. Still need list of theatrical pyrotechnics from Bob Wojtalik.

Mt. Express Bus Service:

Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

Strongly recommend moving bon fire location to a more remote location. Page 4 of addendum notes the fire will be out by 10:30.

Official Use Only:

Application Received 9/18/15 Date Distributed 9/20/15

Council Date (if applicable) SEPTEMBER 8, 2015

Approval Date _____ Method of Approval: Administratively By Town Council

Approval Contingencies _____

Application fee \$ 25 Check # 1046 Date Paid 9/18/15

Permit Fee \$ 200 Check # 1046 Date Paid 9/18/15

Local Liquor License Fee \$ 25 Check # 1046 Date Paid 9/18/15

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

Additional Fee _____ Check # _____ Date Paid _____

Clean Up Deposit \$ 200 Check # 1046 Date Paid 9/19/15 Date Returned: _____

.....

803 Butte Avenue
P.O. Box 3482
Crested Butte, CO 81224
Ph. (970)349-5616
Fax (970)349-7214

Mountain Express

Vinotok September 19, 2015

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

Saturday, September 19th, 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 & Belleview. 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 stop, Mountain Express will use only the Teocalli stops.
- Once Elk Avenue is open, Mountain Express will resume the regular town route.

Mountain Express will run late on Saturday, September 19th, with the last bus leaving Old Town Hall at 2:15 am.

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 19, 2015.



Chris Larsen
Transit Manager

.....



Staff Report

September 8, 2015

To: Town Council

Thru: Todd Crossett, Town Manager and Bob Gillie, Building Official

From: Jessie Earley

Subject: Revocable License Agreement, Robert V. Hunt, 612 Third Street

SUMMARY:

On December 18, 2014, the BOZAR approved the plans for 612 Third Street. Included in the plans was a sewer line in the Third Street right-of-way adjacent to Lots 17-21, Block 39.

The use of public property in this manner requires that the Town Council grant a license for such usage. Attached you will find the license agreement. Exhibits identifying the area are included.

RECOMMENDATION:

Approve said license agreement with Robert V. Hunt to allow the sewer line in the Third Street right of way adjacent to Lots 17-21, Block 39 as part of the consent agenda.

RESOLUTION NO. 26

SERIES NO. 2015

RESOLUTIONS OF THE CRESTED BUTTE TOWN COUNCIL AUTHORIZING THE GRANT OF A REVOCABLE LICENSE TO ROBERT V. HUNT TO ENCROACH INTO THE THIRD STREET PUBLIC RIGHT OF WAY WITH SEWER LINES ADJACENT TO LOTS 17-21, BLOCK 39, TOWN OF CESTED BUTTE

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

WHEREAS, the Town staff has recommended to the Town Council that it grant a revocable license to encroach in the Third Street public right of way with sewer lines adjacent to Lots 17-21, Block 39, Town of Crested Butte, to the owner thereof, Robert V. Hunt; and

WHEREAS, the Town Council finds hereby that granting a revocable license to encroach in the Third Street public right of way with sewer lines adjacent to Lots 17-21, Block 39, Town of Crested Butte, to the owner thereof, Robert V. Hunt, is in the best interest of the Town.

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

1. **Findings.** The Town Council finds hereby that granting a revocable license to encroach in the Third Street public right of way with sewer lines adjacent to Lots 17-21, Block 39, Town of Crested Butte, to the owner thereof, Robert V. Hunt, is in the best interest of the Town.

2. **Authorization of Mayor.** Based on the foregoing, the Town Council hereby authorizes the Mayor to execute the "Revocable License Agreement" in substantially the same form as attached hereto as **Exhibit "A."**

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS ____ DAY OF _____, 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

Revocable License Agreement

[attach approved form here]

**RECORDING REQUESTED BY:
WHEN RECORDED RETURN TO:**

Town of Crested Butte
Attn: Town Clerk
502 Maroon Avenue
Crested Butte, CO 81224

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT (this "**Agreement**") is made and entered into this ___ day of _____, 2014, by and between the TOWN OF CRESTED BUTTE, COLORADO ("**Licensor**"), a Colorado home rule municipality with an address of 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 and ROBERT V. HUNT ("**Licensee**") with an address of 5811 Gaston Avenue, Dallas, TX 75214-4409.

RECITALS:

Block 39,
West 75' of Lot 17,
Town of Crested Butte,
County of Gunnison,
State of Colorado,

commonly known as 612 Third Street, Crested Butte, Colorado 81224 (the "**Premises**").

B. The Premises is bound by that certain public right of way known as Third Street (the "**Public Property**").

C. Licensee has requested the right to construct and install, and keep and maintain certain improvements in the Public Property.

D. The Town is willing to allow Licensee to keep and maintain such improvements in the Public Property, subject to certain conditions and requirements.

NOW, THEREFORE, for and in consideration of the covenants, terms, conditions and requirements set forth herein, the sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

AGREEMENT:

1. **Grant of License.** Licensor hereby grants to Licensee and its successors in interest a revocable license (the "**License**") to construct, keep and maintain the improvements, which is the sewer line in the Third Street right-of-way adjacent to Lots 17-21, as described in **Exhibit "A"** (the "**Improvements**") attached hereto on the Public Property in the location set forth on **Exhibit "B"** attached hereto.

2. **Permit for Construction and Maintenance.** Licensee shall obtain permits from the Town pursuant to Chapter 11, Article 2 of the Crested Butte Municipal Code relative to all construction, installation and maintenance activities relative to the Improvements.

3. **Term of License; Revocation.**

3.1. The License shall exist and continue until the happening of either the following events, which such event shall automatically terminate and extinguish the License:

(a) the Improvements are demolished, removed or damaged by fire or other casualty such that such Improvements cannot be reasonably repaired in their present location; or

(b) the Town Council finds at a regular, public meeting that (i) the Improvements must be removed in order to make the Public Property available for public use or for such other reason as determined by the Town Council in its sole discretion, or (ii) Licensee is in default of this Agreement.

3.2. The License is made subordinate to the right of Licensor to use the Public Property for any public purpose, including, without limitation, public pedestrian uses, surface and subsurface improvements and public utilities. In addition to Licensor's revocation rights set forth in Section 3.1, Licensee agrees that if Licensor subsequently determines to, without limitation, install, modify or change the grade of any street or sidewalk, or to modify, repair or install any underground utility, or to effect any other work in connection with any other public or utility improvement, or to use or occupy the area of the encroachment by the Improvements, then the License hereby authorized must be modified and the Improvements removed completely or otherwise relocated to a location acceptable to Licensor, and the Public Property shall be restored to its pre-existing and/or unobstructed condition to the satisfaction of Licensor at Licensee's sole cost and expense. Licensor's decision as to the necessity of such public use, occupancy or improvements shall be final and binding upon Licensee.

4. **Assumption of Risk.** Licensee assumes the risk of damage to the Improvements and agrees to repair any damage to the Public Property, Licensor property and any third party's property arising from or relating to Licensee's use of the Public Property. Additionally, Licensee assumes all risk of damage to property or injury to persons, including death, in connection, whether directly or indirectly, with the License and the Improvements. In the event of any such damage or injury, Licensee agrees to pay all costs related thereto, including, without limitation, reasonable attorneys' fees.

5. **Indemnification.** By execution of this License, Licensee, for itself and its successors, hereby agrees to indemnify, defend and hold harmless Licensor, its elected officials, employees, contractors, agents, insurers, insurance pools and attorneys against any and all claims, suits, damages, costs, losses and expenses, including reasonable

attorneys' fees, in connection with any personal injury, including death, or property damage, arising out of or connected in any way with, whether directly or indirectly, the License, Licensee's use of the Public Property and the Improvements.

6. **Insurance.**

6.1. At its sole cost and expense, Lessee shall obtain and keep in force during from the date first written above until the Improvements are removed or relocated from the Public Property "all-risk" property coverage naming Lessee and Licensor as their interests may appear.

6.2 At its sole expense, Lessee shall obtain and keep in force from the date first written above until the Improvements are removed or relocated from the Public Property commercial general liability insurance with a combined single limit of not less than \$2,000,000.00 for injury to or death of any one person, for injury to or death of any number of persons in one occurrence, and for damage to property, insuring Lessee and Licensor, including, without limitation, coverage for contractual liability, broad form property damage and non-owned automobile liability, with respect to the Public Property. The insurance shall be noncontributing with any insurance that may be carried by Licensor and shall contain a provision that Licensor, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to Licensor, or the property of the same.

6.3. All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by Licensor in writing. All insurance policies shall be subject to approval by Licensor as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to Licensor and shall provide that no act or omission of Licensor that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the insurance company to pay the amount of any loss sustained. Lessee may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

6.4. All policies of liability insurance that Lessee is obligated to maintain according to this Agreement (other than any policy of workmen's compensation insurance) shall name Licensor as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming Licensor as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to Licensor on the date first written above. All public liability, property damage liability and casualty policies maintained by Licensor shall be written as primary policies, not contributing with and not in excess of coverage that Licensor may carry.

6.5. The parties waive all rights to recover against each other, or against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers,

suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. Licensee shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with Licensee's operations and Licensor's operations and property.

7. **Licensee Obligations Upon Revocation; Remedies.** Upon notice to Licensee of the Town Council's decision to revoke this License, the Improvements must be promptly removed. In the event that the Improvements are not so removed by Licensee, Licensor may remove the Improvements and restore the location to its original condition at Licensee's sole cost and expense. In such case Licensor shall have no responsibility for damage to the Improvements or Licensee's other property, whether personal or real property, located on Public Property and the Premises. Licensee shall immediately reimburse Licensor such costs and expenses incurred by Licensor in such removal. Licensor shall have the right to make an assessment against the Premises and collect the costs of removal and restoration in the same manner as general taxes are collected under State and local laws. Such rights shall be in addition to any rights available at law or in equity. All remedies may be applied concurrently and not to the exclusion of any other remedy. In the event of any legal action or advice necessary to execute such removal, Licensee shall pay Licensor all reasonable costs and expenses in connection therewith, including, without limitation, reasonable attorneys' fees.

8. **Responsibility for Maintenance; Damage to Improvements.** Licensee assumes and accepts sole responsibility for the maintenance and upkeep of the Improvements, which shall be performed only upon receipt of permits from Licensor as required by applicable law. Further, Licensor shall not be liable for any damage to the Improvements caused by Licensor's operations, including, without limitation, snow removal, street or alley maintenance, street or alley repairs and improvements and utility installation, maintenance and repairs.

9. **No Assignment.** This Agreement and the License granted hereunder shall not be assignable or transferrable by Licensee without Licensor's prior written consent; provided that, Licensee may transfer Licensee's property without first obtaining consent from Licensor and the rights and obligations contained under this License shall inure to Licensee's successor in interest without further action by the parties of such successor in interest. Failure to obtain Licensor's consent to such assignment or transfer as required shall make such assignment or transfer void *ab initio*.

10. **Subject to Laws.** This License is subject to all State and municipal laws as they now exist or may hereafter be amended.

11. **Licensee Representations.** Licensee represents and warrants that: (a) it is duly qualified to do business and is in good standing in the State of Delaware; (b) it has full power and authority to execute, deliver and perform its obligations under this

Agreement; (c) the individual executing this Agreement has the full power and authority to do so; and (d) the Agreement does not violate any other obligation of Licensee.

12. **Notices.** All notices required pursuant to this Agreement shall be deemed served upon depositing a certified letter, return receipt requested, in the United States mail, addressed to the party being served with such notice at the addresses set forth above, unless a request to mail to a different address is provided in writing to the other party.

13. **Prevailing Party.** In the event of any dispute between the parties in connection with this License, the non-prevailing party shall pay the prevailing party all costs and expenses, including, without limitation, reasonable attorneys' fees, costs and expenses, incurred in such dispute.

14. **Entire Agreement; Amendment.** This Agreement represents the entire agreement of the parties respecting the subject matters addressed herein. This Agreement may be amended only in writing by properly executed agreement.

15. **Successors and Assigns.** The rights and obligations of the parties shall inure to the benefit and burden to the parties' successors and permitted assigns.

16. **No Waiver.** No waiver by either party of any breach of, or of compliance with, any condition or provision of this Agreement by the other party shall be considered a waiver of any other condition or provision or of the same condition or provision at another time.

17. **Photo-static Copies.** For purposes of enforcement of the terms hereof, photo-static reproductions shall be deemed to be originals.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have entered into this Agreement by their duly authorized representatives effective as of the date first written above.

LICENSOR:

TOWN OF CRESTED BUTTE,
a Colorado home rule municipality

By: _____
Aaron J. Huckstep, Mayor

Attest:

By: _____
Lynelle Sanford, Town Clerk

[SEAL]

LICENSEE:

ROBERT V. HUNT

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing Revocable License Agreement was acknowledged before me this _____ day of _____, 20__ by Aaron J. Huckstep, Mayor of the Town of Crested Butte, a Colorado home rule municipality, on behalf of said entity.

WITNESS my hand and official seal.
My commission expires: _____

Notary Public Signature

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing Revocable License Agreement was acknowledged before me this _____ day of _____, 20__ by Robert V. Hunt.

WITNESS my hand and official seal.
My commission expires: _____

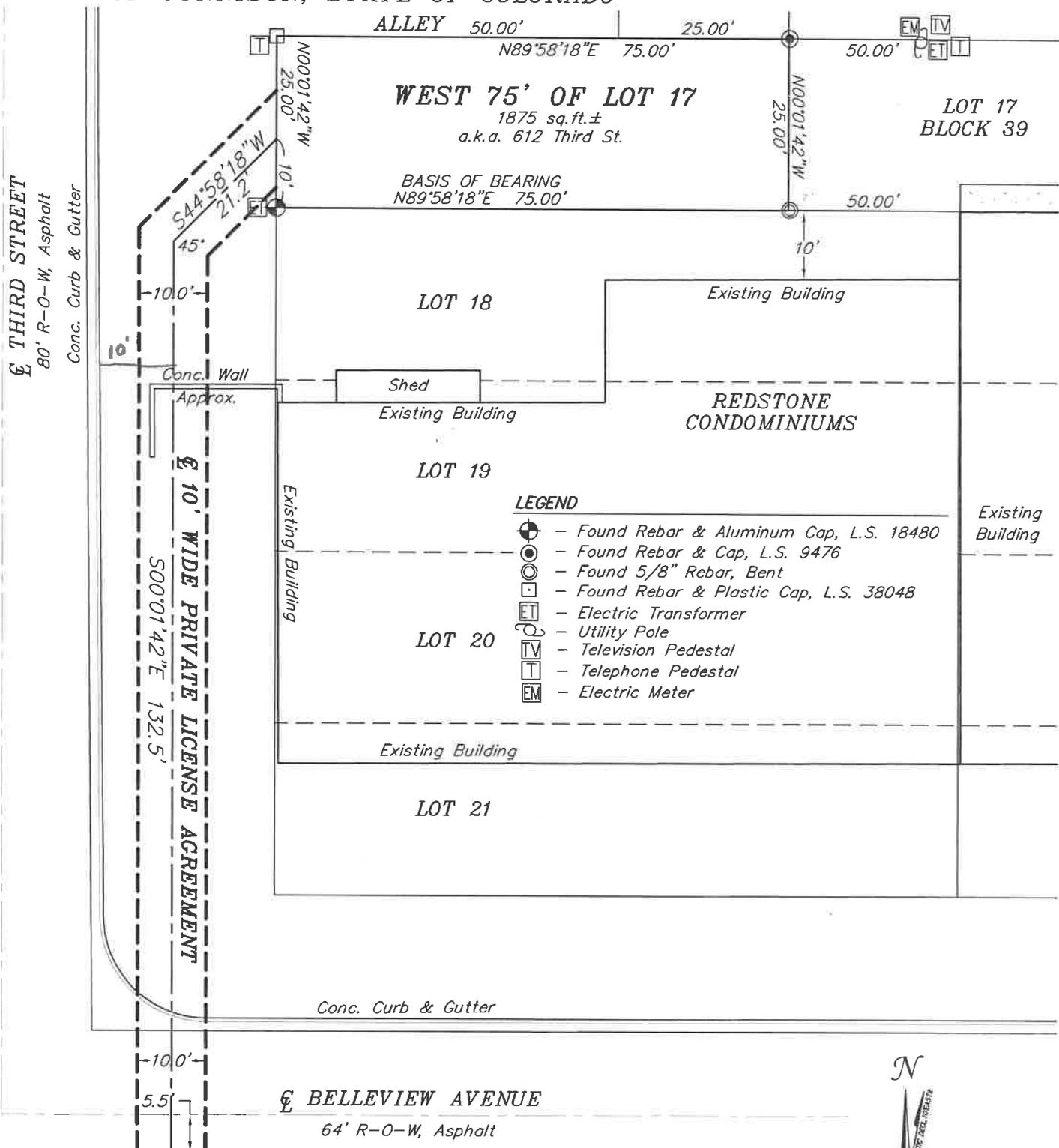
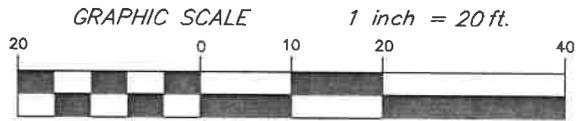
Notary Public Signature

EXHIBIT "A"

Third Street right-of-way adjacent to the Lots 17-21, Block 39 in the C zone.

EXHIBIT "B"

EXHIBIT " "
10' WIDE PRIVATE LICENSE AGREEMENT
IN 3RD ST., TOWN OF CRESTED BUTTE
COUNTY OF GUNNISON, STATE OF COLORADO



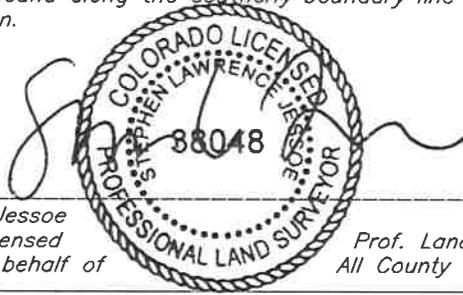
LAND DESCRIPTION

A 10' wide strip of land in Third Street, Town of Crested Butte, serving the West 75' of Lot 17, Block 39, Town of Crested Butte, according to the official plat thereof recorded June 6, 1881 at Reception No. 14191, per the Clerk and Recorder of Gunnison County, Colorado, with the centerline of said 10' wide strip of land being more particularly described as follows:
 Commencing at an aluminum cap monument stamped "L.S. 18480" found at the southwesterly boundary corner of said West 75' of Lot 17, Block 39, thence along the westerly boundary of said Lot 17 N00°01'42"W 10.0' to the true point of beginning; thence
 1) S44°58'18"W 21.2'; thence
 2) S00°01'42"E 132.5' to the point of termination,
TOWN OF CRESTED BUTTE,
COUNTY OF GUNNISON,
STATE OF COLORADO.

Basis of Bearing is based upon on a record bearing of N89°58'18"E between an aluminum cap monument found at the southwesterly corner of Lot 17 and a 5/8" rebar found along the southerly boundary line of Lot 17, Block 39, as shown hereon.



According to Colorado Law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any legal action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



Stephen L. Jessoe
 Colorado Licensed
 For and on behalf of

26 August 2015

Date
 Prof. Land Surveyor No. 38048
 All County Survey, Inc.





Staff Report

September 8, 2015

To: Town Council

Thru: Todd Crossett, Town Manager and Bob Gillie, Building Official

From: Jessie Earley

Subject: Revocable License Agreement, Ice House LLC, a Delaware limited liability company, 202 Elk Avenue

SUMMARY:

On September 30, 2014 and July 28, 2015, the BOZAR approved the plans for the 202 Elk Avenue. Included in the plans is a sewer and water line in the Second Street right-of-way adjacent to the South half of Lot 16, Block 28.

The use of public property in this manner requires that the Town Council grant a license for such usage. Attached you will find the license agreement. Exhibits identifying the area are included.

RECOMMENDATION:

Approve said license agreement with Ice House LLC, a Delaware limited liability company to allow the sewer and water lines in the Second Street right of way adjacent to the South half of Lot 16, Block 28 as part of the consent agenda.

RESOLUTION NO. 27

SERIES NO. 2015

RESOLUTIONS OF THE CRESTED BUTTE TOWN COUNCIL AUTHORIZING THE GRANT OF A REVOCABLE LICENSE TO ICE HOUSE LLC TO ENCROACH INTO THE SECOND STREET PUBLIC RIGHT OF WAY WITH WATER AND SEWER LINES ADJACENT TO THE SOUTH HALF OF LOT 16, BLOCK 28, TOWN OF CESTED BUTTE

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

WHEREAS, the Town staff has recommended to the Town Council that it grant a revocable license to encroach in the Second Street public right of way with water and sewer lines adjacent to the south half of Lot 16, Block 28, Town of Crested Butte, to the owners thereof, Ice House LLC; and

WHEREAS, the Town Council finds hereby that granting a revocable license to encroach in the Second Street public right of way with water and sewer lines adjacent to the south half of Lot 16, Block 28, Town of Crested Butte, to the owners thereof, Ice House LLC, is in the best interest of the Town.

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

1. **Findings.** The Town Council hereby finds that granting a revocable license to encroach in the Second Street public right of way with water and sewer lines adjacent to the south half of Lot 16, Block 28, Town of Crested Butte, to the owners thereof, Ice House LLC is in the best interest of the Town.

2. **Authorization of Mayor.** Based on the foregoing, the Town Council hereby authorizes the Mayor to execute the "Revocable License Agreement" in substantially the same form as attached hereto as **Exhibit "A."**

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS ____ DAY OF _____, 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"

Revocable License Agreement

[attach approved form here]

**RECORDING REQUESTED BY:
WHEN RECORDED RETURN TO:**

Town of Crested Butte
Attn: Town Clerk
502 Maroon Avenue
Crested Butte, CO 81224

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT (this "**Agreement**") is made and entered into this ___ day of _____, 2014, by and between the TOWN OF CRESTED BUTTE, COLORADO ("**Licensor**"), a Colorado home rule municipality with an address of 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 and ICE HOUSE LLC ("**Licensee**"), a Delaware limited liability company with an address of c/o Driver McAfee Peek & Hawthorne, One Independent Drive, Suite 1200, Jacksonville, FL 32202.

RECITALS:

Block 28,
Lots 15-16,
Town of Crested Butte,
County of Gunnison,
State of Colorado,

commonly known as 202 Elk Avenue, 202 ½ Elk Avenue and 406 Second Street, Crested Butte, Colorado 81224 (the "**Premises**").

B. The Premises is bound by that certain public right of way known as Second Street (the "**Public Property**").

C. Licensee has requested the right to construct and install, and keep and maintain certain improvements in the Public Property.

D. The Town is willing to allow Licensee to keep and maintain such improvements in the Public Property, subject to certain conditions and requirements.

NOW, THEREFORE, for and in consideration of the covenants, terms, conditions and requirements set forth herein, the sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

AGREEMENT:

1. **Grant of License.** Licensor hereby grants to Licensee and its successors in interest a revocable license (the "**License**") to construct, keep and maintain the improvements, which are water and sewer lines in the Second Street right-of-way

adjacent to the south half of Lot 16, as described in **Exhibit “A”** (the “**Improvements**”) attached hereto on the Public Property in the location set forth on **Exhibit “B”** attached hereto.

2. **Permit for Construction and Maintenance.** Licensee shall obtain permits from the Town pursuant to Chapter 11, Article 2 of the Crested Butte Municipal Code relative to all construction, installation and maintenance activities relative to the Improvements.

3. **Term of License; Revocation.**

3.1. The License shall exist and continue until the happening of either the following events, which such event shall automatically terminate and extinguish the License:

(a) the Improvements are demolished, removed or damaged by fire or other casualty such that such Improvements cannot be reasonably repaired in their present location; or

(b) the Town Council finds at a regular, public meeting that (i) the Improvements must be removed in order to make the Public Property available for public use or for such other reason as determined by the Town Council in its sole discretion, or (ii) Licensee is in default of this Agreement.

3.2. The License is made subordinate to the right of Licensor to use the Public Property for any public purpose, including, without limitation, public pedestrian uses, surface and subsurface improvements and public utilities. In addition to Licensor’s revocation rights set forth in Section 3.1, Licensee agrees that if Licensor subsequently determines to, without limitation, install, modify or change the grade of any street or sidewalk, or to modify, repair or install any underground utility, or to effect any other work in connection with any other public or utility improvement, or to use or occupy the area of the encroachment by the Improvements, then the License hereby authorized must be modified and the Improvements removed completely or otherwise relocated to a location acceptable to Licensor, and the Public Property shall be restored to its pre-existing and/or unobstructed condition to the satisfaction of Licensor at Licensee’s sole cost and expense. Licensor’s decision as to the necessity of such public use, occupancy or improvements shall be final and binding upon Licensee.

4. **Assumption of Risk.** Licensee assumes the risk of damage to the Improvements and agrees to repair any damage to the Public Property, Licensor property and any third party’s property arising from or relating to Licensee’s use of the Public Property. Additionally, Licensee assumes all risk of damage to property or injury to persons, including death, in connection, whether directly or indirectly, with the License and the Improvements. In the event of any such damage or injury, Licensee agrees to pay all costs related thereto, including, without limitation, reasonable attorneys’ fees.

5. **Indemnification.** By execution of this License, Licensee, for itself and its successors, hereby agrees to indemnify, defend and hold harmless Licensor, its elected officials, employees, contractors, agents, insurers, insurance pools and attorneys against any and all claims, suits, damages, costs, losses and expenses, including reasonable attorneys' fees, in connection with any personal injury, including death, or property damage, arising out of or connected in any way with, whether directly or indirectly, the License, Licensee's use of the Public Property and the Improvements.

6. **Insurance.**

6.1. At its sole cost and expense, Lessee shall obtain and keep in force during from the date first written above until the Improvements are removed or relocated from the Public Property "all-risk" property coverage naming Lessee and Licensor as their interests may appear.

6.2 At its sole expense, Lessee shall obtain and keep in force from the date first written above until the Improvements are removed or relocated from the Public Property commercial general liability insurance with a combined single limit of not less than \$2,000,000.00 for injury to or death of any one person, for injury to or death of any number of persons in one occurrence, and for damage to property, insuring Lessee and Licensor, including, without limitation, coverage for contractual liability, broad form property damage and non-owned automobile liability, with respect to the Public Property. The insurance shall be noncontributing with any insurance that may be carried by Licensor and shall contain a provision that Licensor, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to Licensor, or the property of the same.

6.3. All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by Licensor in writing. All insurance policies shall be subject to approval by Licensor as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to Licensor and shall provide that no act or omission of Licensor that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the insurance company to pay the amount of any loss sustained. Lessee may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

6.4. All policies of liability insurance that Lessee is obligated to maintain according to this Agreement (other than any policy of workmen's compensation insurance) shall name Licensor as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming Licensor as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to Licensor on the date first written above. All public liability, property damage liability and casualty policies maintained by Licensor shall be written as primary policies, not contributing with and not in excess of coverage that Licensor may carry.

6.5. The parties waive all rights to recover against each other, or against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers, suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. Licensee shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with Licensee's operations and Licensor's operations and property.

7. **Licensee Obligations Upon Revocation; Remedies.** Upon notice to Licensee of the Town Council's decision to revoke this License, the Improvements must be promptly removed. In the event that the Improvements are not so removed by Licensee, Licensor may remove the Improvements and restore the location to its original condition at Licensee's sole cost and expense. In such case Licensor shall have no responsibility for damage to the Improvements or Licensee's other property, whether personal or real property, located on Public Property and the Premises. Licensee shall immediately reimburse Licensor such costs and expenses incurred by Licensor in such removal. Licensor shall have the right to make an assessment against the Premises and collect the costs of removal and restoration in the same manner as general taxes are collected under State and local laws. Such rights shall be in addition to any rights available at law or in equity. All remedies may be applied concurrently and not to the exclusion of any other remedy. In the event of any legal action or advice necessary to execute such removal, Licensee shall pay Licensor all reasonable costs and expenses in connection therewith, including, without limitation, reasonable attorneys' fees.

8. **Responsibility for Maintenance; Damage to Improvements.** Licensee assumes and accepts sole responsibility for the maintenance and upkeep of the Improvements, which shall be performed only upon receipt of permits from Licensor as required by applicable law. Further, Licensor shall not be liable for any damage to the Improvements caused by Licensor's operations, including, without limitation, snow removal, street or alley maintenance, street or alley repairs and improvements and utility installation, maintenance and repairs.

9. **No Assignment.** This Agreement and the License granted hereunder shall not be assignable or transferrable by Licensee without Licensor's prior written consent; provided that, Licensee may transfer Licensee's property without first obtaining consent from Licensor and the rights and obligations contained under this License shall inure to Licensee's successor in interest without further action by the parties of such successor in interest. Failure to obtain Licensor's consent to such assignment or transfer as required shall make such assignment or transfer void *ab initio*.

10. **Subject to Laws.** This License is subject to all State and municipal laws as they now exist or may hereafter be amended.

11. **Licensee Representations.** Licensee represents and warrants that: (a) it is duly qualified to do business and is in good standing in the State of Delaware; (b) it has full power and authority to execute, deliver and perform its obligations under this Agreement; (c) the individual executing this Agreement has the full power and authority to do so; and (d) the Agreement does not violate any other obligation of Licensee.

12. **Notices.** All notices required pursuant to this Agreement shall be deemed served upon depositing a certified letter, return receipt requested, in the United States mail, addressed to the party being served with such notice at the addresses set forth above, unless a request to mail to a different address is provided in writing to the other party.

13. **Prevailing Party.** In the event of any dispute between the parties in connection with this License, the non-prevailing party shall pay the prevailing party all costs and expenses, including, without limitation, reasonable attorneys' fees, costs and expenses, incurred in such dispute.

14. **Entire Agreement; Amendment.** This Agreement represents the entire agreement of the parties respecting the subject matters addressed herein. This Agreement may be amended only in writing by properly executed agreement.

15. **Successors and Assigns.** The rights and obligations of the parties shall inure to the benefit and burden to the parties' successors and permitted assigns.

16. **No Waiver.** No waiver by either party of any breach of, or of compliance with, any condition or provision of this Agreement by the other party shall be considered a waiver of any other condition or provision or of the same condition or provision at another time.

17. **Photo-static Copies.** For purposes of enforcement of the terms hereof, photo-static reproductions shall be deemed to be originals.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have entered into this Agreement by their duly authorized representatives effective as of the date first written above.

LICENSOR:

TOWN OF CRESTED BUTTE,
a Colorado home rule municipality

By: _____
Aaron J. Huckstep, Mayor

Attest:

By: _____
Lynelle Sanford, Town Clerk

[SEAL]

LICENSEE:

ICE HOUSE, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing Revocable License Agreement was acknowledged before me this ____ day of _____, 20__ by Aaron J. Huckstep, Mayor of the Town of Crested Butte, a Colorado home rule municipality, on behalf of said entity.

WITNESS my hand and official seal.
My commission expires: _____

Notary Public Signature

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing Revocable License Agreement was acknowledged before me this ____ day of _____, 20__ by _____,
_____ of ICE HOUSE LLC, a Delaware limited liability company, on behalf of said entity.

WITNESS my hand and official seal.
My commission expires: _____

Notary Public Signature

EXHIBIT "A"

Second Street right-of-way adjacent to the South half of Lot 16, Block 28 in the B1 zone.

EXHIBIT "B"

RESOLUTION NO. 30

SERIES 2015

**RESOLUTIONS OF THE CRESTED BUTTE TOWN
COUNCIL APPROVING THE VACATION AND
TERMINATION OF THE LOTS MINER
CONDOMINIUMS ACCORDING TO THE PLAT
THEREOF RECORDED IN THE OFFICIAL REAL
PROPERTY RECORDS OF THE CLERK AND
RECORDER OF GUNNISON COUNTY,
COLORADO ON FEBRUARY 21, 2006 AT
RECEPTION NO. 563032**

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

WHEREAS, Section 4.7 of the Crested Butte Town Charter provides that the Council may act, other than legislatively, by resolution;

WHEREAS, the fee title owner of 100% of the ownership of the Lost Miner Condominiums has requested that the Town Council approve the termination and vacation of the condominium regime for the Lost Miner;

WHEREAS, the Town Staff and the Town Attorney have recommended to the Town Council that it approve the termination and vacation of the condominium regime for the Lost Miner Condominiums as requested by the sole fee title owner thereof; and

WHEREAS, based on the Town Staff and Town Attorney's recommendation, the Town Council finds that it is in the best interest of the Town and the general welfare of the public that the Town Council approve the termination and vacation of the Lost Miner Condominium regime as proposed by the sole owner thereof.

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

The Town Council hereby approves the termination and vacation of the condominium regime for the Lost Miner Condominiums according to the plat thereof recorded in the Official Real Property Records of the Clerk and Recorder of Gunnison County Colorado on February 21, 2006 at Reception No. 563032, such termination and vacation being in the best interest of the health, safety and welfare of the Town, its residents and visitors.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THIS __ DAY OF _____ 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

**Sales Tax Totals
July**

	% of Total	2015	△ %	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Bars & Restaurants	35%	173,487	12.6%	154,138	136,580	125,168	115,226	101,924	90,054	88,207	89,496	87,612	80,941	75,584
Grocery Sales	12%	59,213	8.8%	54,423	47,906	44,734	43,386	39,917	38,369	41,066	38,384	35,959	32,804	30,969
Retail	34%	170,499	9.3%	156,030	126,038	114,641	112,255	105,386	91,684	95,547	101,251	104,381	96,266	94,667
Lodging	8%	41,186	4.5%	39,401	33,899	29,594	28,315	25,480	20,830	17,869	17,770	18,055	17,188	14,862
Construction, Auto & Hardware	7%	33,255	18.5%	28,061	24,303	19,858	24,613	24,335	23,387	29,902	33,172	25,065	23,541	23,631
Services (telephone, car leases, etc...)	2%	11,134	5.6%	10,544	8,921	8,094	7,773	8,141	8,600	9,146	9,471	9,478	8,659	14,002
Other (Gas, Electric, etc...)	2%	9,167	3.0%	8,903	8,168	7,903	7,643	7,907	7,704	8,020	6,367	7,332	6,012	4,952
Total	100%	497,943	10.3%	451,499	385,817	349,992	339,212	313,088	280,628	289,756	295,911	287,881	265,411	258,666

Year To Date

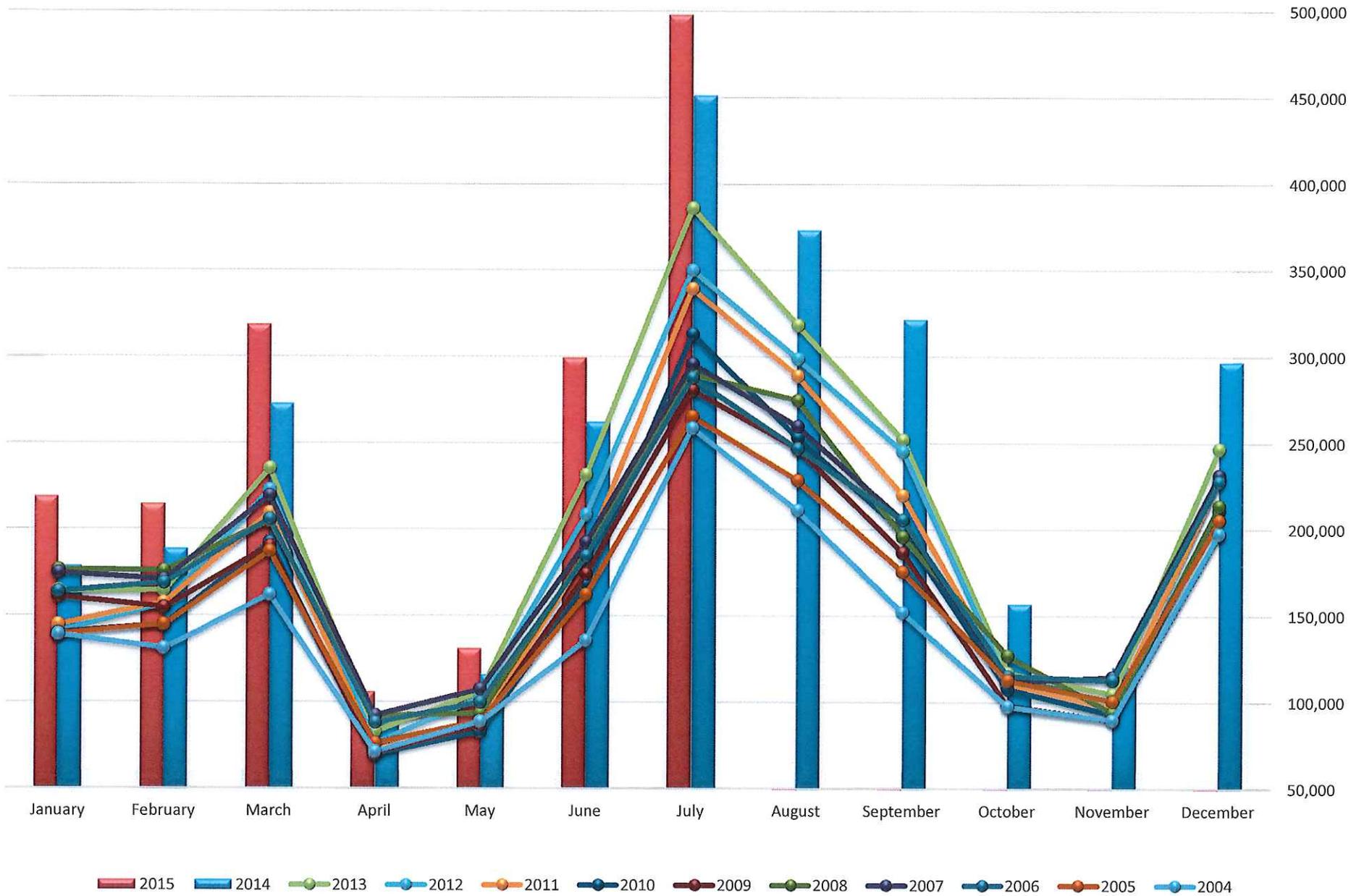
	% of Total	2015	△ %	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Bars & Restaurants	33%	583,009	15.6%	504,117	444,303	406,493	373,977	343,363	337,944	360,216	361,764	338,794	297,282	274,824
Grocery Sales	12%	209,721	8.6%	193,035	172,239	159,621	155,794	148,749	158,094	181,156	175,945	157,814	142,396	130,358
Retail	29%	516,709	16.0%	445,345	384,278	352,695	331,408	310,345	297,155	322,279	348,325	350,316	330,667	298,779
Lodging	9%	162,768	22.8%	132,504	113,119	95,474	95,484	79,693	73,072	76,131	69,704	75,336	64,492	49,855
Construction, Auto & Hardware	8%	148,147	21.4%	122,020	111,912	109,640	105,955	102,438	112,947	133,872	162,168	133,532	120,310	111,391
Services (telephone, car leases, etc...)	5%	81,980	4.2%	78,712	65,562	56,684	53,983	47,815	53,673	58,625	65,969	63,059	48,734	63,739
Other (Gas, Electric, etc...)	5%	82,792	-1.3%	83,895	78,269	76,944	80,206	79,092	84,956	87,046	69,244	79,806	60,360	57,199
Total	100%	1,785,125	14.5%	1,559,629	1,369,682	1,257,550	1,196,806	1,111,496	1,117,841	1,219,325	1,253,119	1,198,657	1,064,240	986,145

**Sales Tax Totals
month/year**

	2015	△ %	2014	△ %	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
January	218,747	22.5%	178,624	8.8%	164,184	140,874	144,719	140,101	160,880	176,523	174,827	163,832	139,350	138,994
February	214,516	13.8%	188,546	14.7%	164,402	156,639	157,612	144,899	154,777	176,016	170,840	168,818	144,990	131,003
March	318,369	16.8%	272,671	15.9%	235,215	222,821	209,508	192,397	190,312	204,826	219,530	205,882	187,240	162,014
April	105,618	17.0%	90,294	9.0%	82,841	75,955	72,536	69,893	70,535	92,042	92,237	88,071	76,076	71,121
May	130,730	12.9%	115,762	9.5%	105,719	102,728	86,876	82,799	86,761	93,502	107,435	99,837	88,914	88,658
June	299,203	14.1%	262,233	13.3%	231,505	208,541	186,343	168,318	173,948	186,660	192,340	184,335	162,259	135,688
July	497,943	10.3%	451,499	17.0%	385,817	349,992	339,212	313,088	280,628	289,756	295,911	287,881	265,411	258,666
YTD	1,785,125	14.5%	1,559,629	13.9%	1,369,682	1,257,550	1,196,806	1,111,496	1,117,841	1,219,325	1,253,119	1,198,657	1,064,240	986,145
August	0	-100.0%	373,145	17.3%	318,141	298,802	288,719	253,153	247,169	274,770	259,652	246,720	228,415	211,080
September	0	-100.0%	321,577	27.7%	251,738	245,166	219,774	199,118	186,503	195,685	205,286	205,599	175,397	151,921
October	0	-100.0%	156,923	33.9%	117,220	111,921	111,103	107,695	98,120	127,093	111,956	115,367	112,837	97,726
November	0	-100.0%	120,433	14.7%	104,983	92,783	96,695	93,314	89,737	94,189	114,666	112,958	100,716	89,852
December	0	-100.0%	296,964	20.3%	246,787	231,055	229,511	211,084	197,395	213,908	231,452	227,710	205,526	197,632
Total	1,785,125	-36.9%	2,828,672	17.4%	2,408,551	2,237,278	2,142,608	1,975,860	1,936,765	2,124,971	2,176,131	2,107,011	1,887,131	1,734,355

**** Bold numbers reflect highest sales tax for that period**

2004-2015 Total Sales Tax





To: Mayor Huckstep and Town Council
From: Michael Yerman, Town Planner
Thru: Todd Crossett, Town Manager
Subject: Ordinance 8, Series 2015-Code Amendment to the R2a Zone District
Date: September 8, 2015

Background:

During the award of the construction contract for Block 79 and 80 the Town Council expressed a desire for the staff to investigate the idea of micro lots. The Council directed the Town staff to investigate how the micro lot idea could possibly be accomplished in Block 76. Over the following weeks, the senior staff reviewed how to possibly create micro lots in Block 76. Due to the need for adequate utility separation and street access required by the Town's subdivision regulations the creation of micro lots on Block 76 was determined to not be desirable.

The staff then turned its attention to Block 79 where several corner lots exist and the utilities loop the block. Since the corner lots have two points of access splitting the lots allowed for both lots to have adequate frontage for access and allowed for enough separation of the utilities. It was also determined that micro lots could be created with a few minor engineering changes. Since the density had already been planned for duplex construction the net result was that only one additional set of service lines would need to be included into the project scope.

This code amendment will result in the creation of 6 micro lots from 3 already planned lots. The plan would split two duplex lots and one single family lot. It will also add 1 unit of density to the overall project since we are converting a large single-family lot into 2 lots. (See Map)

The FAR will allow for a home as small as a 400 sf home up to 1,250 sf depending on the lot size. Currently, the R-2a zone district permits a .3 FAR with an additional .1 to be allowed at BOZAR discretion. The following table illustrates the allowable building square footages for the three different lot sizes that will be created.

Maximum Allowable Square Footage			
FAR	Lot Size (sq ft)		
	2,750	3,000	3,125
0.3	825.0	900.0	937.5
0.4	1,100.0	1,200.0	1,250.0

Process:

The process to do this will also require a code amendment to the R-2a zone district. Changing the minimum lot area from 4,000 to 2,750. The staff is also recommending a maximum building height of 24' for structures on micro lots to keep the mass and scale compatible with the neighborhood. On July 28th, BOZAR reviewed the proposed code amendment to Section 16-4-830 and Section 16-4-840 and recommended approval to the Town Council.

Proposed Code Amendment:

Section 16-4-830 Lot Measurements

- (1) Minimum lot area: ~~four thousand eight hundred (4,800) square feet.~~ Two thousand seven hundred fifty square feet.

Section 16-4-840 Building measurements.

- (4) Maximum Building height:

- a. Principal building: thirty (30) feet; *(Added) on lots less than three thousand one hundred twenty six square feet maximum building height twenty (24) feet.*

Recommendation:

Staff recommends the Town Council approves Ordinance-8, Series 2015 to amend the lot size and building height in the R2a zone district.

ORDINANCE NO. 8

SERIES 2015

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING CHAPTER 16, ARTICLE 4, DIVISION 10 (“R2A” RESIDENTIAL DISTRICT) OF THE CRESTED BUTTE MUNICIPAL CODE TO MODIFY THE MINIMUM LOT AREA AND THE MAXIMUM BUILDING HEIGHT IN SUCH DISTRICT

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

WHEREAS, the Crested Butte Municipal Code (the “**Code**”) contains certain maximum minimum lot areas and maximum building height requirements for all building on a lot in each zone district;

WHEREAS, the Town staff has recommended that the Town Council amend the minimum lot area and maximum building height requirements in the “R2A” Residential District in order to create additional housing options for the Town’s affordable housing program;

WHEREAS, the Town staff presented its recommended amendments to the minimum lot area and maximum building height requirements in the “R2A” Residential District to the Board of Zoning and Architectural Review (the “**Board**”) at its July 28, 2015 meeting;

WHEREAS, at its July 28, 2015 meeting, the Board approved the Town staff’s recommended amendments to the minimum lot area and maximum building height requirements in the “R2A” Residential District;

WHEREAS, the Town Council, based on a presentation by the Town staff and the Board’s approval finds that amending the minimum lot area and maximum building height requirements in the “R2A” Residential District will accomplish the Town staff’s goals of creating additional housing options for the Town’s affordable housing program; and

WHEREAS, the Town Council has determined that the amendments and revisions to the Code proposed herein should be adopted for the purposes of protecting the public health, safety and welfare of the residents and visitors of Crested Butte.

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

Section 1. Amending Section 16-4-830. Section 16-4-830(1) is hereby amended by changing the minimum lot area from 4,800 to 2,750.

Section 2. Amending Section 16-4-840. Section 16-4-840(4) is hereby amended by deleting said subsection in its entirety and replacing the same with the following:

“(4) Maximum Building height:

- a. Principal building: thirty (30) feet; on lots less than three thousand one hundred twenty six (3,126) square feet maximum building height twenty (24) feet”

Section 3. 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 as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision thereof that 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 _____, 2015.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS _____ DAY OF _____, 2015.

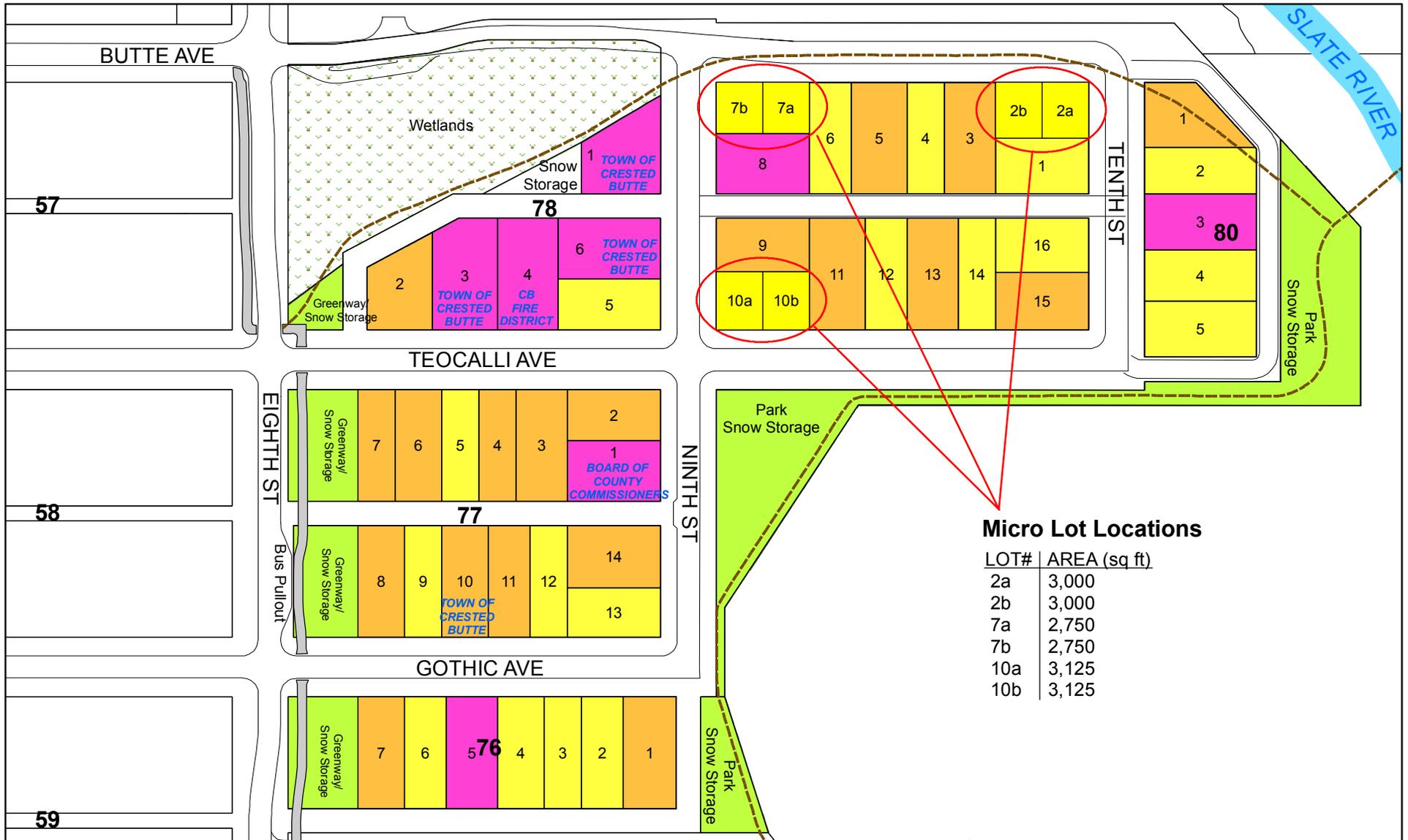
TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)



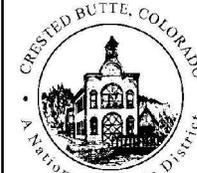
Micro Lot Locations

LOT#	AREA (sq ft)
2a	3,000
2b	3,000
7a	2,750
7b	2,750
10a	3,125
10b	3,125

**PARADISE PARK SUBDIVISION
Site Plan**

- Paved Roads
- Proposed Roads
- Sidewalk
- Gravel Trail
- Single Family Residence
- Duplex
- Multi Family Residence

TOWN OF CRESTED BUTTE Property Owner



Town of Crested Butte
P.O. Box 39
507 Maroon Ave.
Crested Butte, Colorado 81224
(970) 349-5338 (FAX 349-6626)
email: hilarymayes@crestedbutte-co.gov

Date: July 15, 2015
Filename: ~townofcb\ParadisParkSitePlan2015.mxd



Staff Report
September 8, 2015

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Janna Hansen, Parks and Recreation Director
Subject: Resolution No. 21, Series 2015 - Resolutions of the Crested Butte Town Council Approving the Big Mine Park Master Plan

Background:

On July 7, 2014 the Town Council accepted a grant award in the amount of \$60,000.00 from Great Outdoors Colorado (“GOCO”) to develop a comprehensive master plan (“Master Plan”) for Big Mine Park. Big Mine Park is home to The Big Mine Ice Arena, Crested Butte Nordic Center, Crested Butte Skate Park, town sled hill, disc golf course, Green Lake Trailhead, serves as a dog park, and provides a venue for large summertime special events. The intent of the Big Mine Park Master Plan is to provide direction for the Town of Crested Butte to develop both raw and existing developed park land, and make recommendations on how best to improve existing amenities in need of renovation. The plan includes an examination and evaluation of current recreation programs and opportunities, as well as constraints and recommendations for future programs and services. The two primary objectives of the Big Mine Park Master Plan are to 1) develop a comprehensive, prioritized / phased list of park improvements as informed by a thorough public process and 2) complete design and engineering documents that can be used in the creation of construction documents as Master Plan phases are implemented.

On October 6, 2015 Council awarded the bid for consulting services to develop the Master Plan to Mundus Bishop, a landscape architecture firm. Mundus Bishop worked in partnership with a historic architecture firm, a skate park consultant, and a civil engineering firm to develop this master plan. The planning process spanned nine months and included several public meetings, presentations, and work sessions which were very well attended by the public. The planning process was led by a steering committee made up of Town Staff and key stakeholders. The information gathered through this public process has informed the final Master Plan preferred alternatives, site plan and overall recommendations.

This Master Plan will be used to apply for grants and fundraise. It will also provide parameters, based on a comprehensive approach to future park use, layout and design, for the many projects that will be implemented as a result of this planning effort.

This is a guiding document as opposed to a work plan or project plan. Specific projects will need to move forward based upon project fundraising, budgeting, planning and other relevant process at the appropriate times and may be subject to phasing and adaptations within the Master Plan framework.

Recommendation:

Town Staff and the Big Mine Park Master Plan Steering Committee recommend that this Master Plan be adopted by Town Council. Staff recommends a Council member make a motion to approve Resolution No. 21, Series 2015 to adopt the Big Mine Park Master Plan.

RESOLUTION NO. 23

SERIES 2015

**RESOLUTIONS OF THE CRESTED BUTTE TOWN
COUNCIL ADOPTING THE BIG MINE PARK
MASTER PLAN**

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

WHEREAS, Section 4.7 of the Crested Butte Town Charter provides that the Council may act, other than legislatively, by resolution;

WHEREAS, the Town staff has worked with consultants Mundus Bishop Design, Inc. ("**Mundus Bishop**") on a master plan for the Big Mine Park (the "**Plan**");

WHEREAS, at the Town Council meeting on August 17, 2015, the Town staff presented the Plan to the Town Council;

WHEREAS, during such presentation, the Town staff recommended that the Town Council adopt the Plan;

WHEREAS, the Town Council has reviewed the Plan and approves of the planning and uses set forth in the Plan for Big Mine Park; and

WHEREAS, based on the presentation by Town staff, as well as community input, the Town Council finds that the Plan and its proposed planning and uses for Big Mine Park is in the best interest of the health, safety and welfare of the Town, its residents and visitors.

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

The Town Council approves and adopts the Big Mine Park Master Plan attached hereto as **Exhibit "A,"** its planning and uses for Big Mine Park being in the best interest of the health, safety and welfare of the Town, its residents and visitors.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THIS __ DAY OF _____ 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"
(Big Mine Park Master Plan)

[attach Plan here]



Staff Report

September 8, 2015

To: Mayor and Town Council

From: Michael Yerman, Town Planner

Subject: Adoption of the Creative District Strategic Plan

Date: September 8, 2015

Background:

The Town of Crested Butte has been nominated as Colorado Creative District by the State of Colorado. One of the requirements to become a certified Creative District is the creation of a strategic plan. Town staff and the creative community conducted 7 public meetings to garner public comment on the plan. Additional focus meetings were conducted to refine the plan.

The intent of the strategic plan is to be nimble enough to allow new opportunities as they arise, while continuing to support the businesses and events that exist today in the community. The plan outlines the goals of the district and future projects that will help grow and support the exiting amenities the district has to offer. The plan also serves as a baseline to measure the future successes of the proposed district. It ensures the most effective use of resources to continue to meet the goals of the district.

The Council asked staff at the last work session for additional information as to how a Creative District Committee could be set up to provide recommendations to the Town Council on future projects and funding for the District. After consulting with Colorado Creative Industries on how other districts have set up their committees and commissions, the Town was awarded additional funding for a facilitator to help the Town develop policies for our committee.

Marci Erion, who leads the Loveland Arts Commission, will be conducting several facilitated focus discussions this fall on how a Creative District Committee can be developed to suit the Town's needs. Staff requests that one or two Council members be part of the discussions on the creation of the creative district committee. In 2016, \$15,000 will be available for projects for the creative district. New projects will be recommended from the Creative District Committee for Council's consideration.

The adoption of the Strategic Plan by the Town Council is the first major milestone for becoming a certified creative district.

Recommendation:

Staff recommends the Town Council approves Resolution 28, Series 2015 adopting the Creative District Strategic Plan.

RESOLUTION NO. 28

SERIES 2015

**RESOLUTIONS OF THE CRESTED BUTTE TOWN
COUNCIL ADOPTING THE CREATIVE DISTRICT
STRATEGIC PLAN**

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

WHEREAS, Section 4.7 of the Crested Butte Town Charter provides that the Council may act, other than legislatively, by resolution;

WHEREAS, the Town staff has worked with Amy Levek on developing a creative district strategic (the "**Plan**");

WHEREAS, the Town of Crested Butte is working on becoming a certified Creative District with the State of Colorado and the Colorado Creative Industries;

WHEREAS, at the Town Council meeting on September 8, 2015, the Town staff presented the Plan to the Town Council;

WHEREAS, during such presentation, the Town staff recommended that the Town Council adopt the Plan;

WHEREAS, the Town Council has reviewed the Plan and approves of the strategic planning set forth in the Plan for the creative district; and

WHEREAS, based on the presentation by Town staff, as well as community input, the Town Council finds that the Plan and its proposed strategic planning for the creative district is in the best interest of the health, safety and welfare of the Town, its residents and visitors.

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

The Town Council approves and adopts the Creative District Strategic Plan attached hereto as **Exhibit "A,"** its strategic planning being in the best interest of the health, safety and welfare of the Town, its residents and visitors.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THIS ___ DAY OF _____ 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

EXHIBIT "A"
(Creative District Strategic Plan)

[attach Plan here]

Photo by
Nathan Bilow



Photo by
Dusty Demerson

Photo by
Alex Fenlon



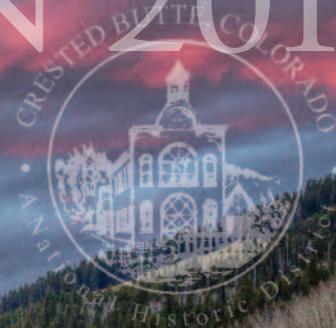
Crested Butte Creative District STRATEGIC PLAN 2015



"The most beautiful experience we can have is the mysterious — the fundamental emotion which stands at the cradle of true art and true science."

ALBERT EINSTEIN

Crested Butte Creative District STRATEGIC PLAN 2015



Contents

INTRODUCTION.....	2-5
PROCESS & BACKGROUND.....	6-7
GOALS & OBJECTIVES	8-11
PROJECTS & IDEAS.....	12-19
CREATIVE DISTRICT MAP.....	20-21

Photo by
Nathan Bilow

A photograph of two young girls with long hair, smiling and giving thumbs up. The girl on the left is wearing a purple and white striped tank top with a panda graphic and the word 'GYMNAST' visible. The girl on the right is wearing a pink t-shirt. The background is dark and out of focus.

Introduction

THE CRESTED BUTTE CREATIVE DISTRICT PLAN will guide the actions of the District and inform decision making by the arts and creative community, a future Arts Committee, and the Town Council. The plan is nimble enough to address new opportunities while continuing to support existing businesses.

This document offers a brief overview of the town's history in the arts, and outlines the goals of the District and future projects that will help develop and support the existing arts business, projects and amenities the District already offers. The plan also serves as a baseline from which to measure the future successes of the proposed District. It proposes the most effective use of resources to continue to meet the goals of the District.

CRESTED BUTTE CREATIVE DISTRICT

Crested Butte is a resort town of 1,500 people in the Gunnison Valley of Colorado. Like a number of Colorado resorts, it began as a mining town (mostly coal) and made the transition to a small destination resort in the 1970s. Like only a small number of other resorts, however, Crested Butte became and has remained a designated National Historic District, with 246 buildings on the registry. The town is proud of this heritage, which it markets as a crucial part of its appeal and maintains with a rigorous procedure of architectural review for all new projects and renovations. Thus, even in its layout and architecture, the town has placed unusually strong emphasis on creativity for decades.

The community's commitment to creativity extends into its recreational offerings and development. From its beginnings as a resort, the community has had an innovative flair, making a strong claim to being the home of the rebirth of telemark skiing and of the invention of mountain biking. The resort is also the long-time home of many innovative athletic competitions, notably in extreme snowsports, from the US Extreme Skiing Championships to the Grand Traverse, one of the nation's preeminent ski mountaineering events.

In areas more traditionally associated with artistic creativity, Crested Butte has been a leader for many decades. To begin with, the town focuses arts and educational institutions unique to any rural valley in the western United States. At the southern end of the valley, in Gunnison, Western State Colorado University has a history of leadership in the arts and arts education for over a century, and many students, alumni and faculty call Crested Butte home. At the north end of the valley, the Rocky Mountain Biological Laboratory, one of the world's preeminent high alpine flora and fauna research stations for more than 75 years, attracts hundreds of gifted students and faculty from around the world each summer, and a number of these gifted visitors also participate in other local creative institutions and events.

Downtown Crested Butte, the area proposed as our Creative District, offers the center and the greatest concentration of arts organizations, businesses, and creative energy in the valley. Collectively, these organizations have now reached a point in their development where they are assuming a distinctive and coherent identity as an industry and have become

a major draw for the town and the valley as a whole. Official designation as a Creative District can only strengthen this crucial element of our identity and our economy, an industry that is year-round, non-weather dependent, sustainable, low-impact, community-based and committed both to excellence and to service.

Since the 1970s Crested Butte has developed a number of particularly strong traditional arts institutions. The core organizations include:

- **The Center for the Arts** is the anchor of the proposed Creative District for a variety of reasons. For 29 years, the Center has served as the largest performing and visual arts venue in the Valley that provides programming year round. The Center offers opportunities for local performers and visual artists to showcase their talents and also offers students of all ages visual arts classes, dance programs, community education programs and outstanding performances by nationally touring artists. In 2014, the Center welcomed over 41,000 people through its doors and has tripled its program offerings over the past three years.





Photo by
Nathan Bilow

- **The Mountain Theatre**, founded in 1972, is Colorado's longest-running community theater. Offering many shows each year and programs for all ages, it occupies the Mallardi Cabaret Theatre in the center of the Creative District, at 3rd Avenue and Elk.
- **The Crested Butte Music Festival**, founded in 1997, has become one of the region's leading institutions of its kind, offering opera, chamber music, symphonic music, jazz, opportunities for composers, one of the best summer opera institutes in the country and much more.
- **The Crested Butte School of Dance** has existed for more than 25 years and offers classes and performances throughout the year to hundreds of community members in multiple genres. It is the host of "Dance in the Mountains," a substantial summer performance event.
- **KBUT** community radio offers both local and national programming, with a full slate of local hosts offering a wide variety of programming and a number of national feeds each day.
- **The Crested Butte Wildflower Festival**, a national event held each summer for many years, offers guided walks and hikes, lectures, art classes, and much more. Crested Butte boasts the official designation as "The Wildflower Capital of Colorado." This year's program guide was almost 100 pages long.

These are just a few of the major institutions out of scores of arts businesses and organizations in the town including annual local festivals such as Vinotok, Flauschink, and many more. At this time, the Creative District contains 91 cultural and creative businesses that contribute to the economic vitality of the District. Housed in some of the town's colorful Victorian buildings are some of the finest restaurants and galleries in Colorado.

Many if not most of the businesses that would qualify as arts organizations lie in the proposed Crested Butte Creative District, which encompasses the historical District of Elk Avenue and extends to the Center for the Arts. The proposed District also includes part of Belleview Avenue, and is surrounded by parks. The following map illustrates the District's boundaries.

The proposed District includes 16 artist-owned studios and galleries, 3 co-op galleries, 10 Art Walk events and 10 performance venues, including independent restaurants, bars and coffee shops and numerous restaurants hosting exhibitions of local art. The artistic talent is highly diverse and ranges from metal work and photography to hand-blown glass, wood-working and much more. Many renowned individual artists call Crested Butte home, including award-winning filmmakers and Emmy award winning television producers, architects, designers, published writers, actors, dancers, musicians, painters, photographers and chefs.

In 2014, these creative businesses contributed 39% of the total sales tax collected by the Town of Crested Butte. Additionally, the Better City Economic Assessment of Gunnison County states that the arts and entertainment industry is a key driver for the economy and is one of the most prominent employers in the Valley with the highest job growth since 2001. With the implementation of the Creative District plan, the Town hopes to enhance the impact of these businesses in the community.

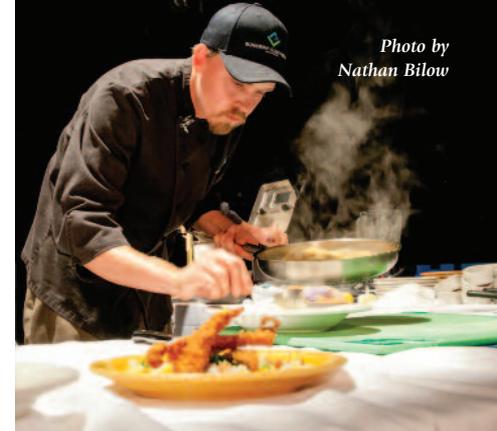


Photo by
Nathan Bilow

Photo by
Nathan Bilow



Process & Background

ON JANUARY 22, 2015 THE KICK-OFF CELEBRATION of the newly proposed Creative District included live performances by the Crested Butte School of Dance, the creation of a movie highlighting the District's many amenities and organizations, and a collection of input on the vision for the future of the District. The Crested Butte Town Council appointed the Arts Alliance of the East River Valley to conduct future public meetings to gather input on the plan. With funding provided by Colorado Creative Industries (CCI), a state agency within the Office of Economic Development, the Arts Alliance hired consultant Amy Levek, the former Mayor of Telluride, to conduct a series of public meetings to gather input for the strategic plan.

CRESTED BUTTE CREATIVE DISTRICT

6

From February 2015 to May 2015, Levek directed six public meetings with Creative District stakeholders to facilitate the creation of this strategic plan. A working group consisting of representatives from the Arts Alliance and Town staff have refined the public comment and created the strategic plan for consideration by the Town Council.

Using the guidelines set forth by CCI, the public at large participated in the creation of key goals for the following categories:

- Community Engagement
- Identity/District Characteristics
- Economic
- Social
- Physical Characteristics
- Programing

Potential projects are also identified in this plan. Key to implementation of this plan will be the creation of an Arts Committee to serve as a quasi-governmental body that makes recommendations to the Town Council on prioritizing and monitoring future projects in the District. Securing a future funding mechanism once grant funding from CCI ceases in 2017 will also be a priority.



Photo by Nathan Bilow

Photo by
Nathan Bilow



Goals & Objectives

"It is good to love many things, for therein lies the true strength, and whosoever loves much performs much, and can accomplish much, and what is done in love is well done."

VINCENT VAN GOGH

8

Community Engagement

Community engagement is critical to the success of the strategic plan. Integration of the arts, culture, and the creative community with the public and visitors is a high priority for the District. The authenticity and the unique story of our District will emerge through events and projects in the Crested Butte Creative District. The District will continue to expand its reach and be inclusive to all members of the community through coordinated outreach with the creative community.

Goals

1. The Creative District will involve all types of creative expression, including non-traditional art, business, educational activities and more.
2. Community engagement will not only include both traditional methods like meetings but will also include celebratory events that reflect the spirit of the community, such as Flauschink and Vinotok.
3. Engagement will draw on the talents of creatives to showcase what is unique to Crested Butte.
4. The Creative District will invite the entire community, so that everyone has a stake in its success.

Identity/District Characteristics

Throughout the public process of the creation of this plan, Crested Butte's creative community has identified itself in a number of ways. The historic building environment that has created the strong sense of place will continue to be preserved. The Board of Zoning and Architecture Review Guidelines (BOZAR) will continue to be followed while encouraging community expression through the arts.

Goals

1. Maintain the expressive, celebratory and fun spirit that defines Crested Butte.
2. Ensure that the historic building environment of the town is maintained.
3. Encourage creativity to thrive in the extreme and authentic way its residents and visitors value.
4. Celebrate the connection with the natural environment that inspires creativity.
5. Identify and showcase the artistic history of Crested Butte
6. Support Marketing and branding of the Creative District.



Photo by
Nathan Bilow



Economic

The Creative District is one of the Town's main economic drivers. It attracts visitors to the community for shopping, entertainment, and dining options. The District serves as the center of entertainment and expression for everyone to sit back and enjoy the community. The plan will serve as a living document to continue to analyze the achievements and growth of the creative District.

Goals

1. Devise systems using public information and regular surveys to gauge spending, participation, impact of creative activities and economic well-being of creative institutions, businesses, activities, events and individuals.
2. Evaluate ways to provide economic support to maintain and encourage creative and activities.

Social

The Crested Butte Creative District is the center of the social scene for the Town. Residents and guests gather to celebrate and be entertained at numerous events held throughout the year hosted within the District. The Creative District will continue to support the community by providing educational opportunities and inspire collaboration among organizations and businesses.

Goals

1. Encourage and increase participation in arts events and institutions by a wide variety of people.
2. Support educational and enrichment opportunities for youth in cultural and creative events.
3. Support arts partnerships and collaborations between full and part-time residents and businesses.
4. Encourage people to think of themselves as creative, providing a wide range of opportunities for individuals to find their creativity.

"Art washes away from the soul the dust of everyday life." PABLO PICASSO



Photo by
Nathan Bilow



Photo by
Nathan Bilow

Physical Characteristics

As a National Historic District, Crested Butte offers residents and visitors a unique sense of place. The new physical characteristics of the District will co-exist with the funky art culture and historic character of Town. The District will continue to serve as an anchor for future events and celebrations of the arts. New projects will honor the uniqueness of the existing District and contribute to the sense of place.

Goals

1. Respect the historic character that defines Crested Butte while allowing new and different creative expression.
2. Create a system of way-finding and arrival features that identify the District. The system should be fun, funky and represent the “extreme expressiveness” of the community.
3. Support public art and other features that foreground the landscape and character of the community.
4. Anchor existing and future buildings that support expression into the Creative District to help define the District.
5. Develop affordable spaces for artists.

Program

The programming for the newly created District is critical to its success. Programming will be inclusive and reach all segments of the Crested Butte community. New programming opportunities will support existing businesses and provide additional facilities to foster their success. If additional regulations are created to help govern the growth of the District, they will promote the sense of place in concert with future planning for the growth of the Town.

Goals

1. Develop a Creative District Commission.
2. Support existing organizations and events with appropriate facilities and resources.
3. Cross-market arts and creative activities.
4. Integrate public art into the Creative District.
5. Create sustainable funding for the Creative District.
6. Ensure that anchor buildings, such as the Center for the Arts, are maintained and supported.
7. Create a brand for the Creative District (extreme expressiveness, fun and funky, connection with natural environment, etc.)
8. Encourage new events during off seasons and the winter.



Photo by
Nathan Bilow



Projects

THE FOLLOWING IS AN OUTLINE OF MAJOR IDEAS FOR THE CREATIVE DISTRICT that emerged out of community meetings, project proposals, and individual input. During the process, nine distinctive categories became apparent, which are outlined below. Specific ideas on how the major ideas in each category could be implemented are listed in a separate document entitled "Exhibit A."

12

Creative District Committee

Set up a Committee to govern the Creative District, makes recommendations to the Town Council on projects, allocate funds, and carry out the Strategic Plan. Create job descriptions for board members and bylaws for the Committee. Develop a budget and potential funding mechanisms, establish guidelines for new public art, and work with BOZAR on how the Creative District and Historic District coexist.

Branding and Marketing for the Creative District

Brand and market our District, both in its physical space and for populations and regions beyond our valley. Create a subcommittee specifically to develop a brand and subsequent marketing materials, create way-finding signs within the District, and work with existing organizations to cross promote the Creative District.

Public Art

Art on display in the District is a key component to making the Crested Butte Creative District look and feel creative, lively, and bubbling with cultural activity. Establish key locations for public art, utilize local artists whenever possible to create it, and display a variety of art forms that appeal to a range of audiences.

Support/Funding

Create sustainable revenue streams for the District and develop a framework for how those revenue streams are utilized. Establish dedicated funding streams, grant processes to support creative expression, and an art bank for lending to creatives, businesses, and organizations.

Spaces, Buildings, and other Facilities

Examine how to utilize current spaces for the arts in the Creative District and how to create new spaces. This includes multipurpose spaces, performance locations, spaces for individual artists to create, and even housing for creatives.

Education

Provide educational opportunities for organizations, individuals, and children, related to the arts and the Creative District. Strengthen the District through creativity salons, board development, mentoring programs, school programs, and more.

Community Involvement

Engage the community, creatives, and other interested parties in the Creative District. Provide opportunities for a broad range of community members to become involved and include all aspects of creativity.

Art Events, Activities and Projects

Carry out creative events, activities, and projects that will help shape the District to be unique, engaging, and a vibrant creative hub. These can be taken on by the Creative District or carried out by organizations, businesses, and individuals. Possibilities include a Creative District Radio Show, a video highlighting the District, parties celebrating all manners of creativity, creative and surprising public projects, and more.

Evaluation

Develop instruments for the Creative District both to determine need and to track effectiveness. Conduct annual surveys of artists and businesses in the District, review existing cultural events, and review the year-long cultural calendar. Additionally establish ways in which the District itself can track its effectiveness.

Exhibit A

Projects List and Action Items for Each Big Idea Category of the Creative District.

Ideas for The Creative District Committee

- Create job descriptions for board members and bylaws for the Committee.
Convene a committee to write job descriptions for board members. Also identify potential board members who would represent a cross-section of the community. Review expectations for board members with Town Council through a work session or other meeting to ensure accountability.
- Develop a budget and funding mechanisms.
Determine long-range and short-term projects and administrative costs in order to determine a budget and potential funding mechanisms.
- Establish guidelines for new public arts. This may include establishing a committee appointed by Town Council and reviewing national and local historic preservation guidelines.
Draft ideas and expectations regarding public art and potential locations. Include representatives from Town Council and/or BOZAR to help draft and review. Review and include historic preservation guidelines to determine if there are areas or buildings to avoid.
- Work with BOZAR to ensure signs and physical symbols complement the historic character of the town.
Establish a working group to examine how signs and symbols work with historic District standards. Meet with BOZAR as necessary to ensure the system complements the historic character of the town.
A. Establish standards for how installations, signage and other physical actions will relate to historic structures. For instance, there may be places where installations compromise historic district protocols. Communicate throughout the process with BOZAR to ensure that standards work with the Town's historic preservation standards.

- Incorporate Town's design standards with any future creative District standards where appropriate.
- Convene a working group comprised of creatives to determine District needs.
Annually survey individual artists and event organizers to assess what is working and what could enhance the ability to create. Determine if facilities, funding or other resources are needed and what, if anything, can be done to provide them. Examine the ability for sharing of spaces, services or other resources that will help reduce costs.
- Identify specific public places for the display of art and performances throughout the District.
Inventory spaces throughout the creative District to determine appropriate locations to encourage both performances and installations on a rotating basis. Create standards that will guide the use of those spaces and ensure that use respects other needs in the vicinity (e.g., historic preservation, light, sound, traffic, etc.).
- Work with Chamber of Commerce and other public and private organizations.
Establish regular informal meetings with Chamber of Commerce staff and board members to determine how best to coordinate with them. Make that information available to organizations and events as appropriate.
- Create opportunities for organizations and people to work together.
Establish a group that increases communication among organizations.
- Advocate for arts and creativity throughout the community and events.
Designate and enlist a working group in the arts and creative professions to attend meetings and/or write columns or run programs to ensure a wider understanding of the role of creative endeavors and individuals in the region. Consider enlisting some non-traditional creatives to help with outreach to engage more of the community.

- Examine town and county boards for the feasibility of having an arts advocate or representative.
Inventory the existing boards to determine if having representation on the board would further awareness of the arts in their decision-making. Initiate discussions with elected officials and boards about the benefit of having a representative on those boards, as appropriate.

Ideas for Branding and Marketing for the Creative District

- Create a subcommittee that develops a brand.
- Have a logo design contest soliciting work from local artists.
- Create way-finding signs and/or allow banners on Elk Avenue.
Designate a committee or group to establish a symbol and way-finding signage on Elk Avenue. Determine locations for placement. Consider including business owners in the area on the committee.
- Create decals for: 1. creators and 2. businesses to display in windows.
Determine an identifying symbol and/or tag line that will identify the Creative District and its participants. The symbol should embody the spirit and identity of the town and its community.
- Include the Creative District symbol on a variety of decals, signs and other handouts that can be displayed on doors, windows, and other locations throughout the District (similar to RINO).
Work with business owners, town public works and planning staff, and creatives to establish a welcome packet for visitors to the Creative District. The welcoming documents should allow for creative ways of expression while tying the identity of the District to a common theme that is distinctive to Crested Butte.
- Work with other Creative Districts to encourage cross-marketing.
Establish a formal or informal network with other CDs to determine how cross-marketing might be effective.

- Pilot program for a set of painted Creative District light poles. Build and install bike racks that include Creative District logo.
The town will engage local creatives to design and build new bike racks as appropriate. The system will use the Creative District logo and other characteristics to brand the District. The idea is to increase awareness by both locals and visitors that they are someplace special.
- Update websites, blogs, and other social media to make sure info on creativity is available.
Examine local and regional media to determine how best to include information on regularly scheduled events, organizations and special events. Solicit their advice on how to help ensure that information is published on their sites and publications.
- Determine how to work with existing organizations to increase and improve marketing.

Ideas for Public Art

- Identify locations acceptable do public art, including “art on the corner.”
Establish several key locations for rotating installations of public art. Consider creating a theme and schedule where various artists and craftspeople can submit work for inclusion. Create a changing theme and new art which will keep the public engaged.
- Allow for different styles of public art, including performance, moving as well as installations.
Encourage public art that relates to and emphasizes the character of the community and its relationship to the landscape that surround it. Identify locations for public art and engage the creative community of all ages.
- Create a permanent entry arch over Elk Avenue that identifies the core District.
- Choose local artists, when possible, for Public Art within the District.

Ideas for Support/Funding

- Create an arts granting process to support creative expression. *Set up a fund whose sole purpose is for grants to support creative expression. Establish criteria to determine how grants will be awarded and when. Work with potential donors or other sources of funding to create a pool of funds to support the program.*
Establish a grant program that supports local creatives, encouraging artistic exploration of a topic important to the community.
- Establish financial support for the Creative District through a creative tax on rentals and sales. *Propose a tax for the Arts.*
- Establish a dedicated internal funding stream for arts from new construction and/or the Town budget. *Convene a committee to examine and propose potential programs for funding from new construction.*
- Develop a funding program to include public art in new construction based on a portion of construction costs. *Encourage the Town to develop a program that designates a portion of construction costs for new projects to pay for public art within or outside the project. Standards will be developed to guide decision-making on the public art. The program will engage a variety of artists and craftspeople in creating the public art. (Is this for Public Projects or Private Development?)*
Work with Town to establish incentives for commercial buildings to set public art or public art space as a part of the P.U.D. process.
- Establish an “art bank” to provide funding for creative expression (this would operate like an actual bank where money is lent and repaid).

- Provide a funding program for art teachers in the schools *Engage teachers, parents and others to determine potential sources of funding for arts education. Develop an outreach piece that demonstrates the value of arts education for all aspects of a child's life and how it benefits them. Develop a list of potential funding sources – traditional and non-traditional to approach for support.*

Ideas for Spaces, Buildings, and Other Facilities

- Identify spaces and places for multiple purposes in the arts.
- Identify and/or create performance locations throughout the District.
- Explore the idea of creating a warehouse-type space for fabrication arts, perhaps using the old fire station.
- Explore building housing for creatives, near/surrounding a place for fabrication arts.

Ideas for Education

- Hold a Creativity Salon for community members, Arts Alliance members, and others involved and/or interested in the Creative District.
- Hire professional staff to run the event who specialize in creative thinking and problem solving.
- Strengthen existing organizations by encouraging opportunities for board development and training on fund raising.
- Support non-profit arts board governance and development. *Work with the community foundation to establish a program of regular non-profit board training that provides the necessary skills for effective board governance and explores opportunities for sharing resources.*

- Help organizations cultivate their part-time resident participants and business supporters.
Provide educational sessions that help organizations learn how to engage part-time residents in their activities. Consider holding regular training on these and other issues.
- Start an art mentoring program.
Offer courses or gallery tours or other opportunities for people to learn directly about something from the artist.
- Find ways to fund and support both arts in the schools and extra-curricular programs.

Ideas for Community Involvement

- Make sure all aspects of creativity are included.
Engage non-traditional kinds of creators to create an environment of collaboration and discovery. Invite participation in Creative District activities.
- Ensure there are ample opportunities for creatives to be involved in and participate in the Creative District. From planning and coordinating to projects.
- Develop business support for projects that is separate from public sources.
Meet with representatives of the business community to discuss how they benefit from creative projects and how they might ensure the projects continue.
- Establish an annual event that brings diverse elements of the creative community together by exploring a topic of interest to the broader community. Support the creative community and bring more awareness to that community and increase participation as well.

- Program children's arts shows into cultural offerings.
Contact the schools and other children's art programs to include their art in galleries for Art Walk, festivals and other special events throughout the year to encourage more diversity and community involvement.
- Hold a community creativity event that encourages creativity.
Invite successful professionals who are not part of the creative community to join with several creatives to develop an event that highlights some of the creative activities and organizations. The event will be marketed to non- and creative people. At the event, organizations will have inclusive demonstrations open to all that encourage creative participation.

Ideas for Art Events, Activities, and Projects

- "Express yourself in Crested Butte" - community creative video.
- Towards the goal of marketing Crested Butte outside of the valley as a place to be creative, we could collect informal fun expressive or creative videos online, from this community. This repository could then be used to create various prototype advertisements that would sell Crested Butte as a creative destination, at first for use online. If the prototype results were good, we could then decide to generate a more polished and high res version for actual advertising.
- Establish an Art Beyond Walls radio show that grows interest, involvement and awareness of arts in CB
Work with KBUT to establish a regular show. Invite representatives of events on the show to discuss the highlights of their events. Include a regular segment on Creative District activities and personalities in the District to show the breadth of creativity.
- The Trailhead Children's Museum and architect Andrew Hadley's idea of creating a Fairy House walk.

- Work with Town, local trails, and artists to build a Fairy House Village that can be toured with a map picked up in the Creative District.
- Annual support mechanism for existing cultural events.
- Establish a voting process whereby all community members can vote for an existing CB cultural event to receive financial and social media support from the community. Events would be nominated, and then voted for, according to their ability to draw cultural tourists from outside of the Gunnison Valley. Financial support could be catered to each event and for national advertising for the event. The voting process would engage this community in the concept and activity of supporting local cultural events and in bringing new patronage to CB. The winning event might be responsible for generating social media content pieces, which could then be used by community members to promote that event in social media venues. The voting process could be driven from newspaper advertising, posters, or a ballot box located at the post office. Potential administrators are: Artists of the West Elks, Crested Butte Downtown Business Association, Oh-Be-Joyful Gallery.
- Prioritize local sources (and artists) for projects (Like Think Local First).
Survey existing projects and events to determine some common product and service needs. Identify local sources for those items and determine if there's a way to bring the activities and products together to benefit both. Make an inventory of each to encourage support and exchange.
- Establish an arts and culture section for the newspaper.
Work with the newspapers (local and regional) to include a regular feature that highlights events and individuals who are part of the Creative District. This may include identifying an individual or a group of people who write the feature.
- Create an art walk program that involves businesses, perhaps an Art Night Out, where businesses have specials and art is highlighted.
Identify several businesses, Chamber of Commerce representatives and creatives who will organize a regular event. Their task may include working with the Creative District to include logos and other CD symbols in their marketing to identify and create a synergy with the District.
- Create a directory of local artisans.
Determine a format for the directory, along with a list of creatives to be included, and solicit participation. Identify places and means of distribution to ensure wide involvement.
- Create a system of “tuck tucks” (rickshaws) that will both advertise and highlight creativity around town.
- Establish an art tour on bikes or skis to widen participation.
Invite individuals who are known as bikers or skiers to help plan an event that would help bring others to an art tour.
- Establish a Land Arts festival that highlights and celebrates the connection with the natural environment through land-based art.
Organize an event that celebrates the community's sense of place and environment. Invite a wide range of creative: visual artists, musicians, chefs, and gardeners, to participate and organize the event.
- Establish a winter snow sculpture event.
- Establish a White Winter event for wintertime to tie art into activities and improve gallery visitation.
- Hold a contest for design of floats for the 4th of July as part of Creative District activities.
Create a committee to establish expectations for the contest and to advertise the event as widely as possible. Solicit prizes for different categories, with the intent to be as inclusive as possible and encourage creativity from those who may not traditionally identify themselves as creative.
- Create regular children’s gallery shows.

Ideas for Evaluation

- Conduct an annual survey of artists to determine if they are making a living, and what they need to thrive.
Work with a representative group of artists to determine the criteria that effectively measure success as a working artist. Also create a list and contact information for artists within the community and annually survey the group to measure trends.
- Review existing events and activities.
Evaluate the success of existing events through annual or semi-annual meetings and/or surveys. Meet with the Chamber of Commerce and businesses to evaluate how events affect them and what kinds of new activities at what times might benefit the local economy.
- Establish a committee to identify who would benefit from new events and solicit their involvement.
- Examine the seasonality of activities and events to determine trends.
Review sales tax revenue and talk with businesses to assess their needs and interest in extending or improving various seasons or portions of seasons. Determine whether there are groups that would like to expand their offerings or need help increasing the size of their events. Consider bringing businesses and producers together to explore how they may support each other.



Photo by
Nathan Bilow



Photo by
Nathan Bilow



Photo by
Nathan Bilow

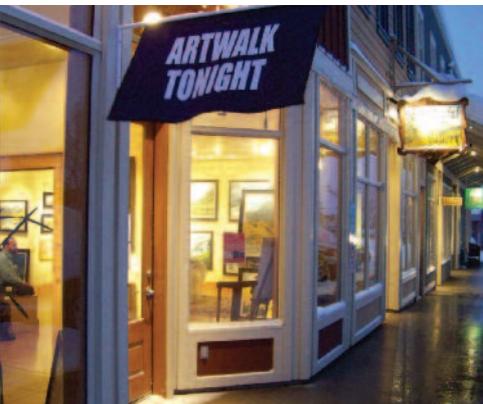
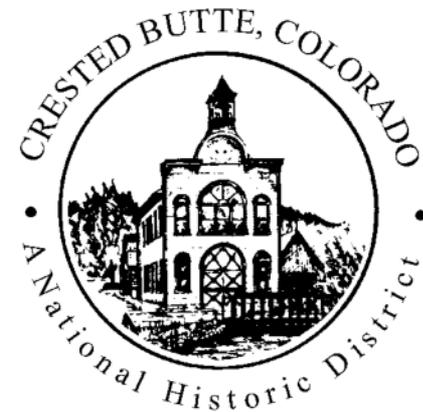
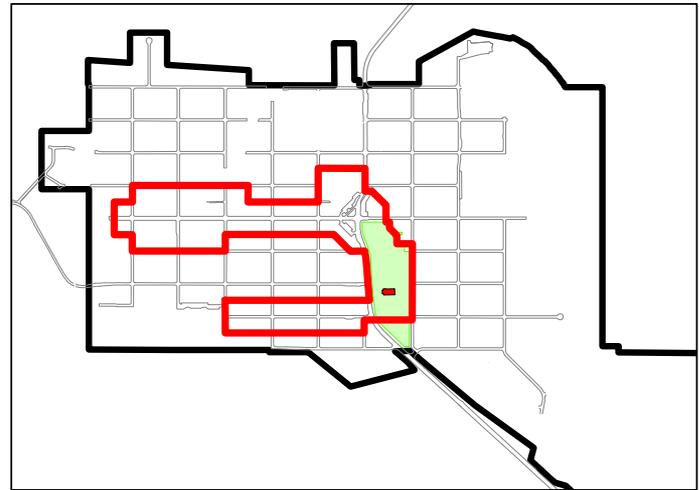
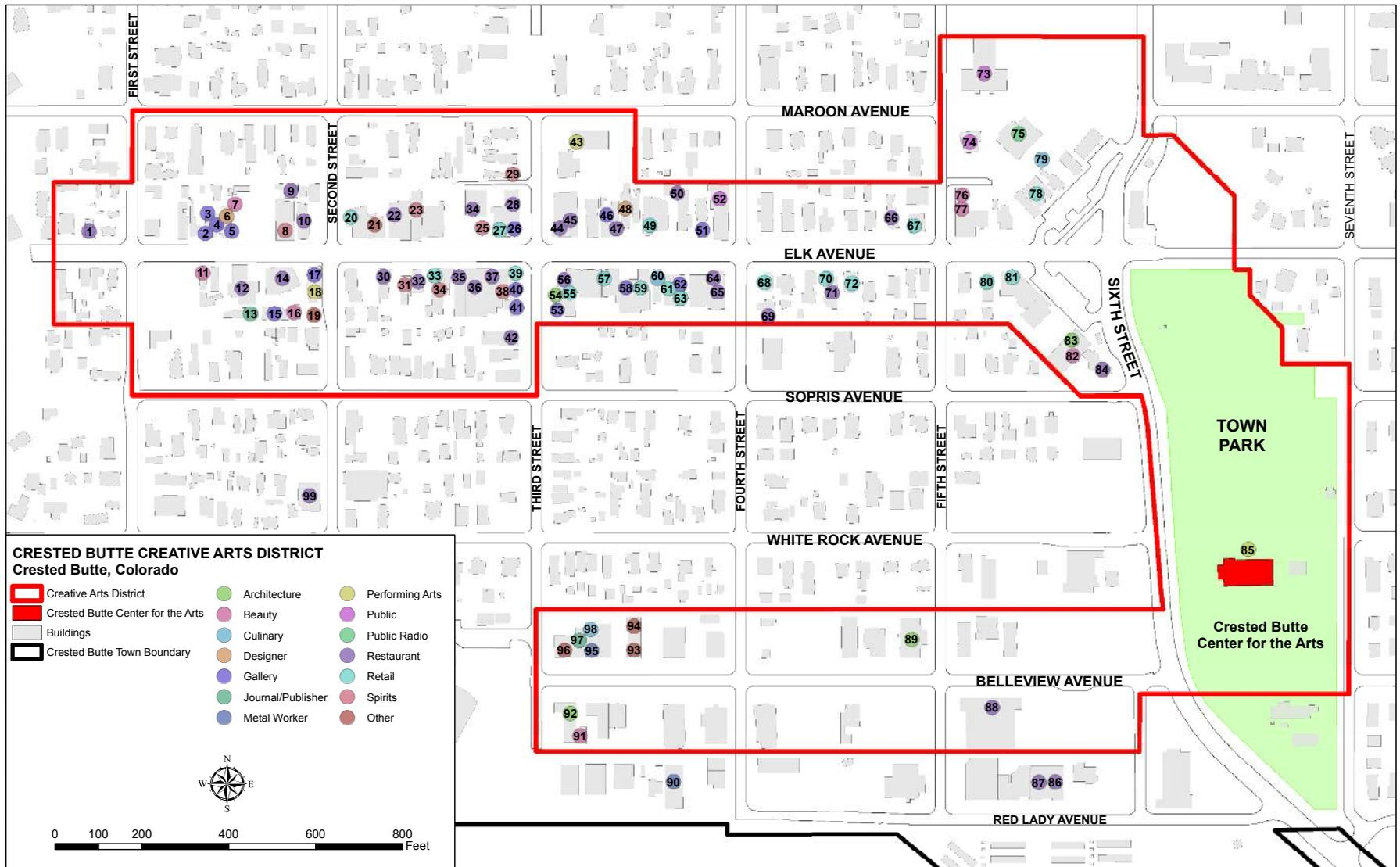


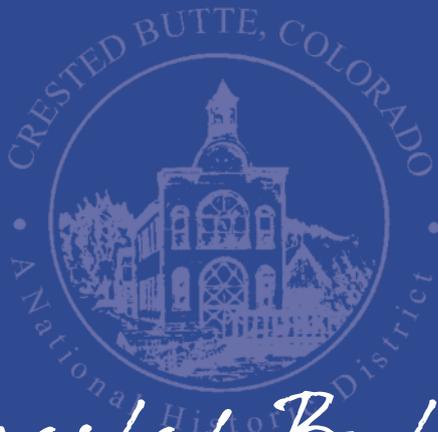
Photo by
Xavier Fane

Business Name	ID	Business Name	ID
Coffee Roasters/Mt. Oven Bakery	1	J C Leacock Photo Gallery	51
Kasala Studio Gallery	2	C B Mountain Heritage Museum	52
John Ingham Oil Studio	3	Gallery 3	53
The Art Studio	4	Andrew Hadley Architecture	54
Studio West	5	Handworks	55
Never Summer Landscape Design	6	Pitas in Paradise	56
Skin Deep Skin Care	7	Milky Way	57
Kochevars	8	River Light Art Gallery	58
Soupcon	9	Alley Hats	59
Coal Creek Grill	10	The Elk in An Apron	60
CB Spa & Nail Salon	11	Pema Dawa	61
Ryce Asian Bistro	12	Moon Ridge Gallery	62
CB Publishing & Creative	13	Blue Gaucho	63
Bonez	14	Donitas	64
Working Artists Studio	15	Third Bowl Ice Creram	65
Rare Bird Salon	16	The Ginger Cafe	66
Paragon Gallery	17	Cleavage Candy	67
Mallardi Theater	18	Mabuhay	68
CB Wildflower Festival	19	Camp 4 Coffee	69
Bohemian Moon	20	Townie Books	70
Big Als Bikes	21	Rumors Coffee Shop	71
Bacchanale	22	Four Eighteen	72
The Eldo	23	CB Town Hall	73
Brick Oven Pizza	24	Old Rock Library	74
Brick Oven outdoor bar	25	Marshalls/KBUT	75
Grubsteak Gallery	26	The Cut Above	76
Sherpa Clothing	27	The Nail Room	77
Sherpa Cafe	28	Ice Mountain Jewelry	78
The Dogwood	29	C B Personal Chefs	79
The Last Steep	30	Gypsy Wagon	80
Montanya's Distillery	31	Retail Therapy	81
Sunflower Deli	32	Bella Voi Salon	82
Western Design	33	Dan Murphy Architect	83
Princess Winebar	34	Paradise Cafe	84
Wooden Nickel	35	Crested Butte Center for the Arts	85
Prime	36	Le Bosquet	86
McGills	37	Why Cook?	87
Talk of the Town	38	A Daily Dose	88
Lavish	39	Alpine Dwelling Inc	89
Ingham Fine Art/Czerwinski	40	Blackstar Ironworks	90
Oh-Be-Joyful Gallery	41	Studio BE Hair Design	91
Marchitelli's Gourmet Noodle	42	Kent Cowherd Architect	92
Dance Studios	43	Calico Queen Tattoo	93
The Momo / Red Room	44	Mountain Mosaics	94
The Secret Stash	45	Dragon Sheet Metal	95
Artisan Rug Gallery	46	Mountain Colors	96
Teocali Tamale	47	CB News	97
Interior Visions	48	Creative Catering	98
Zaccariah Zypps	49	The Slogar	99
Lil's	50		

Town of Crested Butte Colorado







Crested Butte Creative District
STRATEGIC PLAN 2015



To: Mayor Huckstep and Town Council

From: Michael Yerman, Town Planner

Thru: Todd Crossett, Town Manager

Subject: **Trampe Ranch Conservation Project- Resolution 29, Series 2015**

Date: September 18, 2015

Background:

The Trust for Public Lands (“TPL”) presented to the Town Council the Trampe Ranch Conservation project on August 18th. TPL requested a \$1 million commitment to support the permanent conservation of 4,348 acres of the Trampe Ranch that stretches from Gothic to Gunnison from the Town that will be due in December 2016. The preservation of open space is consistent with core Town values. Trampe Ranch project would be one of the largest opens space conservation purchases in State history, and the preservation of the East River portion of the property would be particularly significant for the upper valley.

The Council has received public comment objecting to the fact that recreational easements would not be required as part of the purchase. However, TPL has also stated that such would not be precluded in the future at the landowners’ option.

As of July 2015, the Town’s open space RETT fund balance is \$506,185. Town staff is projecting that by December 2016 the Town will have an adequate balance to contribute a \$1million commitment towards this ranchland open space preservation project. The Town will execute a funding agreement with TPL in 2016 prior to releasing funds for the project.

The Council directed staff to prepare a resolution of support for the funding commitment Trampe Ranch Conservation on August 18th.

0.

Recommendation:

Staff recommends the Town Council approves Resolution 29, series 2015 authorizing the expenditure of up to \$1 million from the Town’s Open Space Fund for the purchase and conservation 4,348 acres known as the Trampe Ranch.

RESOLUTION NO. 29

SERIES NO. 2015

**RESOLUTIONS OF THE CRESTED BUTTE TOWN COUNCIL
AUTHORIZING THE EXPENDITURE OF UP TO \$1,00,000.00
FROM THE TOWN'S OPEN SPACE FUND FOR THE
PURCHASE AND CONSERVATION OF APPROXIMATELY
4,348 ACRES IN THE GUNNISON RIVER VALLEY**

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

WHEREAS, the Town staff has recommended that the Town Council provide funds for the Trust for Public Lands' (the "**TPL**") or its designee's purchase and conservation of approximately 4,348 acres in the Gunnison River Valley (the "**Subject Property**");

WHEREAS, the Town staff has, in support of such recommendation, presented to the Town Council that the Subject Property will be encumbered by a conservation easement, to be held by the Nature Conservancy, restricting the development of the Subject Property; and

WHEREAS, the Town Council finds hereby that providing up to \$1,000,000.00 to TPL to purchase and conserve the Subject Property is in the best interest of conserving lands from development, and, therefor in the best interest of Town and the general public.

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

1. **Findings**. The Town Council hereby authorizes the expenditure of up to \$1,000,000.00 from the Town's Open Space Fund for the purchase and conservation of approximately 4,348 acres in the Gunnison River Valley, such authorization being in the best interest of Town and the general public.

2. **Funding Agreement**. Pursuant to the above findings, the Town Council hereby approves the delivery of such funds to TPL or its designee pursuant to the terms and conditions of a funding agreement to be entered into by the Town and TPL or its designee at a later date. The final funding agreement shall be approved by separate resolutions of the Town Council.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS ___ DAY OF _____, 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Aaron J. Huckstep, Mayor

ATTEST

Lynelle Stanford, Town Clerk

(SEAL)



Staff Report September 8, 2015

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Bob Gillie, Building and Zoning Director
Subject: **Deed Restricted long-term rental enforcement**
Date: September 4, 2015

Summary: On August 4, 2015 a work session was held to inform the Council regarding how deed-restricted residential units were created, recorded, and administered. The results of a July 2015 survey was also presented. Of the approximately 156 long-term deed restricted units surveyed it was determined that 21 were not being utilized consistent with the intent of the covenant in place on the property.

Previous Council Action: The staff indicated that they would research the alternatives open to the Town to attempt to bring the 21 units into compliance as well as to facilitate ongoing enforcement.

Discussion: John Belkin has researched the alternatives open to the Town relative to enforcement of the deed restriction (see associated memo). Suggestions include:

- Revise the covenant that is used for future deed restrictions,
- Revise the definition of “rental long term” to clarify and amplify the obligations,
- Create a process for enforcement that includes levying of a fine and appeal to the Town Manager.
- Have the Town Manger develop a compliance policy that would address the cadence of enforcement communications and citations.

Legal Implications: There would need to be an ordinance drafted and enacted.

Financial Implications: It is not clear exactly how much would be spent on an ongoing basis for enhanced enforcement but it could be safely assumed that there would be more staff time allocated and potential legal fees.

Recommendation: Staff recommends that the Council direct the Town Attorney to draft an ordinance for public hearing consistent with Attorney Belkin’s recommendation and any other items desired by the Council

Proposed Motion: I move to direct the Town Attorney to draft an ordinance to address the proposed changes to the municipal code consistent with John Belkin's memo of September 8, 2015.

J. D. BELKIN & ASSOCIATES, LLC

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MEMORANDUM

Non-Attorney - Client Privileged and Confidential Communication

TO: Town Council

CC: Todd Crossett, Town Manager
Bob Gillie, Building and Zoning Director
Michael Yerman, Town Planner

FROM: John D. Belkin, Town Attorney

DATE: September 3, 2015

RE: Accessory Dwelling Unit Compliance

BACKGROUND:

- Following up on the Town Council's Worksession on July 20, 2015, and Bob Gillie's presentation to the Town Council during the Worksession, this memorandum address matters relative to increasing compliance with the Town's accessory dwelling unit ("**ADU**") program; specifically, with respect to the long-term rental requirements attached to ADUs.
- Initially, it should be noted that in the restrictive covenant agreements (the "**Covenant**") that place the long-term rental requirements on ADUs, there is language that states generally that in the event of non-compliance:
 - ✓ the Town may concurrently pursue all rights at law and in equity, including, without limitation, specific performance, abatement, removal and injunctive relief;
 - ✓ each day the violation of the Covenant exists constitutes a single offense punishable by a fine of up to \$1,000.00 per day; and
 - ✓ the Town is entitled to recoup its attorneys' fees and costs in connection with the successful interpretation and enforcement of the Covenant, etc.

Non-Attorney - Client Privileged and Confidential Communication

Town Council

Re: Accessory Dwelling Unit Compliance

September 3, 2015

Page 2

- The current process for enforcing these requirements is citing the property owner and pursuing the claim in Crested Butte Municipal Court.

SUGGESTED GOING FORWARD ENFORCEMENT MECHANISMS

- Initially, the Town Council needs to commit to implementing any new enforcement mechanism for it to be worth making any Crested Butte Municipal Code (the “**Code**”) changes to address Covenant violations.
- Assuming that the Town Council elects to move forward with new enforcement mechanisms, my suggestions are as follows:
 1. Include a separate, new section in the Code relative to ADUs and related Covenant enforcement procedures.
 2. Instead of having the violation cited into Municipal Court, the violation would be cited by the Building and Zoning Director (in the future likely the Director of Planning and Development) (the “**B&Z Director**”). The citation would state the violation and a fine approved by the Town Council in advance (e.g., \$100.00 per day). In order to substantiate the violation, the B&Z Director would need evidence of the violation.
 3. Included in the Code would be appeal provisions whereby the citation of the B&Z Director is appealable to the Town Manager for some period of time after the B&Z Director issues the citation (e.g., 10 days). Such appeal would be conducted as a public hearing before the Town Manager.
 4. The decision of the Town Manager would final, appealable only in district court under the Colorado Rules of Civil Procedure (CRCP).
- In conjunction with the above enforcement process, the form Covenant would be revised to include, among other things, submission to periodic (e.g., every six months) compliance reviews (including site visits) by the B&Z Director; completion of compliance affidavit forms; and, the imposition of a first priority lien akin to a lien for amounts due and owing as real property taxes on the subject property for any unpaid fines following a determination by the B&Z Director. Matching requirements would be included in the Code to the extent appropriate.
- In connection with the above, the Town Manager would develop a compliance policy that would be utilized by the B&Z Director. Matching language would be included in the Code to extent appropriate.

Non-Attorney - Client Privileged and Confidential Communication

Town Council
Re: Accessory Dwelling Unit Compliance
September 3, 2015
Page 3

SUGGESTED LONG-TERM RENTAL POLICY CHANGES

- From a policy perspective, the Town Council should also consider amending the Code to include - really as clarifications more than new policy inclusions - limitations on short-term rentals in the definition of “rental long term” that will include matters such as, without limitation:
 - ✓ ADUs vacant for a period of three months or more do not satisfy the long-term rental requirements of the Covenant absent a showing of good cause;
 - ✓ ADUs must be actively offered for rental; and
 - ✓ ADUs may not be used for short-term rentals, regardless of tenant, or rentals paid.
- **RECOMMENDATION:**
 1. In conjunction with Town Staff’s recommendations, direct the Town Attorney to prepare an ordinance and revisions to the Covenant that accomplish the mechanisms set forth above. The Town Staff would present the ordinance to the Town Council at the regular Town Council meeting on October 5, 2015.
 2. Direct the Town Attorney to work with Town Staff to create a compliance policy that would be utilized by the B&Z Director in enforcing the ADU compliance regime.

###



Staff Update

September 8, 2015

To: Mayor and Town Council
From: Michael Yerman, Town Planner
Thru: Todd Crossett, Town Manager
Subject: **Planning Staff Update**
Date: September 8, 2015

GOCO Funded Youth Corps Crew Open Space Maintenance:

Over the summer the Town received several phone calls and one letter (see attached) from an easement holders asking for maintenance of Town open space lands. Many of the requests are for weed control, signage because of trespass, or other concerns resulting from the heavy public use seen this summer. These requests are typically in isolated areas outside of the Town which require a significant amount of staff time or private contractors to handle the requests.

This past year a youth corps was located in the Gunnison Valley for the entire summer. This youth corps was instrumental in the continuing the construction on the Baxter Gulch Trail. Next year, staff will be working with the US Forest Service on environmental approvals prior to commencing any additional trail construction in 2016 on the Baxter Gulch Trail.

At this time, the request is to submit for a youth corps crew for 4 weeks in the summer to for maintenance work on Town and Crested Butte Land Trust open space properties for trail maintenance, fence repair, weed control and other requests from property owners. Town staff will be presenting a \$20,000 budget for 2016 for maintenance of the Town controlled open space lands. In order to maximize the funds for maintenance of the Town open space lands, Town staff is requesting the Council authorize the Town manager to submit for a GOCO youth corps grant. At this time, the Town staff is requesting the Council match the grant with up to \$10,000 from the Town's open space RETT fund. The total grant will be for approximately \$35,000 for 4 weeks of youth corps. The Land Trust will be matching staff time and material costs to manage the youth corps during the 4 week period.

The following are a list of properties that will receive maintenance next year with the grant funding:

- a. Trail maintenance
 - i. Gun sight Connector



- ii. Lower Loop
 - iii. Baxter Gulch Trail
- b. Fencing maintenance/repairs
- i. Peanut Mine
 - ii. Confluence cattle exclusion
 - iii. Gun sight Reclamation fence
 - iv. New Niccoli fence
 - v. Rice cattle exclusion
- c. Weed spraying and/or hand removal
- i. Lupine 1
 - ii. Lupine 2
 - iii. Gun sight Connector
 - iv. Smith Hill Road
 - v. Baxter Gulch Trail corridor
 - vi. Robinson
 - vii. Rice
 - viii. Confluence
 - ix. Colonel's House

If the Town is not successful in receiving the GOCO grant, Town staff will still need at a minimum two weeks of youth corps services to help address requests from property owners for maintenance. With the growing use of the public lands we have seen over the past year, it will be important for the Town to take an active role in maintaining our open space properties into the future.

Recommendation:

Staff recommends the Council approves the appropriation of up to \$10,000 of matching funds from the open space fund in 2016 for the Great Outdoors Colorado Youth Corps Crew and authorize the Town manager to sign the grant application.

September 1, 2015

Via U.S. Mail and Internet

John Belkin, Town Attorney
Town of Crested Butte, Colorado
P.O. Box 39
Crested Butte, CO 81224
jbelkin@belkinlaw.com

Re: Lupine Easement; Smith Hill Ranches

Dear John:

We are writing on behalf of the Smith Hill Ranches Homeowners Association ("SHR"). As you recall, in 2014 our firms finalized the "Easement Agreement"¹ between the Town of Crested Butte ("Town") and SHR for the Lupine Trail through Smith Hill Ranches. The Lupine Trail is reportedly now among the most popular and heavily used trails near Crested Butte. SHR is pleased to know that the public enjoys the trail and is proud to share the natural qualities preserved within Smith Hill Ranches. Maintenance of these natural qualities is a fundamental component of the SHR members' investments in Smith Hill Ranches, and enhances the overall rural character and quality of life within the Crested Butte community.

Unfortunately, we write today to advise the Town of numerous and recurring violations of the Easement Agreement by Lupine Trail users. These violations are increasing in frequency and severity, and threaten the natural qualities of the property that make the Lupine Trail a public amenity. SHR provides this letter to identify these violations and request that the Town expediently take all appropriate and necessary actions to halt and prevent the public's continuing violation of the Easement Agreement. We are confident that the Town of Crested can take appropriate actions to conform public use of the Lupine Trail to the Easement Agreement to maintain this otherwise successful and valuable public opportunity.

Trespassing is the most frequent violation of the Easement Agreement. Public access granted by the Easement Agreement is limited to non-motorized use within the surveyed as-built trail. The width of the trail is specifically limited to 36 inches throughout its length, except in designated switchbacks through which the trail width may extend to 60 inches.² Public trail users are frequently observed trespassing outside of the trail easement. Trespass activities include resting, eating, urinating, and smoking tobacco and marijuana. Smoking of any substance should

¹ The Deed of Easement Agreement, Vacation Agreement, and Settlement Agreement recorded June 30, 2010 as Reception No. 599312 ("Easement Agreement"); and Amendment to Deed of Easement Agreement, Vacation Agreement and Settlement Agreement ("Amendment").

² See Easement § 3.1; Amendment § 3.1.

not permitted on the Trail; the risk of fire is unacceptable to SHR and the Town. Physical damage to native vegetation outside of the easement indicates trespass is a regular and continuous problem.³ Damage to native vegetation increases the likelihood of invasive plants, the eradication of which results in increased expense to SHR and avoidable application of chemical treatment. Trespassing is most common at switchback sections, but also routinely occurs in the straight sections of the trail.

The Town has a duty to posts signs "at multiple conspicuous locations along the Trail, in locations designated by the Grantors, stating that users must stay on the Trail and traveling off the Trail is prohibited and that those persons found off the Trail will be prosecuted for trespassing."⁴ The Town is also required to mark the location of the trail in those locations where the trail may not be readily apparent, at its own expense. In addition, the Town is obligated to "monitor the Trail with sufficient frequency to ensure compliance with the terms of this Easement Agreement."⁵ SHR acknowledges the Town's recent purchase of two signs, but the prevalence of trespassing establishes that more are necessary. SHR is willing to reasonably assist the Town in evaluating methods to prevent trespass and ensure users remain within the easement, and requests a meeting⁶ to discuss and identify necessary improvements to signage, locators and monitoring to halt and prevent continued trespass by trail users.

Littering is also a big problem. The Town is obligated to maintain the trail, including "trail and debris removal." Town's efforts to date have not been adequate to fulfill this obligation. SHR has, in order to preserve the character of the property, had to assist the Town in this effort. SHR collected more litter this year than ever before. This problem does not appear to be abating. SHR requests that the Town review its existing litter collection program, and identify and implement actions to reduce littering by trail users and to remove litter from within the easement. Removal of litter is a trail maintenance activity that should be performed within the five (5) foot maintenance easement coincident with the as-built Lupine Trail.

Thank you for your consideration of this matter. The Easement Agreement, in summary, requires that the Town, at its sole expense, assume complete responsibility for trail maintenance, including "weed control, trash and debris removal, clearing the Trail of dog waste as is reasonably necessary...." Further the Town, at its sole expense "shall assume complete responsibility for controlling the public's use of the trail to ensure that the public's use of the Trail complies with the Terms of [the] Easement Agreement. The issues described above fall within these Town duties. We request that the Town contact SHR's representative, James Brennan 970-389-1181, to meet as necessary in order to identify and implement actions that resolve these issues. We are optimistic that counsel need not participated in this discussion, but request reasonable advance notice if the Town desires participation by counsel. Please contact us with any questions or thoughts regarding this matter.

³ Several photos representative of trespassing impacts are attached.

⁴ Easement Agreement, § 5.3.

⁵ Easement Agreement, § 5.2.

⁶ Easement Agreement, § 5.6.

Very truly yours,

BALCOMB & GREEN, P.C.

By



Chad J. Lee
Christopher L. Geiger

cc: SHR Board of Directors
James Brennan, CB Enterprises



Staff Report

September 8, 2015

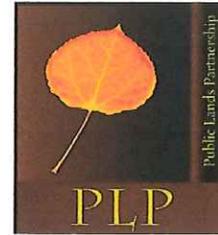
To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Lynelle Stanford, Town Clerk
Subject: Letter from Public Lands Partnership
Date: September 3, 2015

Summary:

The letter included in the packets from the Public Lands Partnership is a request for \$500 in the 2016 budget year. It is Staff's recommendation that they request funds through the Community Grant Process, and the Public Lands Partnership has been informed accordingly.

Public Lands Partnership

Promoting healthy landscapes for healthy communities since 1993



August 27, 2015

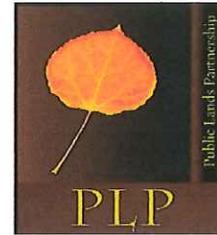
Town of Crested Butte
507 Maroon Ave
Crested Butte, Co 81224

Dear Councilmembers,

The Public Lands Partnership is seeking the support from the Town of Crested Butte. PLP was established over 21 years ago and is one of the longest operating Natural Resource Collaborative in the State of Colorado. For more than two decades PLP continues to carefully identify public land projects that would benefit from facilitated community input. In 2014 PLP identified the Spruce Beetle Epidemic and Sudden Aspen Decline Management Response Project (SBEADMR) as a public land project that would benefit from collaborative efforts that enhance and help maintain diverse, healthy communities. This past year we moved forward with an outreach program that included public facilitated meetings to address the project regarding the Beetle infestation and Aspen decline that is impacting our local public lands. PLP co-hosted 22 public meetings with over 800 interested and concerned citizen's participation. We anticipate the entire process to be 18-24 month with an additional 8 year of monitoring. There are many community impacts that can occur due to these natural events, including effects on public safety, wildlife, watersheds, capturing the economic value of dead/dying trees, and recreation and tourism.

As the Public Land Agencies continue to be challenged with the impacts of reduced funding and changes in policies, it becomes even more important that the local communities and counties remain engaged with public lands issues through a strong collaboration. The PLP continues to strive to provide a vehicle to address these issues.

As with many organizations, PLP is challenged in being able to meet its annual program objectives because of limited funding. At the present time, PLP receives funding from Delta, Montrose, San Miguel and Ouray Counties as their primary source in supporting our programs. We are reaching out to the Town of Crested Butte to encourage your support for the coming year. We believe that having all the local counties and cities involved with the PLP will bring a stronger collective influence on issues of common interest. We are asking for your support and consideration of a Contribution in the amount of \$500.00 FY 2016.



Public Lands Partnership

Promoting healthy landscapes for healthy communities since 1993

Having a strong interface with the various public lands agencies is critical in promoting a strong and diverse local economy and an informed public. We trust these are consistent with those of the Town of Crested Butte and together we can safeguard the many values that our public lands offer.

PLP would be happy to schedule a presentation to the Town Council. For additional information regarding Public Lands Partnership please check us out at www.publiclandspartnership.org

Respectfully,

Chris Miller, Coordinator
Public Lands Partnership
PO Box 1004
Hotchkiss, Co 81419
970-640-7076

Enc: PLP Executive Committee members

Public Lands Partnership

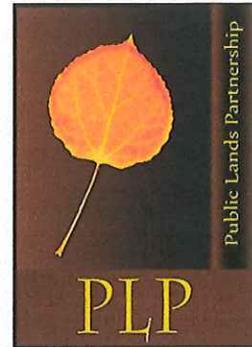
970-640-7076

info@publiclandspartnership.org

Public Lands Partnership

Chris Miller - Coordinator
info@publiclandspartnership.org
970-640-7076

Promoting healthy landscapes for healthy communities since 1993



2015 PLP Executive Committee

* PLP sub-committee - SBEADMR

***Ralph Files - Recreation**

3365 Mahogany Drive
Montrose, CO 81401
970-249-9355
files@skybeam.com

***Nancy Fishing - Timber**

13744 6100 Road
Montrose, CO 81403
Office – 970-249-1767
Cell-970-209-1767
nancyfishing@gmail.com

Jim Free - "at large"

WCLC Technical Coordinator
14920 600 Rd
Montrose, CO 81403
Cell 970-275-0752
jcfree2@msn.com

Tim Garvey – "at large"

17 Spruce Dr.
Montrose, CO 81401
970-252-8813
tgarvey@montrose.net

***Art Goodtimes – SM County**

92 County Road 44ZS
Norwood, CO 81423
970-327-4767
commish3@sanmiguelcounty.com

Enno Heuscher-

Environmental
24601 Sorrento Ln
Cedaredge, CO 81413
Home 970-856-4226
Cell 970-361-2517
epheuscher@netzero.net

***Stu Krebs - Environmental**

PO Box 776
Montrose, CO 81402
Home 970-249-3989
Cell 970-615-0617
stukrebs@hotmail.com

***Robbie LeValley –**

Delta County
Delta County Courthouse
501 Palmer Suite 227
Delta, CO 8141
Office 970-874-2102
Cell 970-250-0680
rlevalley@deltacounty.com

Lynn Padgett –

Ouray County
PO Box C, 541 4th St.
Ouray, CO 81427
Office 970 325-7263
Home 970-258-0836
lpadgett@ouraycountyco.gov

Mark Roeber- Ag/Ranching

Delta County Courthouse
501 Palmer Suite 227
Delta, CO 81416
Office 970-874-2100
Cell 970-527-3728
mroeber@deltacounty.com

Chuck Hughes- 2015

Public Land Users
10162 Hwy 65
Austin, CO 81410
970 835-7866
d8lchuck@aol.com

***Jon Waschbusch-**

Montrose County
Government Affairs Director
317 S 2nd Street
Montrose, CO 81401
Office 970-252-4549
Cell 970-901-7026
jwaschbusch@montrosecounty.net

Vacant: Mining and Energy Industry

Mission Statement "To influence the management of public lands thru collaborative efforts in ways that enhance and help maintain diverse, healthy communities in West Central Colorado."

Lynelle Stanford

From: gareth & linda roberts <glbutte12@gmail.com>
Sent: Wednesday, August 19, 2015 11:01 AM
To: Aaron Huckstep; Shaun; J Schmidt; Chris Ladoulis; R Mason; Glenn Michel; Lynelle Stanford; Walker Berkshire; Michael Yerman
Subject: Thank you!

I wanted to thank you all for taking the time to review the proposed annexation and letting the developers know that Crested Butte is a slow, planned growth town. Thank you. Their attempt to change their plan for the dump clean-up was a red flag that I am glad that you recognized.

On the issue of affordable housing, have you thought of implementing a Town minimum wage. Perhaps with higher wages, employees could afford housing.

Regarding the proposed scrapes of the cinder block houses on Teo, please make sure that the accessory buildings will become affordable housing. Is there anyway to create a formula to tie the maximum rental charge to the county income level? In general I am opposed to scrapping and hope that you can fashion a resolution that this is a one time thing with very specific parameters for allowing, otherwise I am afraid that you will see an onslaught.

Thanks again,
Linda Roberts
12 Ruth's Road
Crested Butte, CO

Lynelle Stanford

From: Aaron Huckstep
Sent: Monday, August 24, 2015 1:27 PM
To: cynthia conveyer
Cc: Lynelle Stanford; Todd Crossett; 'John Belkin' (JBelkin@jbelkinlaw.com)
Subject: RE: Please help with my property description request

Hi Cynthia,

Thank you for your email on this topic. I am copying Town Clerk Lynelle Stanford on this email along with Town Manager Todd Crossett and Town Attorney John Belkin. I appreciate your input and am sure Todd or John will be in touch soon.

Best Regards,

Aaron J. Huckstep ("Huck")
Mayor, Town of Crested Butte
Direct: (970) 349-2009
Town Hall: (970) 349-5338

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

From: cynthia conveyer [mailto:foothillcindy@mac.com]
Sent: Monday, August 24, 2015 12:46 PM
To: Aaron Huckstep; Walker Berkshire; Shaun; J Schmidt; Chris Ladoulis; R Mason; Glenn Michel
Cc: Reggie Masters
Subject: Please help with my property description request

Dear Mayor and Council members,

I am the owner of the house at 211 5th St. The house is under contract with a local buyer who would like to restore the property - good news!

The bad news is that the property has a front home and an accessory dwelling in back - both of which were granted condo status in 2006 since a buyer at that time wished to purchase 2 separate units. Earlier this year, I provided the Town of Crested Butte with the paper work to make 211 5th St back into a single family dwelling as it has always been. I just learned this past Friday that apparently there was something missing and the item was removed from the Town Council agenda.

John Belkin has advised me that I need a letter from the lender who holds the mortgage stating that the lender will be fine with the property going back to single family status. Wells Fargo had the original loan on the property when it was single family status so they said 'yes, no problem, we'll get you a letter'. It will take at least a week to get through the bank pipeline. But closing is set for mid-September and the Town of Crested Butte would need to approve the change from condo to single family before closing so the new buyer can get a loan.

The next council meeting is coming up soon though, and this request would need to be put on the agenda and noticed to the public this week I think. So I am writing to ask if you would you please consider adding this to the next agenda: for a motion to vacate the 2006 condo agreement which would put 211 5th back to single family status, with the motion

being subject to the agreement letter from Wells Fargo arriving after the council meeting (if it doesn't get there before this Friday)?

I really appreciate your consideration on the matter and would love to see the house owned by a CB local who plans to restore it!

Best,
Cindy Convery
Ojai, CA
(805) 217-2801

Lynelle Stanford

From: Aaron Huckstep
Sent: Tuesday, August 25, 2015 5:43 PM
To: Elk Mountain Lodge
Cc: Lynelle Stanford; Todd Crossett
Subject: RE: Gravel pit campground

Hi Mike,

Thank you for your input regarding the gravel pit campground concept. I am copying Town Clerk Lynelle Stanford on this email so your comments can become part of the Council's record. I appreciate your input.

Best Regards,

Aaron J. Huckstep ("Huck")
Mayor, Town of Crested Butte
Direct: (970) 349-2009
Town Hall: (970) 349-5338

From: Elk Mountain Lodge [mailto:info@elkmountainlodge.com]
Sent: Monday, August 24, 2015 10:57 AM
To: Aaron Huckstep
Subject: Gravel pit campground

Huck,

I am deeply concerned about the possibility of a campground at the gravel pit. RV campgrounds are loud, they run generators that will be heard at my house on 914 Belleview. Does it make sense to have an RV campground close to million dollar homes. Does this even meet our town codes? I urge the council to look into this more closely. It will also be a visual eyesore from everywhere east of town including Tony's trails and the Upper loop.

Utilizing the designated campground in the woods at the top of the hill outside of town seems like a more sustainable long term option.

Thanks,

Mike Nolan
Elk Mountain Lodge
Crested Butte, CO 81224
970-349-7533
info@elkmountainlodge.com

Lynelle Stanford

From: Aaron Huckstep
Sent: Thursday, August 27, 2015 9:49 AM
To: JO CUNNINGHAM
Cc: Lynelle Stanford; Todd Crossett
Subject: RE: Letter to CB Town Council

Hi Jo,

Thank you for your email regarding the 4th of July. I am copying Town Clerk Lynelle Stanford on this email so that your comments may become part of our record. I appreciate your input.

Best Regards,

Aaron J. Huckstep ("Huck")
Mayor, Town of Crested Butte
Direct: (970) 349-2009
Town Hall: (970) 349-5338

From: JO CUNNINGHAM [mailto:joreader1@msn.com]
Sent: Thursday, August 27, 2015 9:23 AM
To: Aaron Huckstep; Walker Berkshire; Shaun; R Mason; Glenn Michel
Subject: Letter to CB Town Council

To Whom It May Concern:

My husband and I, with our children, now grown, have come to Crested Butte to visit family for over 20 years, most often for the first week of July. We have been happy participants in many of the Butte's activities, obviously hiking and biking, supporting the Black and White Ball and the Museum, as well as the Fire Department's annual Pancake Breakfast. We've enjoyed watching the unique 4th of July Parade from many vantage points on Elk Ave, and have spent many pleasantly quiet afternoons regrouping before the evening festivities on the 4th.

For many years we enjoyed a family/friends "annual reunion" at the Center for the Arts park in the late afternoon on the 4th. We shared picnic blankets and picnic baskets while listening to the fabulous sounds of the visiting orchestra who graciously gifted us with music that raised our patriotic sensitivities, brought back memories that were founded in pride, and helped us to honor the men and women in the community who had served our country. At one point each year, the band would play the Armed Forces medley and would invite those in attendance who had served to stand and be recognized when their theme was played. My husband served 21 years in the USAF, including tours in Viet Nam and Europe. I know how proud he was to stand among the crowd with fellow veterans, and how honored he felt. That concert had become our favorite part of the holiday in Crested Butte.

Last year (2014), we were concerned to hear that the concert had been moved to the end of the 5th Ave Food Court, but made sure not to miss it. We had to sit on a crowded concrete curb or stand against the outside wall of a building to listen. Meanwhile, people from the Food Court wandered in and out of the audience, apparently unaware that we were trying to listen to a concert, as few lowered their voices or stopped to listen themselves. It was so disappointing. This year, the concert was not even scheduled at all.

We feel that these well-attended concerts provided the community an opportunity to gather in fellowship and share in renewal and celebration of patriotic and community spirit, on the day that is set aside to acknowledge our unique and wonderful country, which for 200+ years has ensured our independence and freedom.....and now that annual opportunity is lost. Our kids remember these concerts, and how they were impacted. We feel they got a much truer understanding of the meaning of our Independence Day Holiday when we were gathered together to enjoy the music, reminisce and tell stories of what the day and our country meant to us. Somehow, a parade just doesn't seem to send the same message. Our kids all need to be raised knowing that our independence was hard won and maintained and that we continue to be proud to be Americans today. What else could an Independence Day Holiday be for? Without that frame of reference, it's just The 4th of July -- day of parades, fireworks and BBQ.

We do not know the reason the concerts have been eliminated from the annual 4th of July celebration in the Butte, and there may be some very good ones. My intent is simply to share our thoughts and feelings about the important role those concerts played in our celebration of Independence Day...and to express our hope that they may be reinstated as a part of Crested Butte's community celebration.

Thanks for considering our thoughts.

Sincerely,
Cheers,

Jo

Cheers,

Jo

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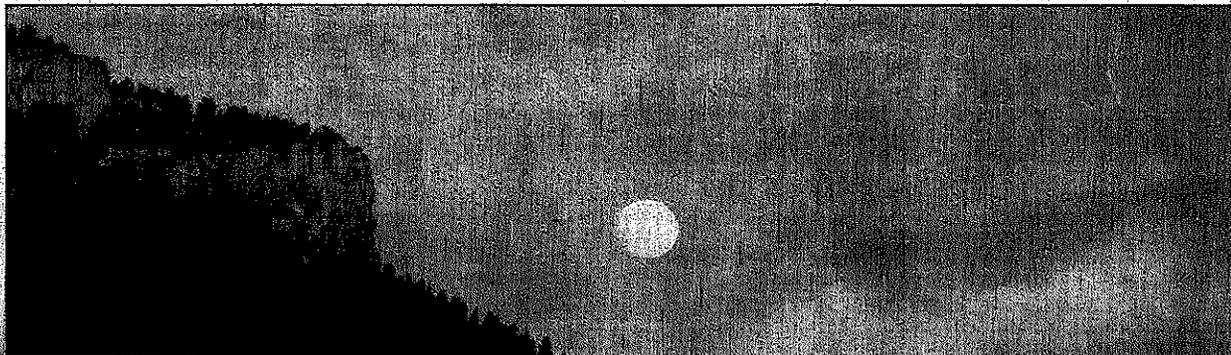
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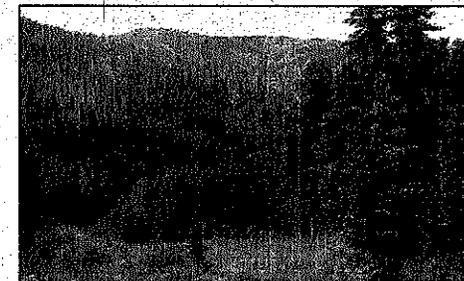
Avon turns down GoPro events

Council members say proposed enduro mountain-bike race would increase traffic on West Avon Preserve open space. **A3**

MOON SHINES ON MINTURN



TOWN TALK



**FIND
YOUR
FRIENDS**
A21

Avon council says 'no' to GoPro Games event

Vail Valley Foundation wanted to hold enduro mountain-bike race on West Avon Preserve

By Randy Wyrick
rwyrick@vaildaily.com

AVON — The Avon Town Council said thanks but no thanks to hosting a pair of GoPro Mountain Games events.

The Vail Valley Foundation wanted to run an enduro mountain-bike race on the West Avon Preserve. The Town Council voted 6-1 against it. When the vote was finally cast Tuesday, many in the room applauded.

Along with the bike race, the Town Council also sank a proposed GoPro Mountain Games stand-up paddleboard event on Avon's Nottingham Lake, which was part of the same proposal. That event may come back as a separate proposal, the VVF said.

LOCATION, LOCATION

The sticking point for the

mountain bike event was the location, not the race itself.

West Avon Preserve is dedicated open space and a popular area for mountain biking. Many in the room told the Town Council that they did not want its profile raised even more.

To host the race, the area would have been off limits to local riders for part of the Thursday and Friday of next June's GoPro Mountain Games.

The Vail Valley Foundation offered to restrict spectators and course officials to around 250 to minimize the impact, but in the end it wasn't the numbers that mattered.

"For this event we need err on the side of caution and I'll be voting no," said council member Scott Prince.

One council member said that the trails have been fabulously successful and asked a version of "What's in it for me?"

"If the trails are already so heavily used, do you want to encourage more use?" asked council member Sarah Smith Hymes.

She voted against it.

"It's hard to say no to the

Foundation," said Jennie Fancher, Avon's mayor.

When she was running for Town Council, she said she would not support races up there. She stuck with that in Tuesday's vote.

The Vail Valley Foundation said they're trying to expand the GoPro Mountain Games beyond the Vail Village core and that they're in it long term, no matter what the Avon council's decision was.

"If the trails are already so heavily used, do you want to encourage more use?"

Sarah Smith Hymes
Avon Town Council member

PRESERVING THE PRESERVE

The West Avon Preserve conservation easement was signed May 9, 2013, as part of the historic Eagle Valley Land Exchange, a regional land swap that protects six parcels and more than 1,550 acres of local land from development.

"What we saw was democracy at work, and it worked well. We're pleased with the outcome and with how the town and the Vail Valley Foundation handled the process."

Jim Daus
Executive director, Eagle Valley Land Trust

The West Avon Preserve had been on the radar of developers for more than 30 years, said Tommy Glass, of Western Land Exchange.

Glass coordinates land exchanges and said those 478 acres have been in play since 1981, when it was Forest Service land. It was about to be surrounded by the growing community of Avon and the agency put it on the auction block, under orders from then-Interior Secretary James Watt. A federal court later rescinded those orders.

The West Avon Preserve lies between Avon and Singletree. The site offers public access for hiking and biking along the Avon to Singletree Trail, June Creek Trail and Beaver Creek Point Trail.

Avon owns it; the Eagle Valley Land Trust holds the permanent conservation easement.

LAND, NOT LOBBYING

The Land Trust did not lobby for or against the proposed GoPro Mountain Games event.

"What we saw was democracy at work, and it worked well," said Jim Daus, Land Trust executive director. "We're pleased with the outcome and with how the town and the Vail Valley Foundation handled the process."

When the conservation easement was written, the town negotiated the right to hold commercial biking events. That put the Land Trust in the "uncomfortable" position of having to permit a competitive bike race on conserved land, Daus said.



September 21, 2015

Work Session

Budget @ 5PM

New Business

VRBOs

Liquor Licensing - Retail Outlets

Future Worksession Items:

- Vending at the Four Way
- Cemetery Committee (Update and planning future work)
- Camping @ Town Ranch (allow? Not allow? Allow camping in other places?)
- BLM and OBJ Campground/Seasonal Housing Shortage (this could be combined with others – especially the Affordable Housing item at the bottom of this list)
- CBMBA and Trail priorities/signage (basically – what is the future plan for new trails/existing trail completion in the valley? What should be our priorities as a Council?)
- Perimeter Trail – Update, timelines, costs, what does this look like when finished
- Land Trust and Town Preservation Priorities – basically a joint planning/discussion with the CBLT (maybe in Exec Session if they would like) to confer on the priority parcels identified by the CBLT and the priorities of the Town (for planning future open space acquisitions). Maybe even a discussion about purchasing trail easements.
- Elk Avenue Rule Set re: Private Clubs – the whole “private clubs on Elk Avenue” concern that was raised when Irwin obtained a private liquor license for the Scarp Ridge Lodge.
- Affordable Housing/Density/Workforce – Blk 79/80