

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, December 18, 2017**  
**Council Chambers, Crested Butte Town Hall**

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

Council members present: Will Dujardin, Kent Cowherd, Chris Haver, Laura Mitchell, and Paul Merck

Staff Present: Town Attorney John Sullivan and Community Development Director Michael Yerman

Acting Town Manager/Finance Director Lois Rozman, Town Clerk Lynelle Stanford, Chief Marshal Mike Reily, and Parks and Recreation Director Janna Hansen (for part of the meeting)

**EXECUTIVE SESSION**

Petito read the reason for the 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) on Brush Creek.

Cowherd moved and Mitchell seconded a motion to go into Executive Session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 6:05PM. The Council returned to open meeting at 7:05PM. Mayor Petito made the required announcement before returning to open meeting.

**APPROVAL OF AGENDA**

Mitchell moved and Merck seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes," except for Haver, who was not present for the vote. **Motion passed unanimously.**

**CONSENT AGENDA**

- 1) December 4, 2017 Regular Town Council Meeting Minutes.**
- 2) Professional Services Agreement with Western State for Energy Action Plan Update.**
- 3) Approval of the Services Agreement with the Crested Butte/Mt. Crested Butte Chamber of Commerce.**

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

### **PROCLAMATION EXPRESSING APPRECIATION FOR LOIS ROZMAN**

December 29, 2017, Lois Rozman Day, was determined to be a day of appreciation for Rozman. Petito read the proclamation. Rozman expressed appreciation for the years of serving.

### **PUBLIC COMMENT**

None

### **STAFF UPDATES**

Lynelle Stanford

- Received an application for the transfer of Soupcon's liquor license.
- 411 ballots had been received.

Mike Reily

- Due to the lack of snow, they had not had to tow, and currently they had the standard workload.
- Attended a meeting with CBMR, the Mt. Crested Butte Police Department, and Mountain Express to discuss scheduling for groups.

Janna Hansen

- The Big Mine Ice Arena opened today.
- Hockey would begin the week of January 8<sup>th</sup>.
- Adult dodge ball, gymnastics, and ice skating would also be starting.

Michael Yerman

- Town was awarded the Youth Corp grant from GOCO.
- Two upcoming Brush Creek meetings had been turned into work sessions.
- Bids were due for the duplex build on December 20<sup>th</sup>.
- He reminded the Council of the retreat at 9:30AM on the 21<sup>st</sup>.

Lois Rozman

- Rozman's successor, Rob Zillioux, had been coming in half days. He would be in the office full time the end of next week.

### **PUBLIC HEARING**

**1) Ordinance No. 37, Series 2017 - An Ordinance of the Crested Butte Town Council Adopting Changes and Additions to the 2017 Budget and Appropriations Relative to the Sales Tax Fund and Affordable Housing Fund.**

Petito read the title of the ordinance, and he confirmed proper public notice had been given. Rozman pointed out the change from what was presented at the last meeting of \$20K added to the Town's school build project. Petito opened the meeting to public comment. No one was present who wanted to comment. There was no further Council discussion.

Mitchell moved and Merck seconded a motion to approve Ordinance No. 37, Series 2017 with the amendment of the \$20,000 to the school build. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **NEW BUSINESS**

#### **1) Resolution No. 73, Series 2017 - A Resolution of the Crested Butte Town Council Approving the Purchase of Real Property from Crested Butte Limited Partnership A/K/A Trappers Crossing, Ltd.**

Yerman explained the history of the resolution, the background of avalanche control on the property, and the ownership of the property. He described the location of the property. There would be conditions imposed, as part of the sale, as a conservation covenant that would go through BOZAR. Dujardin questioned condition number ten, listed in the staff report, related to enforcement. Hansen reviewed the concerns of the property owners and signage that had been installed.

Merck moved and Dujardin seconded a motion to pass Resolution No. 73, Series 2017. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

#### **2) Letter to Gatesco Regarding Brush Creek Development in Response to the November 30 Council Work Session.**

Yerman handed out a draft letter that reflected thoughts heard from Cowherd, Merck, and other comments from the public.

Mitchell stated that dedicated guest and visitor parking were important. Cowherd reviewed changes he had suggested, including what Mitchell agreed was important. Haver listed what he thought the main focuses were: density, utilities, the housing need, and compatibility. Dujardin wanted to clarify the housing needs section. Haver said they should include both 50% and 80% AMI, and Dujardin agreed.

Next, Merck mentioned the section on utilities, and Haver brought up the section on compatibility. Haver stated his concerns on density, and he elaborated they were hoping to bring down the size closer to the LUR. Then, Haver drew the Council's attention to the section on parking and transit. They would need to push for parking areas down the road at some point, and they needed to focus on having proper transit parking in that area. There should be a public transit component. The Council specified the wording of providing dedicated parking for the transit center or community center. It was recognized that the need would be identified through a traffic study. Haver read from the section

entitled, Fiscal and Facilities Impacts. The discussion returned to utilities, and no one saw the need to add anything.

Dujardin moved and Haver seconded a motion to authorize Jackson to sign the letter to Gatesco with amendments. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **LEGAL MATTERS**

Sam Light from CIRSA would be at the next meeting on January 8<sup>th</sup>.

Sullivan participated in a phone call with CIRSA counsel regarding the ADU lawsuit. Court ordered mediation had been scheduled for January 11<sup>th</sup>. The Town had won every claim. There was one pending claim, and it was difficult to quantify damages. The property owners were facing fines of \$100 per day for about a year. It would be discussed during mediation. Green would provide an update after mediation.

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

Paul Merck

- Went to the kick-off of the Sustainable Tourism and Outdoor Recreation Committee. They did a roundtable welcome and then a second round to discuss concerns. He identified concerns of Crested Butte were data collection and damage that was being done.

Laura Mitchell

- Attended Tourism Association meeting last week. There were situations of homeless people staying at Hartman's.
- November was up in website traffic.
- United picked up Air Wisconsin.
- They talked about bathrooms within the BLM.
- Also, she attended the Chamber meeting.

Jackson Petito

- Attended roundtable with Kerry Donovan and Conservation Colorado on proposed legislation on hard rock mining that would not allow self-bonding.

Chris Haver

- Attended RTA meeting. Western would advertise on one of the busses with the objective to help build the college.
- RTA decided to hire a consulting firm for pay analysis for the Executive Director position. They were also starting to come up long term plans.
- They were short of a quorum at the Gunnison Valley Housing Authority meeting. They talked about records policies and adding an advisory group.

Kent Cowherd

- Attended Brush Creek meetings.
- Praised Bob Nevins for his representation of the Town.
- Topics of the meeting were transportation and water.
- There was discussion on the Deli Trail and traveling in the winter.
- They talked about getting water from Meridian Lake.

Will Dujardin

- Would be attending the Mountain Express meeting tomorrow.

**OTHER BUSINESS TO COME BEFORE THE COUNCIL**

Mitchell suggested starting the meetings at 6PM and the work sessions at 5PM because of the late hours. Haver preferred 6PM.

Petito questioned the timing of the swearing in of the new Mayor, which Stanford explained.

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

- Monday, January 8, 2018 - 6:00PM Work Session - 7:00PM Special Council
- Monday, January 22, 2018 - 6:00PM Work Session - 7:00PM Special Council
- Monday, February 5, 2018 - 6:00PM Work Session - 7:00PM Regular Council

The Council was reminded the work session would start at 5PM on January 8<sup>th</sup>.

**ADJOURNMENT**

Mayor Petito adjourned the meeting at 8:15PM.



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Jackson Petito, Mayor



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Lynelle Stanford, Town Clerk (SEAL)

