

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Tuesday, February 20, 2018
Council Chambers, Crested Butte Town Hall

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

Council Members Present: Will Dujardin, Kent Cowherd, Chris Haver, Jackson Petito, and Laura Mitchell

Staff Present: Acting Town Manager Michael Yerman, Parks and Recreation Director Janna Hansen, and Town Attorney John Sullivan

Town Clerk Lynelle Stanford (for part of the meeting)

APPROVAL OF AGENDA

Petito moved and Dujardin seconded a motion to approve the agenda as printed. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

- 1) February 5, 2018 Regular Town Council Meeting Minutes.**
- 2) Creative District Commissioner Appointment to a Three-Year Term.**
- 3) Letter of Support for the Crested Butte Land Trust's Grant Application for the Gunsight Bridge Replacement to the Upper Gunnison River Water Conservancy District.**
- 4) Resolution No. 3, Series 2018 - A Resolution of the Crested Butte Town Council Authorizing the Town Manager to Sign a Service Agreement with the Colorado State Forest Service Gunnison Field Office for Community Forestry Assistance.**
- 5) Revocable Easement and Parking Agreement between the Town and Oh Be Joyful Church Located at 625 Maroon Avenue.**
- 6) Letter of Support for the Crested Butte Land Trust's Grant Application for the Gunsight Bridge Replacement to the Laura Jane Musser Fund.**

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

PUBLIC COMMENT

Jim Starr - 323 Gothic

- Recognized the Town and Town Staff for the incredible job with affordable housing.
- He listed figures that would turn things upside down. Town was not coming close to meeting the need for affordable housing identified for the next two years.
- He hoped they could come up with a list of qualified people for affordable housing.
- 25% of Town comprised of affordable housing was good for community, but they could do better.
- He said they needed to take a look at Anthracite Place. He pointed out the parking at Anthracite Place was not fully utilized.
- He urged them to work towards higher densities and changing the zoning.

STAFF UPDATES

Schmidt referred to comments provided by Staff, sent in a separate email, from MacDonald. He asked if anyone had questions. He stated they could do the same with Council reports in the future. The Council would further discuss under Other Business.

PUBLIC HEARING

1) Ordinance No. 2, Series 2018 - An Ordinance of the Crested Butte Town Council Authorizing the Release of Land Use Conditions and Restrictive Covenants.

Yerman explained the reasoning behind the ordinance. A new restrictive covenant was being placed on the property, based on the use approved by BOZAR. Schmidt confirmed proper public notice had been given. There was no one present who wanted to comment. There was no discussion amongst the Council.

Mitchell moved and Petito seconded a motion to approve Ordinance No. 2, Series 2018. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

1) Presentation of Awards for the BOZAR on the Project of the Year.

Yerman informed the Council that they were making an effort to recognize great projects that had gone through BOZAR. Jessie Earley reviewed the awards and winners, described the projects, and she showed slides depicting the projects. Schmidt presented award certificates to those in attendance at the meeting.

2) Year-End Report from the Chamber Director, Ashley Upchurch.

Schmidt questioned how the Mardi Gras parade went, since the Council was in a joint work session. Upchurch described how they would change communication in future years.

Upchurch reviewed the numbers of visitors at both visitor centers. She stated they extended summer hours, and they would do it again next summer. She explained what the Chamber was doing to support businesses. Then, Upchurch provided a financial report, and she broke down notable expense changes, related to staff meetings and postage. She reported on details around events put on by the Chamber.

Schmidt questioned people's excitement with Bike Week. Upchurch stated they had been meeting regularly with other entities, and they wanted to make Bike Week what it used to be and could be. The discussion turned to the new Transit Center. Upchurch thought it was working.

3) Agreement with GVRHA for Funding and Oversight on the Duplex Build.

Yerman explained the agreement set forth expectations moving forward with the project. He explained the terms of the agreement and income qualifications for the units. Yerman reviewed the reasons that Staff recommended approval and motions that were proposed in the staff report. Executive Director of GVRHA, Jennifer Kermode, added that the Housing Authority Board approved the agreement. Willa Williford, a workforce housing consultant, introduced herself and explained how the title work related to the financing for the land.

The Council determined it would be best for the Town to own the whole duplex, and no one disagreed.

Mitchell moved and Haver seconded a motion to authorize the Town Manager and Town Attorney to prepare a purchase contract for a duplex located at Lot 10 Block 79 of the Paradise Park Subdivision. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Mitchell moved and Petito seconded a motion to approve the contract to Buy, Sell, and Develop Real Estate for Housing with the Gunnison Valley Regional Housing Authority. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

4) Ordinance No. 3, Series 2018 - An Ordinance of the Crested Butte Town Council Authorizing the Conveyance of Town-Owned Property in Paradise Park Subdivision, Town of Crested Butte, County of Gunnison, State Of Colorado to Gunnison Valley Regional Housing Association.

Schmidt read the title of the ordinance. Yerman identified a correction, Lot 11 should be Lot 16, within the body of the ordinance.

Mitchell moved and Haver seconded a motion to set Ordinance No. 3, Series 2018 for the transfer of Lot 10 Block 77 and Lots 6, 14, and 16 Block 79 to the Gunnison Valley Regional Housing Authority to a public hearing on March 19, 2018. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

5) Discussion and Possible Approval for Proceeding with a Letter to the Gunnison County Planning Commission on the Scarp Ridge LLC Irwin Helipad.

Yerman updated the Council that the helipad did fall into the area within the Town's watershed, contrary to what was written in the staff report. He did not recommend that the Council send a letter ahead of a potential application for a watershed permit because it would affect how they sat as a quasi-judicial board. He thought they should protect their ability to hear such an application. Sullivan stated that a future expansion would trigger a watershed application. Yerman concurred that if the application were updated, there could be items to trigger a staff review and full-fledged permit. Yerman specified that fuel tanks, disturbance to ground, and cutting a number of trees, could all trigger Town's review. Staff advised they were venturing out of the Three Mile area. Sullivan confirmed the Council could conceivably be in a position to adjudicate something related to this matter in the future.

Schmidt opened the meeting to public comment.

Skip Berkshire - 29 Butte Ave

- It was about environmental stewardship and quality of life.
- He was struck by the values on the agenda. No fewer than three values were directly impacted by the proposal. The values warranted their comments on behalf of the citizens.
- A no comment position was unacceptable.

John Ellis - 122B Sopris

- It was a proposal to bring the first helicopter tourism into this valley.
- It would set a precedent to permit it.
- He cited wildlife found in the area and possible effects on them.
- He hoped Council weighed-in.

Sue Navy - 324 Gothic

- She was representing HCCA, and she would add personal comments.
- Navy read comments that had been provided by Matt Reed. HCCA requested that the Planning Department deny the application.
- Navy explained her concerns, including the risk to wildlife.
- She thought it would change the valley irreparably.

Jim Starr - 323 Gothic

- Suggested the Council send a letter that relayed what they were hearing from the public and the letter should clearly state the Council couldn't weigh in because of their potential quasi-judicial position in the future.
- It was certainly in the watershed.
- A disaster could cause fuel to taint the watershed.
- He recognized the avalanche danger caused by helicopters.

Harvey Castro - 712½ Maroon

- He referenced copies of letters sent by Silent Tracks and John Hess.
- Helicopter noise did not have boundaries.
- He mentioned impacts to herons.
- The presentation by Eleven was an abomination in order to get their feet in the door.

Maureen Hall - 446 Journeys End Road

- She wanted to be sure the Council received the letter from Silent Tracks.

Schmidt polled the audience. Most people in the audience raised their hands in opposition. No one raised a hand in favor. Petito questioned Sullivan on Starr's suggestion of sending a letter conveying what they heard from the public. Sullivan did not disagree. Schmidt recognized it was hard to know what the yet to be filed application might be. He recalled helicopter crashes in the past, and he acknowledged it was an echo chamber at Lake Irwin. Personally he felt it shouldn't happen. There were other modes of transportation to the site. Schmidt agreed the Council should write a letter. Petito agreed with presenting a letter that included the public comment, the poll, and other letters that were received. Haver affirmed Town would be bringing comments to help them in their process. Cowherd correlated the discussion with the Council's values. He wanted to respect the County's review process. Schmidt stated the County was asking for comment. Schmidt and Petito agreed to review the letter before it was sent because the deadline fell before the next Council meeting.

Petito moved and Mitchell seconded a motion to direct Staff to write a comment letter to the Planning Commission noting the public input including an informal poll and any letters or emails that came in prior to the meeting. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

6) Discussion and Possible Action on the Creation of the Slate River Working Group and Possible Funding Request to the Upper Gunnison River Water Conservancy District.

Open Space-Creative District Coordinator Hilary Henry and Hedda Peterson from the Land Trust were present. Henry explained they were considering co-convening a working group with the Crested Butte Land Trust to address management issues on the Slate River. Peterson reviewed purposes of the Land Trust, including work they had done. She thought they needed to amend management strategies with the involvement of uses of the Slate River. They felt there was a strong need to convene several stakeholders to address the issue. Henry identified the Town's role was bringing people together. They were asking for \$5K from the general reserve fund, and she explained the make-up of funds to meet costs. Schmidt thought it was an appropriate time to address. Petito questioned the use of the facilitator. Dujardin agreed it was important. He volunteered to be a part of the meetings. Cowherd voiced support.

Dujardin moved and Petito seconded a motion to approve up to \$5,000 from the General Fund Reserve for the creation of the Slate River Working Group and authorizing the

Town Manager to sign a grant application to the Upper Gunnison River Water Conservancy District. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

Sullivan updated that they were waiting on Judge Patrick to rule on the pending motions in the ADU case. There had been no appeal, yet.

COUNCIL REPORTS AND COMMITTEE UPDATES

Will Dujardin

- Attended QQ meeting in Breck. There was an informative climate change report that was relevant to the Gunnison River Basin. He suggested a public presentation be held.
- Went to a workshop hosted by CML. They discussed the hosting of the Olympics in Colorado. Energy diversification, also discussed, was big.
- Mentioned the Water in the West Symposium.

Laura Mitchell

- They had a Mountain Express meeting. They continued bouncing around on the bus barn related to the Cypress development. Yerman elaborated, particularly related to grant funding.
- She missed the TA meeting, but she received the minutes. They talked about doing a buy-down on flights in mid-March. There had been questions about the budget and how it had been managed.
- Mitchell followed-up on an idea from a previous meeting regarding Town use of the vehicles for shuttling at CBMR. She suggested that Town could own and run their own vehicles.

Kent Cowherd

- RTA was buying a new CNG bus.
- There was a buy-down for outgoing seats.
- Attended Creative District retreat. They were developing a community calendar and had appointed a new commissioner.
- He would be attending a DOLA Region 10 meeting.

Chris Haver

- RTA ridership was flat in January. Flights from Denver were doing well. They were down from Dallas. They were upgrading the Tall Texan pull out.
- He reviewed details related to upcoming events organized by the Chamber.

Jackson Petito

- Would be attending a Housing Foundation meeting tomorrow.

Jim Schmidt

- Mentioned there was a retreat held after the last Council meeting.
- Attended CDOT meeting in Montrose. The Little Blue Canyon job would not be done this next summer. They were talking about major closures.
- Met with the School of Dance. They were concerned about working with the Center and future spaces at the Center.
- There was a joint work session between the two councils, Mt. Crested Butte and Crested Butte.
- Went to GVRHA meeting. Anthracite Place was full, and there was a waiting list.
- Cowherd was at the Brush Creek meeting for its entirety.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

- Schmidt asked the Council if their preference would be for written reports in advance, rather than oral reports at the meeting. The Council was agreeable to written reports from Staff. Regarding Council reports, Haver appreciated the insight he heard from other Council members. Cowherd liked hearing the updates, and he liked hearing from Staff. Dujardin agreed with Haver and Cowherd. There were increased chances he would not read an email. Haver liked the written staff reports. Yerman confirmed the Council agreed to updates in writing from staff members that would be absent from the meeting.
- The Council briefly discussed dates in March to meet with the Gunnison Council, and Stanford confirmed they had proposed March 7 or March 14.
- Schmidt cited the letter, included in the packet, from the Vice President.
- Schmidt brought up whether Council members would be allowed to call in for meetings. He confirmed a Council member couldn't vote over the phone. They would discuss at the next meeting. Sullivan recognized that they didn't know who could be present on the other end during an Executive Session.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, March 5, 2018 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, March 19, 2018 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, April 2, 2018 - 6:00PM Work Session - 7:00PM Regular Council

Ian Billick requested half an hour of time for discussion concerning the Gunnison Valley Recreation District. Stanford would check with Reily on how much time he needed at the next work session. Forest Ranger Matt McCombs would present at the meeting after next.

EXECUTIVE SESSION

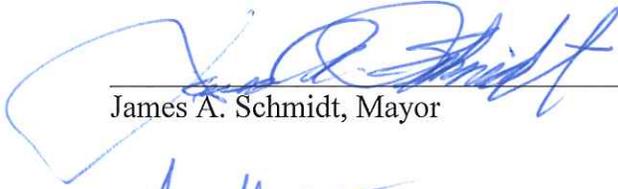
Schmidt read the reason for the Executive Session: for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding the Heights Open Space.

Petito moved and Dujardin seconded a motion to go into Executive Session for the reason stated. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 9:42PM. The Council returned to open meeting at 10:30PM. Mayor Schmidt made the required announcement before returning to open meeting.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 10:31PM.



James A. Schmidt, Mayor



Lynelle Stanford, Town Clerk (SEAL)

