

**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Minutes**  
**Monday, April 1, 2013**  
**Council Chambers, Crested Butte Town Hall**

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

Council members present: Roland Mason (arrived at 7:15 p.m.), David K. Owen, Glenn Michel, John Wirsing, and Jim Schmidt.

Staff present: Bob Gillie, Acting Town Manager/Building and Zoning Director; Norman Wright as the temporary Town Attorney, and Shelley Jansen, Town Clerk.

Staff present for part of the meeting: Lois Rozman, Finance Director; Tom Martin, Marshall; John Hess, Director of Planning and Community Development and Jake Jones, Parks and Recreation Director.

**APPROVAL OF AGENDA**

Request was made to add 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), after other business that comes before the council.

Request was made to remove item 4) under new business-discussion and possible action regarding retail marijuana sales/amendment 64 and place it on the April 15, 2013 agenda.

Michel moved and Owen seconded to approve the agenda as amended above.

A roll call vote was taken with all, but Mason as he arrived after the vote, voted "Yes." **Motion passed.**

**CONSENT AGENDA**

- 1) Approval of Minutes, March 18, 2013.
- 2) Approval of Minutes, March 21, 2013, Special Meeting.
- 3) Approval of Minutes, March 25, 2013, Special Meeting.
- 4) Earth Day Proclamation.
- 5) Special Event Application, AWEfest-June 30-August 25<sup>th</sup>-8 Sundays.
- 6) Revocable License Agreement for Use of a Portion of the Maroon Avenue Right of Way Adjacent to that Property Commonly Known as "128 Maroon Avenue," Block 20, Tract 1, Lypps Subdivision, Minor Subdivision Plat of Tract A of the Savoren Subdivision.
- 7) Revocable License Agreement for Use of a Portion of the Maroon Avenue Right of Way Adjacent to that Property Commonly Known as "120 Maroon Avenue," Block 20, Lots 6-7.
- 8) Revocable License Agreement for Use of a Portion of the Sopris Avenue Right of Way Adjacent to that Property Commonly Known as "120 Sopris Avenue," Block 32, Lot 7 and the South 20 feet of the North 45 feet of the West three feet of Lot 6.

Schmidt moved and Owen seconded to approve the consent agenda.

A roll call vote was taken with all, but Mason as he arrived after the vote, voted "Yes." **Motion passed.**

## **PUBLIC COMMENTS**

None

## **STAFF UPDATES**

Hess-

- Snotell Report is a National Resource stated that we are at 50-60% of an average year of water content.
- Wes Brewer unit in affordable housing is under another contract.

Jones-

- Thanks for the well wishes with Sarah.
- Currently we have three special events for Big Mine Ice Arena this summer over 299 participants. The approval of the forms for the increase in participants will be done at the April 15<sup>th</sup> meeting.
- Trail signage with the Land Trust and the Mt. Bike Association are looking at durable, unique, memorable and cost effective options with just having names and arrows.

Martin-

- Training exercise was a success. Martin was impressed by the volunteer turned out for our community. Gillie stated that Mike Riley did a great job setting up the exercise.
- Meeting with CBMR about the Colorado College ski weekend on April 5<sup>th</sup> and 6<sup>th</sup>. There will be about 600 college students staying at CBMR.
- Federal and State representatives are beginning to meet about the summer drought/fire situation.

Rozman-

- February sales tax is up by 4% and up by 8% year to date.
- Annual audit is complete.
- Colorado Public Health Department audit on Monday.
- Insurance carrier audit on Thursday.

Due-

- In the Crested Butte News a letter to the editor was submitted about the quality of our water. The Town will be writing a letter to the editor as a response to the facts about the quality of the Town's water.
- Presentation on the wastewater pretreatment program will be during a work session at the 15<sup>th</sup> Council meeting.

Gillie-

- Hess submitted his resignation letter as of May 20<sup>th</sup> and May 17<sup>th</sup> will be his going away party.
- Jessie and Lauren are working on the Town Cleanup for May 18<sup>th</sup>.
- Next week there will be a meeting with the state about the Depot project. The project is going slower than expected.
- Ariel survey will be on the last week in May.

## **PUBLIC HEARINGS**

1) Ordinance No. 7, Series 2013- An Ordinance Amending the Town of Crested Butte's Land Transfer Excise Tax Contained in Section 4-4-10 Et. Seq. of the Crested Butte Municipal Code in Order to Make Foreclosure Sales Transfers and Transfers by Deeds in Lieu of Foreclosure Subject to the Tax Except where Otherwise Exempted therefrom and Making other Non Tax Policy Amendments to the Tax.

Mayor Huckstep opened the public hearing.

No public comments.

Discussion ensued about the ordinance and intentions amongst the Council.

Mayor Huckstep recommended changing the RETT Committee to Task Force in the ordinance.

Mayor Huckstep closed the public hearing.

Schmidt moved and Wirsing seconded to approve Ordinance No. 7, Series 2013 with changing RETT Committee to Task Force within the ordinance.

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

2) Ordinance No. 8, Series 2013-An Ordinance Amending Chapter 16, Article 16 of the Crested Butte Municipal Code to Amend the Requirements for Making Payments in Lieu of Parking.

Mayor Huckstep opened the public hearing.

No public comments.

Mayor Huckstep closed the public hearing.

Owen moved and Wirsing seconded to approve Ordinance No. 8, 2013.

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

3) Ordinance No. 9, Series 2013- An Ordinance Amending Chapter 16, Article 11 of the Crested Butte Municipal Code to Adopt New Floodplain Management Regulations that Adhere to the Minimum Standards of Both the National Flood Insurance Program (NFIP) and the State of Colorado.

Mayor Huckstep opened the public hearing.

No public comments.

Mayor Huckstep closed the public hearing.

Schmidt moved and Mason seconded to approve Ordinance No. 9, Series 2013 with the intention of changing the typo in the word standards.

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

4) Ordinance No. 6, Series 2013-An Ordinance Amending Chapter 16, Article 21 and Appendix A, Chapter 16 of the Crested Butte Municipal Code to Update the Payment-In-Lieu of Providing Resident Occupied Affordable Housing.

Mayor Huckstep opened the public hearing.  
No public comments.  
Mayor Huckstep closed the public hearing.

Michel moved and Schmidt seconded to approve Ordinance No. 6, Series 2013.  
A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

5) Approval of the Amendments to Crested Butte Resident-Occupied Affordable Housing Administrative Procedures dated June 4, 2012.

Mayor Huckstep opened the public hearing.  
No public comments.  
Mayor Huckstep closed the public hearing.

Hess explained the administrative procedures were updated with 2012 statistics and that they were calculated with a three year average.  
Schmidt asked how this will be updated in the future. Hess described that fees will be updated by a resolution and attached to the budget.

Schmidt moved and Owen seconded to approve the amendments to Crested Butte Resident-Occupied Affordable Housing Administrative Procedures dated June 4, 2013.  
A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

## **NEW BUSINESS**

1) Appointment of a New Member to the Board of Zoning and Architectural Review.  
Crockett Farnell has submitted an application for the Board of Zoning and Architectural Review  
Mayor Huckstep stated that he looks forward to working with Crockett and appreciates his volunteer service.

Schmidt moved and Michel seconded to appoint Crockett Farnell as a new member to the Board of Zoning and Architectural Review Board for a 3 year appointment.  
A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

2) Discussion of Real Estate Transfer Tax Fund Balance and Commitments.  
Rozman stated that the Town needs to complete phase III of the Kochevar purchase.

Michel asked Rozman if the Town could pay over a 10 year process. Rozman stated that one Council could not bind another Council and would recommend receiving legal advice before committing to a 10 year payout. Rozman stated that any pledge will have a TABOR implication. The actual documents with the Trust For Public Lands have a completion date of 2015, if not earlier, but all documents had the appropriate TABOR language.

Mayor Huckstep asked Rozman about the fund balance and the policy. Rozman stated that the Town sets aside \$100,000 as a liability escrow. Rozman recommended setting aside every year at least \$20,000 to add to the fund. The current fund was built up over the past 5 years.

### 3) Discussion and Possible Action on Parks and Recreation Vehicle Change.

Jones stated that Parks and Recreation requests \$5,300 to acquire a new 4WD vehicle and stated that the funds will come from the general fund balance. With the \$2,400 revenue from the sale of equipment it nets the total amount to \$2,900 from the reserve.

Michel asked why at the fall 2012 budget meeting the request was only for a 2WD vehicle, the Council specifically asked why not a 4 wheel vehicle, why the change? Jones stated that the original logic behind buying a 2 wheel vehicle was flawed. Jones stated that the orange 1982 trucks will be phased out. The Town needs to update the year around fleet.

Wirsing asked if the Town has looked into a used vehicle. Schmidt stated that the Town has had good luck in the past with used vehicles and asked about the potential of purchasing used vehicles. Jones stated that the municipal deal washes out the used vehicle pricing.

Michel asked if staff is okay with this allocation. Gillie stated that we do need to anticipate these needs in the budget process, but confirmed the need for a 4WD vehicle.

Owen moved and Mason seconded to approve taking \$5,300 out of the general fund reserve for a new 4WD vehicle.

A roll call vote was taken with Mason, Owen, Huckstep, Wirsing, Michel voting "Yes" and Schmidt voting no. **Motion passed.**

### **OLD BUSINESS**

#### 1) Discussion of On-Site Town Manager Interview Process.

Mayor Huckstep announced the finalists for the Town Manager: Jones, Truex, Crossett and Wright.

Discussion ensued about the schedule for on-site interviews and needs.

The Human Resource Committee will design clearly defined areas for receiving efficient feedback from the public, staff and council. The Human Resource Committee will also present the Council with a draft of questions by the end of the week.

Mayor Huckstep asked the Council to be flexible with the on-site visit.

Rozman stated that the Sr. Staff will have a set script of questions to ask the candidates.

The Council requested to look at the Human Resource Committee's draft of the response form from the public at the April 8<sup>th</sup> meeting.

### **LEGAL MATTERS**

None.

## COUNCIL REPORTS AND COMMITTEE UPDATES

### Owen-

- March 27<sup>th</sup> the Housing Foundation met to discuss the donation of land with a trade from the forest service.
- The Thompson Divide Coalition represents a broad-based coalition of local governments, ranchers, sportsmen and recreationalists that support permanent protections for federal lands including Thompson Creek and Four Mile Creek watersheds, as well as portions of Coal Basin, and the headwaters of the East Divide Creek.

### Wirsing-

- At the Chamber meeting Rachel Gardner talked about Restaurant week-Taste of the Butte-June 19-22, 2013, Wednesday-Saturday. It will be fresh, new and exciting.
- Iron Orchid will be doing Bike Week and 4<sup>th</sup> of July. Chamber is adopting new bylaws and financials are good with the Chamber.
- Wirsing along with others did a tour of the expansion of the two lifts out by Brush Creek. Intermediate skiing was the focus.

### Michel-

- Joint Bozar and Council meeting and we discussed music and bike racks on Elk avenue. Bozar recommends lowering decibels to 60 and experiment with the bike racks on parking areas to decrease the cluster on the sidewalks. Bozar also discussed the benches and decided that they are a nice amenity on Elk Avenue.

### Schmidt-

- Land Preservation Board met and presented four projects of support by 2014.
  1. Vogel Ranch on the North Fork received \$60,000 in funds for a parcel.
  2. Colorado Open Lands are buying-Forest Halo, near the Snodgrass trailhead for approximately \$13,000.
  3. The Whinnery parcel-160 acres for \$50,000
  4. Slate River parcel for \$125,000.
- Thompson Divide Coalition meeting with Senator Bennet asked that the land be withdrawn from the ability for future leasing. Specifically oil and gas leases.
- Piece of property on Smith Hill road has exchanged hands.

### Huckstep

- Received an e-mail from the Rotary and Shelley will work on a solution.
- Western is changing a new logo. [www.western.edu/elevate](http://www.western.edu/elevate)
- Gunnison County Community Development Department will be having an open house on May 1, 2013 from 4:40 p.m.-6:30 p.m.
- Met with Matthew Kuehlhorn, Director of GCSAPP to talk with the Council about Amendment 64.
- RMBL vision meeting.
- RTA meeting on Friday with CBMR flight funding.
- Gunnison Housing Authority meeting at 3 pm on Wednesday in Crested Butte.
- The Grand Traverse was on Friday and it had 170 teams.
- Next weekend is the last weekend of skiing and the Roost the Butte snowmobile event.

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

Mayor Huckstep stated that he received an e-mail about a solar power campaign of support. Council asked the staff to do research on the topic.

Gillie stated that Scott Wallis is here and is considering doing a food cart this summer and is requesting to increase the code cart to 24 square feet requirement for health and food handling safety standards. Gillie asked if Council would object to making this change. No objection from the Council.

## **DISCUSSION TO SCHEDULE FUTURE WORK SESSION TOPICS**

Request was made about the funding for Parks and Recreation. Gillie stated that with Hess's retirement and the Town Manager search he has been trying to take care of those issues, first. Then it will free up time with Lois and Jake to drill into the issue.

## **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).

Schmidt moved and Wirsing seconded for an executive session.  
A roll call vote was taken with all voting "Yes." **Motion passed unanimously.**

Council went into Executive Session at 9:30 p.m. and ended at 10:44 p.m. Mason, Owen, Huckstep, Wirsing, Michel, Schmidt, Gillie, and Norman Wright were present and no action was taken.

## **COUNCIL MEETING SCHEDULE**

- Monday, April 8, 2013-Special Meeting-7 p.m. Public Hearing-Ordinance No. 4, Series 2013.
- Monday, April 15, 2013-6 p.m. Work Session-7 p.m. Regular Council.

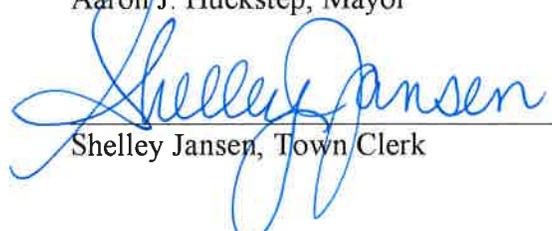
## **MANAGER SEARCH SCHEDULE**

- Tuesday, April 2-6, 2013-Final Interviews and Community Meet
- Monday, April 15, 2013-Set a Date for an Offer to the Top Candidate

## **ADJOURNMENT**

Mayor Huckstep adjourned the meeting at 10:45 p.m.

  
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Aaron J. Huckstep, Mayor

  
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Shelley Jansen, Town Clerk

