

Town of Crested Butte
Regular Town Council Meeting
Minutes
Monday, July 15, 2013
Council Chambers, Crested Butte Town Hall

Mayor Huckstep called the meeting to order at 7:34 p.m.

Council members present: Jim Schmidt, Shaun Matuszewicz, David K. Owen, John Wirsing, and Glenn Michel.

Staff present: Todd Crossett, Town Manager; John Belkin, Town Attorney; and Shelley Jansen, Town Clerk.

Staff present for part of the meeting: Rodney Due, Public Works Director; Jake Jones, Parks and Recreation Director; Lois Rozman, Finance Director

APPROVAL OF AGENDA

Remove item 4) Discussion and Possible Action of the Robinson's Land Trust Trail Easement and 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).

Wirsing moved and Schmidt seconded to approve the agenda with the addition of an executive session and removal of item 4) Discussion and Possible Action of the Robinson's Land Trust Trail Easement.

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

CONSENT AGENDA

1) Approval of Special Event, Declutter for a Cause, August 10, 2013 from 9-4 p.m. at the Town Field on the north side of the Center for the Arts.

Owen moved and Matuszewicz seconded to approve the consent agenda.

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

PUBLIC COMMENTS

None

STAFF UPDATES

Rodney Due-

- At Teocalli and 6th the Public Works Department will be replacing the storm ditch.
- Wastewater plant has received a second oxidation aeration ditch system.

Lois Rozman-

- Sales tax for May is up by .8% and overall for the year up by 5.5%
- 2014 Budget work session is set on Tuesday, August 6, 2013 to hear input from the Council.

- Mitchell and Company is the firm selected to do the IT plan for the Town for the next 5 years.
- Drafted an Open Space fund policy and procedures.
- Completed training for marijuana in the work force and will have to change the employee policy. It needs to be placed along the same lines as the alcohol policy.

Todd Crossett-

- The NEPA process, in regards to the Watershed project is moving forward in the fall.
- Met with Karl Fulmer to discuss the affordable housing project in Crested Butte.
- Sr. Staff is working on the gap analysis study to figure out how to replace vacancies.
- Attended Public Information Officer training in Gunnison this week.
- Rodney and Jake are putting together a survey for Elk Avenue businesses.

Jake Jones-

- First two Big Mine Ice Arena Events over 300 individuals went well.
- Verbal agreement from C-Dot to improve the right-of-way easement on the Deli trail. Michel asked if there is funding for the trail and Jones stated that it is in the budget for 2014.
- Robinson Parcel was taken off the agenda, due to a traffic engineer study that needs to occur first.
- Mason asked about putting up sound barriers on the Big Mine Ice Arena for the community members.
- Wirsing stated that there are campers camping out by the bike pit area near 8th St. and asking for more enforcement.
- Schmidt asked about the Land Trust and signage project. Jones stated that the Land Trust has hired a designer. Region 10 granted \$1,000 for the signage project. So, now there is \$2,000 for the project.

Shelley Jansen-

- Minutes from July 1st are not complete; due to a 51 hour Clerk training that Jansen attended last week.
- Election Calendar will be on-line the end of the week.
- Jansen is now a Notary.
- Codifications of ordinance 1-11, 2013 are codified.

NEW BUSINESS

1) Consideration and Support for the Thompson Divide Withdrawal and Protection Act.

Zane Kessler, Executive Director of the Thompson Divide Withdrawal and Protection Act spoke to the withdrawal of gas, oil and mineral rights at only the unleased areas. It also states that they can purchase leases for preservation purposes.

Schmidt asked if they have received opposition and he stated that they have not received any active opposition.

Discussion ensued about the Thompson Divide Withdrawal and Protection Act Coalition project. Gunnison County does have the 2nd largest acreage in the Thompson Divide area. Kessler stated that most of the land is used for hunting, fishing and camping.

Schmidt moved and Wirsing seconded to approve the support of the Thompson Divide Withdrawal and Protection Act.

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

2) Discussion and Possible Consideration of a Letter of Recommendation for Support of an Appointment to the United States Air Force Academy for Daniel D'Aquila Jr.

Daniel D'Aquila Jr. presented his qualities, qualifications and goals for attending the Naval or Air Force Academy. D'Aquila Jr. would like to major in Aeronautical Engineer program.

Wirsing moved and Mason seconded to send a letter of support on behalf of Daniel D'Aquila Jr. in his pursuit of attending the Naval or Air Force Academy.

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

3) Ordinance No. 17 - An Ordinance Amending Chapter 11, Article 2 of the Crested Butte Municipal Code to Include New Regulations for Construction and Excavation within the Public Right-of-Way.

Discussion ensued about the specifics of the ordinance moving forward. Town is just asking for communication. Attorney Belkin will make improvements in redline for the public hearing.

Mike Haney, lives in Crested Butte and stated that this ordinance will have a great impact on the community. The one size fits all situations are costly for the Town. In the Crested Butte landscape guidelines it conflicts with the ordinance. Landscaping guidelines desire green and the ordinance is asking for road base. Currently, Haley is spending money to put in a water line, due to a break.

On Wednesday the Town is going to remove grass on Teocalli and replace with road base. Since this is located near Haley's home he is asking the Council to post-pone the non-emergency work on Wednesday until after the ordinance (rule set) is passed. This will give time for the design of a better plan. Haley has repaired the right-of-way near his yard the past 5 years, out of his own funds. All Haney is asking for is a rule set.

Mayor Huckstep asked if there are any considerations for an encroachment licensing. Due stated that the staff is just enforcing rules. Using sod to the right-of-way creates more of a maintenance challenge than using road base.

Mason asked Haley about the delay request and Haley asked for the rule set. Haley stated so it is clear on what homeowners can plant. Mason asked Due if the delay would upset the Public Works timeline. Due stated that he is trying to keep consistency and there is a homeowner across the street from Haley asking for improvements, due to the winter plows. Due stated that the delay of the project happening on Wednesday until after the ordinance being passed won't disrupt the timeline. Council agreed to delay the Wednesday project.

Crossett asked if the Council is looking at flexibility in the 10 ft. rule.

Michel, Owen, Matuszewicz, Wirsing, Mason, Schmidt, Mayor Huckstep stated that the 10 ft rule isn't negotiable and needs to be consistent.

Schmidt asked what the Town is going to do with other offenders of the 10 ft road base rule. Schmidt would like that other entities to be grandfathered and not affected by the ordinance.

Matusewicz moved and Michel seconded to set ordinance No. 17, 2013 to a public hearing on August 6, 2013.

LEGAL MATTERS

Marijuana Task Force will be meeting.

Presentation in August or September about Ethics from CIRSA. Wirsing asked if it should wait until after the election in November. Discussion ensued and no date was confirmed.

COUNCIL REPORTS AND COMMITTEE UPDATES

Mason-

- At the Mt. Express meeting there was a manager review. Mt. CB sales taxes are doing really well this summer. Task force is looking at expanding service. Three new buses will be purchased in the next couple of years. Mt. Express is also looking at updating the bus stops. Mainly the one at Clarks Market and the 4-way stop.

Michel-

- Mt. Express will be looking at how to increase the number of bikes on the bus. There is still an at-large opening on the board.

Owen-

- At the Housing Authority meeting the affordable housing project was discussed. There needs to be involvement from the County and the Town. The Housing Authority is also having a challenge in gaining quorum at meetings. Owen asked if Crested Butte can find a replacement for Schmidt.
- West Elk loop Byway is still finding the funds. Pamela Loughman attended the meeting and she asked what the role is of the Byway. The Byway provides information to other user groups to help promote the areas along the Byway. Pamela offered to put a group together along the Byway and an action plan to promote the area together. The group is also looking at asking Marble to see if they would like to be an extension of the committee and then Mt. Crested Butte. Council agreed to pursue.
- Michel asked when the Council would receive more information about the affordable housing project. Mayor Huckstep stated that when information becomes available it will be distributed.

Matusewicz-

- Center for the Arts ran and add support the Mt. Crested Butte Performing Art Center.

Wirsing-

- TA, Pamela Loughman has been hiring and advertising. They discussed Municipalities having a vote and only one board member supported. There is currently a seat open on the TA Board on the north end of the valley. Loughman is doing a good job. Mason

asked about the lack of updating on the TA website. Wirsing confirmed that the TA is working on it.

- There have been a lot of complaints about Bridges of the Butte and the closing of Elk avenue. Due stated that in the future the staff will be putting special events that close a street under new business for discussion. Wirsing also stated that the Community was also frustrated about the boom boxes and hollering all during the night.

Schmidt-

- In regards to the Housing Authority meetings he can't make August, but can make the ones down the road, due to the change in his work schedule.
- The city of Parker did a laser show, instead of fireworks as a possible option for future cancelled fireworks shows.
- Cemetery Committee will be meeting on Monday, July 29, 2013 at 9:00 a.m. in meeting room Jr.

Mayor Huckstep-

- Adaptive Sports Center grand opening on Belleview Avenue was a great event.
- Pam Montgomery-Health Equity-July 25th at the University Center.
- July 17-19 Water workshop at the University
- Upper Gunnison River Water Conservancy ballot initiative, August 5th at 10:00 a.m.
- UCC-community grant foundation, Thursday.
- RTA-Grant application for expanded airline service-\$350,000 matching grant. Focus would be direct air service in the summer thru United Airlines from Phoenix, Houston, or Dallas. The RTA is looking for letters of support to add to the grant. Schmidt stated that if you take money to match a grant it takes away from the winter service. One of the biggest problems is the capacity of the planes-80% due to the weather. Huckstep agreed that there are a lot of unknowns. The grant funds could give us 4 direct services to Gunnison from Houston. The grant won't even be issued until August. The consultants hired to do the grant stated that if a grant request is for winter service, it won't be accepted. Council agrees with sending a letter of support, but asked to gather more information.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Schmidt stated that Attorney Belkin sent an e-mail about reimbursable expenses and asked if it can be in an open session, instead of an executive session. Attorney Belkin requested 5 minutes of 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).

Schmidt moved and Owen seconded to go into 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).

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

Council went into executive session at 10:02 p.m. and ended at 10:34 p.m. Mason, Owen, Matuszewicz, Huckstep, Wirsing, Michel, Schmidt, Crossett and Belkin attended. No action was taken.

DISCUSSION TO SCHEDULE FUTURE WORK SESSION TOPICS

Amendment 64
Affordable Housing Project

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 to go into 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).

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

Council went into executive session at 10:38 p.m. and ended at 12:04 a.m. Mason, Owen, Matuszewicz, Huckstep, Wirsing, Michel, Schmidt, Crossett and Belkin attended. No action was taken.

COUNCIL MEETING SCHEDULE

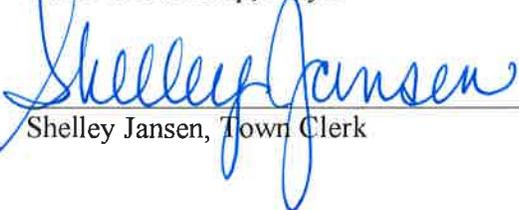
- Tuesday, August 6, 2013-7 p.m. Work Session-8 p.m. Regular Council.
- Monday, August 19, 2013-6 p.m. Work Session-7 p.m. Regular Council.
- Tuesday, September 3, 2013-6 p.m. Work Session-7 p.m. Regular Council.
- Monday, September 16, 2013-6 p.m. Work Session-7 p.m. Regular Council.

ADJOURNMENT

Mayor Huckstep adjourned the meeting at 12:05 a.m.



Aaron J. Huckstep, Mayor



Shelley Jansen, Town Clerk

(SEAL)

