

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, December 21, 2015**  
**Council Chambers, Crested Butte Town Hall**

Mayor Michel called the meeting to order at 7:04PM.

Council Members Present: Jim Schmidt, Erika Vohman, Chris Ladoulis, Roland Mason, Laura Mitchell, and Paul Merck

Staff Present: Town Manager Todd Crossett and Town Attorney John Belkin

Building Director Bob Gillie, Parks and Recreation Director Janna Hansen, Town Planner Michael Yerman, and Town Clerk Lynelle Stanford (all for part of the meeting)

**APPROVAL OF THE AGENDA**

Consent Agenda item number 3, Approval of Fat Bike World Championships, was moved to item number 2 under New Business.

Belkin mentioned that a topic concerning U.S. Energy could be discussed under Legal Matters. Instead, Schmidt requested an Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Mason agreed, and it was added to the agenda.

Schmidt moved and Mason seconded a motion to approve the agenda with the Fat Tire World Championships added under New Business and with the addition of an Executive Session to the end of the meeting. A roll call vote was taken with all voting, "Yes."  
**Motion passed unanimously.**

**CONSENT AGENDA**

- 1) Approval of December 7, 2015 Regular Town Council Meeting Minutes.**
- 2) Approval of Arbor Day 2016 Proclamation and 2015 Tree City USA Application for Certification.**
- 3) Approval of the Fat Bike World Championships Special Event Application and Special Event Liquor Permit at the Town Ranch and Gravel Pit areas on Saturday, January 30, 2016.**
- 4) Approval of Resolution No. 39, Series 2015 – Resolutions of the Crested Butte Town Council Certifying the Final Plat of Block 52 Minor Subdivision.**

Mason moved and Mitchell seconded a motion to approve the Consent Agenda with item number 3 moved to New Business. A roll call vote was taken with all voting, "Yes."  
**Motion passed unanimously.**

### **PUBLIC COMMENT**

Valerie Jaquith – Reported to live in Town

- Wanted to discuss public access to trails and winter travel.
- Felt there was limited access to trails for walking in the winter.
- Requested pressure from the Town to allow walking on the Nordic trails, specifically Town Ranch and the Lower Loop.

Laurel Walker

- Was at the meeting for the same reason as Jaquith.
- Access to trails was the reason she moved to Crested Butte.
- Didn't understand how the Nordic Center gained control with tax dollars.

Skip Berkshire – 29 Butte Avenue

- On behalf of the Nordic Center, he looked forward to an in-depth discussion. He welcomed the opportunity to drill into issues.

Ali Fuchs – Owner of Big Al's (Bicycle Heaven)

- Raised the question addressing the Rec Path and Town Ranch. She thought they were supposed to be public rights of way.
- Recognized that fat biking was new.
- Said they had been working with the Nordic Center for the past couple of years.
- She asked how one user group could be required to purchase passes.
- Said they were at the tipping point where they needed more support beyond that of the TA and the Chamber.

Skip Berkshire

- The Nordic Center felt they were doing a good job. The issues were more complex. The ultimate solution depended on the fair exchange of information. They were not out to fight bikers, dogs, or walkers, and they made concessions and accommodations.

### **STAFF UPDATES**

Lynelle Stanford

- Requested an application from event organizers for the Alley Loop.
- Received an update on the voter roll project and would have an update for the Council at the next meeting.
- Reported to be working on the MOU with Judge Eden.
- The Coal Creek Grill liquor license transfer was approved by the state. The public hearing would be held the second meeting in January.

- The Cemetery Committee would be presenting at the meeting on January 19.

#### Janna Hansen

- Had been working on an avalanche mitigation plan. It started at Big Mine, and it became Town-wide.
- Was sending out a letter to homeowners in Trappers Crossing South to let them know about the avalanche mitigation.
- The sledding hill had been closed so far this season because there wasn't enough snow. People still had been using it despite the closed signs. She hoped it would be open tomorrow after the Nordic Center groomed it.

#### Todd Crossett

- Intended to provide an update on the status of trail access. He suggested a work session could be a good place to have a conversation.
- Crossett reviewed the access to Town Ranch/Riverbend Connector; Green Lake Trail via Big Mine Park; the Deli Trail; Old Kebler Pass Road; the Rec Path; and the Slate River Trailhead.
- He explained that dogs and fat bikes created more of a grooming need, hence the charge for them to access certain Nordic trails.

Michel acknowledged that trail access and access for fat bikes were emerging issues. He suggested they could be leaders, help an emerging sport, and could enhance existing sports. There were great ways to collaborate. Michel thought they could schedule a work session. Ladoulis agreed, but he wanted to clarify the scope of the work session. Michel didn't think the discussion should be about the Nordic Center itself. Crossett said it would need to be a high-level policy discussion; the Town did not govern the Nordic Center. Schmidt wanted the work session sooner rather than later. Merck and Vohman agreed.

### **PUBLIC HEARING**

#### **1) Transfer of the Tavern Liquor License Located at 127 Elk Avenue From JAV Enterprise LTD DBA Kochevar's Bar and Saloon to Kochevar's Saloon LLC DBA Kochevars.**

Michel confirmed proper public notice had been given, and there were no changes from the time the staff report was written. The applicant, Mike Knoll, introduced himself. Knoll owned the Eldo for 14 years. He stated Kochevar's was the oldest bar in the history of Crested Butte. He thought it could be successful, and he was looking forward to the opportunity. There were no public comments. The public hearing was closed. There was no Council discussion.

Schmidt moved and Ladoulis seconded a motion to approve the transfer of a Tavern Liquor License for Kochevar's Saloon LLC DBA Kochevars located at 127 Elk Avenue; Crested Butte, Colorado for the reasons stated in the staff report. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**2) Ordinance No. 14, Series 2015 - An Ordinance of the Crested Butte Town Council Amending Chapter 2 of the Crested Butte Municipal Code to Include a New Article 8 Establishing a Creative District And Corresponding Creative District Commission and Including Regulations Relative Thereto.**

Michel confirmed proper public notice was given. Yerman explained that getting the Creative District Commission seated was one of the first steps. If the ordinance passed, he would be advertising for commissioners. The applications would be posted on the website, and there would be seven appointments. There were no public comments, and the public hearing was closed.

The hearing was opened to Council discussion. Merck asked who Yerman was looking for to be a commissioner. Yerman said they wanted a diverse cross-section. Merck also asked about the time commitment. Yerman said sub-committees would be more active, but there would generally be one meeting a month.

Schmidt moved and Mitchell seconded a motion to approve Ordinance No. 14, Series 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**NEW BUSINESS**

**1) Request from High Country Conservation Advocates for the Town Council to Submit a Letter to the Forest Service on the Forest Service's Proposal to Re-instate an Exemption Allowing Road and Well-pad Development Associated with Coal Mining in Gunnison National Forest Roadless Areas.**

Crossett gave a context overview. He said the letter was the request of High Country Conservation Advocates (HCCA), and it had to do with the North Fork Coal Mining Area. The area was a part of the Colorado Roadless Rule, and it was largely seen as a compromise. There was an exception created for the North Fork Mining Area. In 2013, conservation groups challenged the Forest Service's consent decision modifying two existing coal leases. The Forest Service was coming back with an updated supplemental Environmental Impact Statement (EIS) with three recommendations. Crossett said HCCA would advocate for no action, and they would want to get rid of the exception entirely (Option A). Crossett described Option C as in the middle. The County supported Option B, the exception to the roadless rule, as it previously existed. They felt it was a good balance, and they thought coal provided economic benefit to the County. Crossett said that the coal that was mined there was considered clean.

Michele Simpson, Executive Director of HCCA, wanted to reiterate that Town supporting the no action alternative would allow coal mining. Comments were required to be submitted to the Forest Service by January 4. Simpson cited climate implications and concerns related to coal mining. Sandy Shea, President of HCCA, showed a map of the Somerset area, which included temporary roads. He also pointed out the high density of pads and said they would see similar concerns happening in roadless areas. Shea also

showed a graphic with the density of existing development. He specified concerns about wildlife migration. Shea asked the Council to support Option A. He said Option C still caused development in wildlife areas.

Simpson said the methane gas byproduct of coal mining was 80 times more powerful than that of carbon dioxide as a heat trapping gas. She said that North Fork's coal's lower sulfur content emissions were not less. Also, Arch Coal had a decade of coal left to mine. HCCA wanted to move the community to climate sustainability and protecting the snow pack. She said that if the Council didn't support A, then she would request them to support C with modifications. Crossett said the Council could write to support any of the three options, or there was an option to not write a letter at all.

Mason wondered what the original compromise was if Option B was a compromise. Crossett said that Option C was the compromise; they saw the original exception as having been a compromise. The industry wanted a lot more and they saw shrinking it down to what was as a compromise. Merck said it was the loss of jobs versus the loss of habitat. Simpson countered there were jobs provided by renewable energy. Ladoulis said that most of the energy came from coal today.

Michel drew the Council's attention to the fact that they must be leaders in protecting the community. He asked if they would be pro-active, or if they wanted to look at jobs and revenues Town would receive. Schmidt supported sending the letter as written. Vohman agreed. Mason recognized a lot of work went into the original compromise. He liked Option C with the pilot knob carve out. Mitchell supported the letter as it was written, and Merck agreed. Ladoulis thought that if they took a stand against coal, they had to look at how much they used. He could see going for Option C as well. Michel said that at some point they needed a strong philosophical discussion.

Vohman moved and Schmidt seconded a motion to direct the Mayor to sign a letter of support as presented by HCCA to the Forest Service after review by the Town Attorney. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

## **2) Approval of the Fat Bike World Championships Special Event Application and Special Event Liquor Permit at the Town Ranch and Gravel Pit areas on Saturday, January 30, 2016.**

Dave Ochs was present on behalf of the Chamber, the group organizing the event. He explained the event had grown, which was why he wanted to discuss it with the Council. He thanked the Nordic Center for their recent efforts. Ochs stated it was the fourth year they were doing a fat bike event. He described the group as ahead of the curve. He also stated that Warren Miller was coming to film the event, and they were trying to provide amazing and unique venues. They wanted to roll out the red carpet on Saturday (January 30). They wanted to add music to the event. Lez Zeppelin would play and would be done by dark. He cited great support for obtaining generators, and he was confident they could pull it off. They would rely on Town in helping to provide snow infrastructure and in creating a boundary. They would use vendor and sponsors to create the perimeter.

They were planning on ten security guards and eight porta potties. Town would need to donate trashcans, and they would take care of the dumpster.

Mitchell asked if they had considered enlisting the help of an event planner. She also wondered if the electricity would be reliable. Ochs described using an industrial generator. He also said they had hired a production crew to handle the concert portion of the event. Vohman voiced concerns with the trash. She implored Ochs to consider a zero waste option or to commit to keeping trash to a minimum. Ochs explained efforts they would make to minimize trash. Michel and Crossett also mentioned a possible policy that would be applied uniformly to all events.

Schmidt questioned if they had talked to the school, considered the number of people, and if they should arrange for transportation to the event. He thought they should have a bus connection between the 4 Way and the area of the event. He said there could be a lot of cars. Ochs said there was parking around the school, and the volleyball game would be over in the afternoon. He also said they would utilize the Chamber parking lot. Schmidt reiterated that he was concerned.

Vohman moved and Merck seconded a motion to approve the special event application and the special event liquor permit for the Fat Bike World Championships. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### LEGAL MATTERS

None

### COUNCIL UPDATES AND COMMITTEE UPDATES

Paul Merck

- Attended a Cold Harbor meeting. They were granted a large property on Hwy 114, and they wanted to conduct a study. They wanted to help Town with affordable housing, particularly with sustainable and affordable to maintain homes. Michel asked Merck what his role was. Merck said he had asked for bullet points from them, and they were glad to hear from him.
- Went to a One Valley Prosperity Project (OVPP) meeting. He was on a subcommittee concerning social services and health care.

Laura Mitchell

- Attended a Chamber meeting. Their banks accounts were in good shape.
- The Chamber wanted the Town to take care of the Chamber bathrooms, which would cost about \$12K per year, in exchange for storage in the women's bathroom.
- The Chamber wondered who was responsible for liability on the building. They had concerns of snow falling on people (from the roof).
- They discussed vouchers for people who had missed flights.

- They wanted to change the Chamber's bylaws, so there would not be term limits for board members who desired to serve.
- They also wanted more support from the Town for Butte Bucks, and they wanted to obtain kiosks for after-hours visitors to use.

#### Roland Mason

- Attended a RTA meeting. There was a push to get a CNG, natural gas fuel station, because there was funding from the state. However, the fuel station hinged on RTA buying busses. There was uncertainty that CNG would not work in this climate.
- Michel added that it didn't make business sense, but RTA could be leaders in the valley. At the end of the day, they needed to provide service to customers. Mason said they could be looking at it for the future.
- They also talked about figuring out alternative transportation during the spring when United stopped service. They had talked about a small, boutique airline, or paying Alpine Express to run between Montrose and Gunnison.

#### Jim Schmidt

- On December 8, Michel and Schmidt met with representatives from Mt. Crested Butte on the Growing Winters program. The committee did not fund the Avalanche Center or the Santa Ski event. They did fund the Nordic Center, Two Planks for Big Air on Elk, and the Mountain High Music Fest.
- Attended the Gunnison Housing Committee meeting. They highlighted projects going on in Gunnison. The Anthracite Place roof was supposed to be done by Thanksgiving. They were behind on the roof but ahead on utilities, so they felt semi-confident they could finish by June. Their main problem was they couldn't get help.

#### Erika Vohman

- Attended a Gunnison Valley housing meeting. Representatives from Gunnison, Crested Butte, and Mt. Crested Butte were there.
- They talked about the Gunnison Rising annexation. They felt they would have future needs for affordable housing.
- In 2016, they would consider the feasibility of Brush Creek for affordable housing.
- A private landowner in CB South about affordable housing had contacted the County. There was no land officially set aside for affordable housing in CB South.
- It was mentioned that the Town of Crested Butte had a robust affordable housing program.

#### Chris Ladoulis

- Saw a car being charged at the charging station.
- They were collecting donations at the Stash for the people whose house burned down.

Glenn Michel

- Attended RTA, OVPP, and Growing Winters meetings.
- Had been meeting with executive directors of non-profits around Town.
- Was on the Center for the Arts board, and he reported they had a good meeting. They were scaling back on the scope and the funding of their project, and it would be constricting.

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

Ladoulis moved and Schmidt seconded a motion to appoint Laura Mitchell as the Town Council's Chamber representative. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Schmidt volunteered to be appointed to the Creative District Commission.

Merck moved and Vohman seconded a motion to appoint Jim Schmidt to the Creative District Commission. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, January 4, 2016 – 6:00PM Work Session – 7:00PM Regular Council
- *Tuesday*, January 19, 2016 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, February 1, 2016 – 6:00PM Work Session – 7:00PM Regular Council

Crossett mentioned a retreat in early January. They would discuss strategies and priorities. He suggested confirming a date at the next meeting. Merck questioned the retreat, and Michel explained the logistics. Michel said they would also need to schedule the Town Manager's and Town Attorney's reviews in January.

### **EXECUTIVE SESSION**

Schmidt moved and Mitchell seconded a motion to go into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:39PM. Council returned to open meeting at 10:26PM. Mayor Michel made the required announcement before returning to the open meeting. No action was taken.

**ADJOURNMENT**

Mayor Michel adjourned the meeting at 10:27PM.

*Glenn Michel*

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Glenn Michel, Mayor

*Lynelle Stanford*

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Lynelle Stanford, Town Clerk (SEAL)

