

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, February 3, 2020**  
**Council Chambers, Crested Butte Town Hall**

Mayor Schmidt called the meeting to order at 7:00PM.

Council Members Present: Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Mona Merrill

Staff Present: Town Manager Dara MacDonald

Town Clerk Lynelle Stanford and Finance Director Rob Zillioux (for part of the meeting)

Town Attorney John Sullivan was connected to the meeting by phone.

Schmidt mentioned the work session had been cancelled and rescheduled for the next meeting.

**APPROVAL OF AGENDA**

MacDonald informed the Council that GCSAPP had cancelled due to weather. Secondly, Kari Commerford wanted more time, so #1 from New Business was dropped.

Haver moved and Mitchell seconded a motion to approve the agenda with the amendment of dropping New Business item #1 from the agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**CONSENT AGENDA**

**1) January 21, 2020 Regular Town Council Meeting Minutes.**

**2) Letter of Support for GCEA Charge Ahead Grant Application for Installation of DC Fast Charger in the Town of Crested Butte.**

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

**PUBLIC COMMENT**

Glo Cunningham

- Appreciated the Council thinking out of the box regarding funding for affordable housing.
- However, there needed to be a different approach to this need, rather than taxing second homeowners, who contributed to the community.

- She suggested a committee be formed to help solve this urgent problem. She hoped to be a part of the committee.

Shelley Popke - Spoke on behalf of the Crested Butte Mountain Heritage Museum

- She accepted the Hart Award from History Colorado for the Tony's Conoco project.
- She thanked the Council for the cash match funding assistance and the Staff, especially Molly Minneman.

Kent Cowherd - 901 Teocalli Avenue

- He received a notice about a one-bedroom unit in Paradise Park that was for sale.
- He identified there were funds from the ADU settlement, and he recalled there was money remaining.
- He thought this opportunity was perfect for the Town to spend the ADU money on buying the unit.

### **STAFF UPDATES**

- Schmidt and MacDonald attended CAST in Avon where they talked about plastics and the State preemption of local plastics prohibitions. Schmidt asked whether the Council wanted Staff to draft a letter, similar to the one from CAST, included in the packet, asking the State to support local control. Magner confirmed each municipality could legislate as they chose. The Council agreed to direct Staff to draft a letter.
- Mitchell reported the Town trucks were driving fast after Alley Loop.
- Schmidt asked about the Tesla X model that the Marshals were driving. MacDonald reported on the details. There were discussions on charging, performance, and vehicle features.
- Haver gave kudos to Zillioux for the collection of taxes from HomeAway/VRBO.

### **Annual Update by Executive Director Chris Larsen from Mountain Express.**

Chris Larsen introduced himself. He referred to the 2019 annual report, capital plan, and budget in the packet, all approved by the Board of Directors. Mountain Express carried 712,000 passengers in 2019. January came in about 5% down from last year. They received no new busses in 2019 and would not receive any in 2020. He reviewed the plans for the lot in the Whetstone Industrial Park. There were no changes to the winter routes. Schmidt asked about the usage of the CB South bus. Kent Cowherd questioned regarding housing on the lots in the industrial park. MacDonald wondered about the search for Larsen's replacement.

### **NEW BUSINESS**

**1) GCSAPP Youth Mental Health and Substance Abuse Program Update and Funding Request.**

Item removed from the agenda.

### **EXECUTIVE SESSION**

Schmidt read the reason for Executive Session: for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding The Center for the Arts Lease.

Mitchell moved and Haver 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 7:27PM. The Council returned to open meeting at 8:09PM. Mayor Schmidt made the required announcement upon returning to open meeting.

### **PUBLIC HEARING**

#### **1) Ordinance No. 39, Series 2019 - An Ordinance of the Crested Butte Town Council Approving the Lease of a Portion of the Property at 606 Sixth Street to The Center for the Arts.**

Schmidt read the title of the ordinance. He confirmed neither the lease nor the ordinance had been changed from the last meeting. MacDonald reported the current lease would be a 50-year lease with 10-year renewals. Subsection F, making sure the programming was affordable and accessible, was added. Previously, the changes were around lighting.

Joel Benisch, from The Center, affirmed they agreed with the lease as presented.

Schmidt confirmed proper public notice had been given. There were no comments made by the public. The public hearing was closed.

Magner moved and Haver seconded a motion to approve Ordinance No. 39, Series 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Schmidt questioned the hiring of a new Executive Director, and Benisch outlined the details.

#### **2) Ordinance No. 44, Series 2019 - An Ordinance of the Crested Butte Town Council Authorizing a Potable Water Agreement for Lot 8, Trapper's Crossing at Crested Butte, Gunnison County, Colorado.**

Schmidt read the title of the ordinance, and he confirmed proper public notice was given.

MacDonald explained that Town's water attorney had been dealing with the Turnbolls' water attorney. Town had not received follow up comments.

The public hearing was opened. There were no comments from the public. The public hearing was continued per Staff's request.

Haver moved and Bradley seconded a motion to continue the public hearing to the February 18<sup>th</sup> meeting. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **3) Ordinance No. 4, Series 2020 - An Ordinance of the Crested Butte Town Council Approving the Lease of 902 Red Lady Ave Unit #3 to Andrew Crowley.**

Schmidt read the title of the ordinance and confirmed proper public notice was given. He opened the public hearing. No one from the public commented. The public hearing was closed.

Haver moved and Bradley seconded a motion to approve Ordinance No. 4, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **LEGAL MATTERS**

None

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

Mona Merrill

- She missed the STOR meeting and tried to get together with Dave Ochs. She needed more information to present what happened. They talked about the Master Trail Plan. They would discuss e bikes at the next meeting.
- Schmidt was at the CDOT meeting. There was a presentation by a Federal agency that worked on roads through the forest, and they were expanding to trails.

Laura Mitchell

- Attended the meeting at the school regarding the potential expansion. She suggested a concurrent conversation with CDOT about traffic.

Mallika Magner

- The Chamber had their Crafted festival on Saturday. She volunteered at the event. It was a big success.

Candice Bradley

- She was not able to attend the Public Art Commission meeting.
  - They were talking about the Big Mine public art project and a possible designated graffiti zone.
  - The temporary sculptures would be reinstalled on June 1<sup>st</sup>.

Jim Schmidt

- After the last meeting, he had breakfast with second homeowners who were interested in donating money to fund housing. He directed them to talk with the Valley Housing Fund.
- MacDonald and he attended CAST in Avon.
  - They talked about polystyrene bans.
  - There was a presentation on cigarettes. Aspen had an aggressive cigarette policy, which he reviewed. He was impressed with what Aspen did. He thought the Council needed to discuss flavored tobacco products.
  - Avon reported on their Climate Action Plan.
  - Magner asked if they talked about Avon's empty house tax.
- He went to the planning meeting at the school with Mitchell and MacDonald. He thanked Mitchell for bringing up the intersection.
- He attended the CDOT meeting.
  - They would do the Little Blue project in 2021.
  - This next summer, CDOT would chip and seal between Gunnison and Montrose.
  - They would rebuild parts of Highway 92 but not at the same time as the Little Blue project.
  - The intersection of Highways 285 and 50 would become a roundabout.

Kent Cowherd referred to his presentation at a previous meeting. He knew of a private party that might be able to sponsor affordable housing.

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

Schmidt mentioned the work session next Monday to discuss the empty house tax. He wanted a discussion on all possibilities for a housing tax, all in all. Haver thought they could preliminarily weigh out each idea. He agreed with Cunningham, from public comment, on forming a committee. Magner thought it would be great to get numbers in order to talk about Climate Action Plan funding to determine if revenue streams could fulfill these goals. MacDonald said they would have numbers on climate action planning by the middle of March. She suggested the Council find another date for a broader discussion. The Council agreed on March 9<sup>th</sup>. Haver confirmed they would be discussing expanding possible revenues for affordable housing and possibly having a committee. MacDonald explained the plan for the work session on March 16<sup>th</sup> for discussing climate action. Haver did not want the discussion to be too broad that it would not go anywhere. Merrill wanted to hear more about Green Indeed. She asked if they could use it as a mechanism to accept donations. MacDonald agreed it was a great tool, but the framework could not be developed until later this year.

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

- Monday, February 10, 2020 - 6:00PM Work Session to Discuss Empty House Tax

- *Tuesday*, February 18, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- *Tuesday*, February 25, 2020 - 9:00AM Council Retreat
- *Monday*, March 2, 2020 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt stated the next intergovernmental meeting would take place a week from Wednesday.

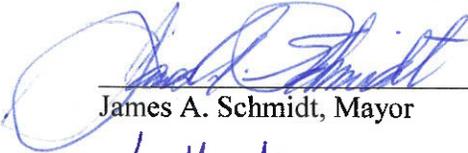
There was a brief discussion on a meeting hosted by Vail. Magner reported on what she learned at the meeting, specifically about climate action.

Schmidt mentioned there had been a tour of a composting facility.

Schmidt reminded the Council the next meeting would be on a Tuesday.

**ADJOURNMENT**

Mayor Schmidt adjourned the meeting at 8:57PM.



James A. Schmidt, Mayor



Lynelle Stanford, Town Clerk

(SEAL)

