

**Town of Crested Butte  
Regular Town Council Meeting  
Minutes  
Monday, April 21, 2014  
Council Chambers, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 7:00 p.m.

Council members present: Roland Mason, Jim Schmidt, David K. Owen, Shaun Matuszewicz, Chris Ladoulis, and Glenn Michel.

Staff present: Todd Crossett, Town Manager and Shelley Jansen, Town Clerk.

Staff present for part of the meeting: Lois Rozman, Finance Director, Rodney Due, Public Works Director and Bob Gillie, Building and Zoning Director.

**APPROVAL OF AGENDA**

Remove item 6) Approval of Special Event Application Crested Butte Arts Festival, August 1-3, 2014, Elk Avenue Closure from 1st St. to 6<sup>th</sup> St. off of the consent agenda and put before staff updates.

Remove 2014 sidewalk seating application from under the consent agenda and put under new business as item 5).

Remove item 5) Award of Town hall Roof Project Contract under new business.

Owen moved and Schmidt seconded to approve the agenda with the changes as stated above. A roll call vote was taken with all voting "Yes." **Motion Passed.**

**CONSENT AGENDA**

1) Approval of April 7, 2014 Minutes.

2) Resolution No. 4, Series 2014- A Resolution Approving the Lease Agreement with Gravity Groms LLC for 620 Second Street.

3) Resolution No. 5, Series 2014- A Resolution Approving the Lease Agreement with Gravity Groms LLC for the Big Mine Park Ice Rink.

4) Approval of Crystal Edmunds as Alternate on the Land and Preservation Board.

5) Approval of Special Event Application, Crested Butte Farmer's Market, June 8, 2014-October 12, 2014 on Sunday's from 10 a.m.-2 p.m., Elk Avenue Closure In-between 1<sup>st</sup> and 2<sup>nd</sup> St.

Owen moved and Mason seconded to approve the consent agenda.

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

**PUBLIC COMMENTS**

Brian Snyder, Co-Owner of Brick Oven and property owner of Elk discussed the benefit of heated sidewalks in the Town. Snyder stated that there is a lot of energy to move snow annually with diesel, etc... Snyder stated that he isn't sure of the lawsuits in regards to people breaking hips, etc... Snyder doesn't understand why property owners aren't putting in the heated

sidewalks. There is a cost to heating sidewalks and maybe there should be an incentive to property owners to put this infrastructure in. Snyder isn't sure how to put incentives out there, but would like to the town to investigate. Snyder will be heating his sidewalk and investigating his infrastructure. Snyder would love to be able to utilize his refrigeration as an option, but has a boiler as a back up. Snyder stated that the sidewalks haven't been done for years and won't be in the near future.

Councilman Schmidt asked how much the tubing will cost to put into the sidewalks. Snyder stated that he wasn't sure and still investigating.

6) Approval of Special Event Application Crested Butte Arts Festival, August 1-3, 2014, Elk Avenue Closure from 1st St. to 6<sup>th</sup> St.

Councilman Owen asked why other department heads had not commented or approved on the special event intake form. Clerk Jansen stated that many department heads are on vacation and even though I can't speak for them the event organizers for the Crested Butte Arts Festival did an amazing job in putting together the application and no concerns from the Clerk's office.

Owen moved and Michel seconded to approve the special event application Crested Butte Arts Festival, August 1-3, 2014.

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

#### **STAFF UPDATES**

Rodney Due-

- The demolition of the sidewalks has begun today and the project is going faster than expected and the Public Works Department is accommodating the establishment's needs. The establishments would like to be open for Memorial Day weekend. Councilman Ladoulis asked if all establishments have contacted and Due confirmed that they have numerous times, since last fall.

Lois Rozman-

- New Network Switches and Firewall system will be installed on Wednesday afternoon and will affect your access to e-mails.

Bob Gillie-

- There is an event at the community school about inattentive driving with a helicopter coming in.
- The building department is getting really busy.

Todd Crossett-

- Attorney John Belkin is out on a family emergency.
- CBMR is opening this weekend-Silver Queen only.
- Steve and Brad did a great job snowplowing snow out at the cemetery and they went above and beyond.
- Council needs to set up an Executive Session with Attorney Belkin when he returns.

Shelley Jansen-

- Special Event Liquor License was submitted on Friday, April 18 for Jingle's 9<sup>th</sup> B-day Party at True Value on Sunday, May 4, 2014. State requires a 10 day posting period for concerning comments. In the possible case of a concerning comment being submitted, I was hoping the Council would be willing to do an emergency meeting on Wednesday, April 30<sup>th</sup> at 6 p.m. Only if needed. This is due to our next council meeting being on Monday, May 5<sup>th</sup>.
- Fire Training for the events over 300 participants at the Big Mine Ice Arena will be on Wednesday, May 14<sup>th</sup> at 10:00 a.m. in meeting room Jr.
- Parks and Recreation has relocated to mtg. room Jr. and Old Parks and Recreation is now mtg. room Jr. Lauren and the Parks and Recreation team did a great job.
- There will be a Cemetery Committee mtg. on April 24<sup>th</sup> at 9:00 a.m. in mtg. room Jr.
- Lori, Admin from the Met Rec District contacted me today looking for Election Judges on May 6<sup>th</sup>. Lori stated that Bev Fitzpatrick is not available. Do any council members possibly know of some past Election Judges?
- The Crested Butte Clerk's office will be initiating a luncheon of fellow Clerk's in the Gunnison Valley in May.
- Kathy and I went to Lakewood for a free Liquor License training. We were able to meet face to face with the state agents that we work with on the phone or via e-mail. These individuals work at the Department of Revenue and give final approval on Liquor Licenses.
- I wanted to also give notice to the thank you letter from String of Pearls at the end of your e-packet. It was a proud moment being a part of such an amazing team that goes above and beyond in support of such a difficult moment in a couple's life.
- Updating the Goals for 2014 based upon your retreat and will have them by the next Council meeting.

## **PUBLIC HEARING**

1) Consideration for Approval of a New Private Tavern Liquor License at 512 2<sup>nd</sup> St., Irwin Backcountry Guides LLC, d/b/a Scarp Ridge Lodge.

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

Mayor Huckstep opened the public hearing.

Mayor Huckstep asked for public comment.

Kevin M. Coates from Dill and Dill, representative for Irwin Backcountry LLC was present. The private Tavern License gives Scarp Ridge Lodge the ability to sell alcohol to their guests. Erin Dalton will be the registered manager of the private tavern license and Kyra Martin as the overall Manager of Eleven.

Councilman Michel asked if Scarp Ridge Lodge is going to have marijuana smoking within the lodge.

Kevin M. Coates stated that is not in our plan to have public consumption of marijuana and Councilman Schmidt stated that it is against state regulation to sell alcohol and smoke marijuana. Councilman Schmidt also asked if the guests can bring in alcohol and that is also against the law.

Schmidt moved and Michel seconded to approve the new private tavern liquor license at 512 2<sup>nd</sup> St., Irwin Backcountry Guides LLC, d/b/a Scarp Ridge Lodge.  
A roll call vote was taken with all voting "Yes." **Motion Passed.**

## **NEW BUSINESS**

1) Discussion and Possible Action Regarding the Sale of Unit No. 1, Red Lady Estates Condominiums, Town of Crested Butte.

Matuszewicz moved and Schmidt seconded to direct staff to move forward with a contract for the sale of Unit 6, Red Lady Estates Condominiums as an ordinance.  
A roll call vote was taken with all voting "Yes." **Motion Passed.**

2) Gunnison/Crested Butte Tourism Association Update, Pamela Loughman, Director.  
Pamela Loughman, Director of the Gunnison/Crested Butte Tourism Association presented and discussed the Familiarization Program with Germany that Councilman Michel attended. Councilman Michel stated that there have been various articles and the German's were interested in the retail marijuana. Councilman Michel stated not to consume, but discussing how visionary the community is to allow such a progressive movement.

Loughman stated that the State Colorado Tourism Association only gives the municipality 6 weeks notice of a Familiarization Program that will be visiting the area, France currently is here in Gunnison. Loughman stated that there is a monthly newsletter called, 'What is Tourism' and this helps us tell how the Tourism Association is performing. Loughman stated that the Tourism Association asked the lodging partners to look at last year and what are the open gaps for this next year. The Tourism Association is finding that we are trending very well for 2014. Loughman stated that Jeff Moffat representative with the Community Flights program is looking at this performance to analyze the data. Loughman stated that the valley has more on the books than last year for summer tourists. Loughman stated that they look at occupancy and rates, if the occupancy is low and rates are high then a necessary adjustment can be made. The Tourism Association is picking up the cost for the analysis of the data, in order to make some shifts when there is a low point. Loughman stated that the analysis program is called DestiMetrics.

Councilman Ladoulis asked with this indicator can it be compared to other mountain communities and Loughman stated yes.

Mayor Huckstep asked if the VRBO's have an impact on this study and does that concern you. Loughman stated that the numbers are a sample set and do not include VRBO's.

Loughman stated that the Tourism Association is launching a new online travel agent with a commission of \$60,000 per year. Loughman stated that Jack Rabbit Tour Direct (Book Direct) will be hired by the Tourism Association to give our lodging partners the ability to post on the Tourism Association website where it is a direct relationship between the properties and the

consumer. Loughman stated that our bookings will double because of this site and it will help us to better serve the lodging partners, and campsites that have not had the resources to do an online booking. Loughman state that the program is free for the properties and easy for the consumer.

Loughman stated that on Wednesday at 9:00 a.m.-11:45 at the Lodge at Mt. Square at CBMR the Tourism Association will be presenting a Local Tourism Summit for locals to access local marketing tools. Loughman stated that the purpose is to work on how to best market our community and share the resources and Thursday morning will begin Registration for out of Town southwest Colorado Tourism Association guests with the addition of Utah at the Summit. Loughman stated that a welcome reception will be up at Butte 66 with a conversation of how the state is marketing. Loughman also stated that the Scenic Byway's will have a discussion and the cost is \$69 and the Tourism Association is offering a \$20 scholarship through Chamber Membership to make it affordable to our businesses in our community. Loughman stated that currently there are 65 attendees for the summit and on Thursday night they will be at the Pioneer Museum.

Councilman Schmidt asked if the Tourism Association is not supportive of Amendment 64. Loughman asked her board and staff what the policy would be moving forward in regards to marijuana establishments and the final outcome was to treat marijuana just like any another business. Loughman stated that there has been negative and positive feedback about the marijuana establishments.

Councilman Schmidt asked if the marijuana tourism is a possibility and Loughman stated that her board has not given her any direction to move forward on this topic.

Councilman Matuszewicz asked why the Tourism Association does not fund the USA Pro Cycling Challenge. Loughman stated that is was not in the Tourism Association budget to sponsor programs and that they are a marketing organization. Loughman continued by stating that the Tourism Association has been marketing the USA Pro Challenge for the last two months by putting out media blitz in Denver and Boulder about the summer schedule. Councilman Matuszewicz asked if the opening of CBMR over the weekend is a direct relation to the Tourism Association Summit. Loughman stated no.

Mayor Huckstep asked Loughman about the Cittaslow designation and how she felt about it. Loughman stated that it was a great presentation by the students, but feels like they have a long way to go.

Mayor Huckstep asked about the insert in the Colorado State Tourism Guide and Loughman stated that the feedback has been positive with a 100% increase in the same time last year and would like to continue the insert in the future.

3) Ordinance No. 4, Series 2014 – Amending Chapter 18, Article 6 to Prohibit Above-ground Tanks in Certain Defined Geographic Locations within Town.

Councilman Michel asked about the Nordic Center requesting to place one of these on the Nordic Center premise. Town Manager Crossett stated that there were fire district codes that did not allow and looking at locating into other options.

Matusewicz moved and Schmidt seconded to set ordinance No. 4, Series 2014 to a public hearing on May 5, 2014.

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

4) Setting a Date for Alpine Lumber Appeal of BOZAR Architectural Denial.

Schmidt moved and Matusewicz seconded to set Alpine Lumber Appeal of BOZAR Architectural Denial to May 19, 2014.

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

5) Consideration for Approval and Discussion in Regards to 2014 Sidewalk Seating.

Councilman Ladoulis stated that he will recuse himself for the approval of the Bacchanale 2014 Sidewalk Seating Application or for all of them, if the Council wishes. Council requested Councilman Ladoulis to recuse himself only when the Bacchanale's application was presented.

Councilman Mason recommended putting another bike rack on the south side of Elk from Secret Stash. Bob Gillie stated that our insurance carrier is not in favor of the bike racks. Mayor Huckstep stated that we could put a bike rack on the crosswalk in front of the post office. Council agreed.

Schmidt moved and Mason seconded approve the Talk of the Town, Brick Oven and Maxwell's contingent on an additional bike rack near Maxwell's.

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

Councilman Ladoulis recused himself from the room, due to his association with Bacchanale's application for 2014 Sidewalk Seating.

Schmidt moved and Matusewicz seconded to approve 2014 Sidewalk Seating Application with Sunflower and Bacchanale contingent on current insurance submitted to the Town before opening.

A roll call vote was taken with all, but Councilman Ladoulis (recused himself) voting "Yes." **Motion Passed.**

Councilman Ladoulis was asked to step back into Council Chambers.

Mason moved and Matusewicz seconded to approve 2014 Sidewalk Seating Application with Teocalli Tamale contingent upon receipt of current insurance prior to the July 1, 2014 expiration date.

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

Schmidt moved and Michel seconded to approve 2014 Sidewalk Seating Application with Secret Stash with the stipulation that they are only to use 10 feet of space west of the Secret Stash entrance, due to the congestion and the east side of the entrance is the same as last year. A roll call vote was taken with all voting "Yes." **Motion Passed.**

### **LEGAL MATTERS**

Councilman Mason stated that last Friday there were people on 1<sup>st</sup> and Gothic that had there basements flooded. Councilman Mason asked what the response from the Town is. Town Manager Crossett stated that he will get back to the Council on the status of the issue.

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

Mason-

- Discussed with Dan Marshall from the Chamber of how best to navigate the questions with our Tourists about Marijuana and how best to educate them. Clerk Jansen stated that the Clerks office created a Q & A that is on the Town Website and will post a flyer at the posting locations. Council requested to add a map of the marijuana establishment.
- Councilman Mason stated that capacity was down 19%, but at the same time the RTA did not purchase as much and will receive a refund of \$400,000. All the programs did well and currently we have a 33% summer capacity already. Councilman Michel asked if the \$400,000 can be added to the leverage for next year. Councilman Mason stated that there will be a portion of the funds put into reserve to expand the RTA bus service that will be increased in the winter and summer program.

Michel-

- The Mt. Express meeting has been cancelled.
- Carolyn Riggs approached Councilman Michel to see if the Crested Butte Council would like to have a gathering with the City of Gunnison Council. Council was in favor of such a gathering. Brian Wickenhauser offered the ranch down in Gunnison as an area to do a BBQ with government officials. Councilman Schmidt agreed that the gathering would be beneficial.

Huckstep-

- Health Equity Luncheon on May 8<sup>th</sup> at Western.
- Airport emergency exercise next Wednesday down in Gunnison.
- CIRSA general membership information on June 18<sup>th</sup> in Grand Junction.
- May 30<sup>th</sup> there is a Colorado Energy Forum from 10 a.m. to noon.
- Senator Udall and the United States secretary of energy will be presenting tomorrow afternoon at 4 p.m.
- The county is having a ground breaking event for the County Court house.
- Hartman Rocks power line trail is open today.
- There is information in the CML newsletter about a recent election in April that is good to look at, with what we have going on.
- BOZAR project of the year.
- Pole, Peddle and Paddle is on Sunday.

Ladoulis-

- Chamber Board meets tomorrow morning to approve the new officers with a request from the Tourism Association about a member having a seat on the Chamber Board. The County Commissioners would like to open the discussion of the Tourism Association funding and how better to make those organizations work together. Councilman Michel stated that Lori Wiseman created a document defending the reason for not having a Tourism Association member on the Chamber board. Councilman Ladoulis stated that the discussion will be around the funding and how they can best work together.

Schmidt-

- It is very slow out in Town.

Owen-

- Officials from Chaffee County have approached Karl Fulmer and they interested in organizing there own housing authority. Karl met with the group this week to discuss the logistics of creating such an organization. There was a luncheon with Paula Swanson and others from the community.

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

Executive Session on Wednesday, May 7<sup>th</sup> at 6 p.m. for about 2 hours.

Demolition of sidewalks and a request to have the Town have incentives to install heating. Councilman Mason asked if there is research supporting the stats with heating sidewalk vs. not heating. Councilman Mason stated that we have an environmental action plan and would like to see more information on the subject. Mayor Huckstep asked if we want to create an incentive for the Town to install heating sidewalks. Councilman Michel stated that installing the tubing while the sidewalks are demolished is a cheaper option. Town Manager stated if the tubing is not put in properly it can create costs down the road. Councilman Mason stated that it would be helpful for a cost per square foot. Council requested Town Manager to find out the square footage of the cost. Council discussed it would be favorable to just to install the tubing, but not hook it up. Councilman Michel stated that the Town does count it as a tap fee with an additional cost. Town Manager stated that the Council could waiver a tap fee.

Council directed staff to figure out the general costs, contact the owners to figure out if they would like to install at there cost and is there are any fees (tap, etc..) associated with installing the tubing without a use.

Councilman Ladoulis requested a discussion about winter safety issues with the sidewalks before the snow falls to discuss sidewalk issues.

Parks and Recreation will be doing community public meetings in June to gather a sense of where the community is in installing a tax.

Affordable Housing Mitigation Rate discussion on if the council wants to see the calculation revised. Councilman Schmidt asked when the jump is in the Affordable Housing Fee and how much does it mean to someone building a project this summer after July 1<sup>st</sup>. Councilman Schmidt asked to be kept up to date on the change.

**DISCUSSION TO SCHEDULE FUTURE WORK SESSION TOPICS**

Councilman Ladoulis stated that since we voted on a former public establishment turning it into a private establishment, what does the council think about this momentum possibly being on Elk Avenue? Councilman Ladoulis stated that it is worth a conversation. Councilman Schmidt asked Mayor Huckstep to ask at a CAST meeting what the status is in other communities. Mayor Huckstep stated that there are other- member only establishments in our community and it should be further discussed at a work session.

**COUNCIL MEETING SCHEDULE**

Monday, May 5, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, May 19, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, May 19, 2014-6 p.m. Work Session-7 p.m. Regular Council  
Monday, June 2, 2014-6 p.m. Work Session-7 p.m. Regular Council

Mayor Huckstep adjourned the meeting at 9:16 p.m.

  
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Aaron J. Huckstep, Mayor

  
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Shelley Jansen, Town Clerk

