

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, July 20, 2020

Mayor Schmidt called the meeting to order at 7:01PM.

Council Members Present: Will Dujardin, Chris Haver (for part of the meeting), Mallika Wagner, Laura Mitchell, and Mona Merrill

Staff Present: Town Attorney John Sullivan, Town Manager Dara MacDonald, and Town Clerk Lynelle Stanford

Town Attorney Barbara Green, Community Development Director Troy Russ, Parks and Recreation Director Janna Hansen, Public Works Director Shea Earley, Finance Director Rob Zillioux, Design Review Coordinator Molly Minneman, and Assistant Design Review Coordinator Jessie Earley (for part of the meeting)

Everyone connected and participated in the meeting via Zoom. Schmidt, MacDonald, Zillioux, and Stanford were present in Council Chambers.

Schmidt spoke regarding recent COVID cases. He read an email from a visitor to Crested Butte, commending the Council for their decision on the Elk Avenue one-way.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 1) July 6, 2020 Regular Town Council Meeting Minutes.**
- 2) Intergovernmental Agreement between Gunnison County Clerk and Recorder and Town of Crested Butte Regarding the Placement of a 24-hour Mail Primary and General Election Ballot Drop Box.**
- 3) Ratification of the 2020 Colorado Communities for Climate Action Policy Statement.**
- 4) Approval of the Use of Town Property for Temporarily Modifying the Liquor Licensed Premises of Public House LLC and Wooden Nickel Inc.**
- 5) Letter of Support for the Crested Butte Film Festival and Crested Butte Museum Application for a Grant through the National Endowment for the Arts "Our Town" Program.**

Green delivered a message from the County Attorney and Deputy County Attorney regarding inflammatory remarks made by someone in the Sheriff's Department. As a result, the County Attorney prepared a letter expressing the County's concerns about the incident.

Schmidt identified a small change to the minutes. The minutes reflected that masks were required up and down Elk Avenue and the ½ blocks on either side. The minutes were changed to specify that masks were to be worn on Elk Avenue and the ½ blocks on 3rd Street on both sides of Elk.

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

PROCLAMATION IN RECOGNITION OF PRIDE MONTH

The proclamation was moved to the next agenda.

PUBLIC COMMENT

Liz Smith - New Member of the Board of County Commissioners

- She introduced herself and mentioned past experiences.
- Smith explained her platform.
- Haver thanked Smith for stepping in during this challenging time, and Schmidt welcomed her.

Kent Cowherd

- He hoped the Council would revisit reviewing the area plan, formerly known as the Three Mile Plan.
- He also hoped the Council could start to plan the InDEED program.
- He questioned: 1) when the new pathway to the bridge in Aperture might be open and 2) an Elk Avenue curfew time of 10:00PM.

STAFF UPDATES

- Zillioux did a cursory review of sales tax for June. Sales tax was down 10% from last year. Some businesses did very, very well. Restaurants were mixed. Of the 50 largest filers, 28 were higher than last year, and 21 were below last year. Year-to-date, sales tax was 12% down.
- Schmidt confirmed the Council agreed to a special work session at 6:00PM next Monday to engage in scenario planning.
- Schmidt was pleased with mask compliance.
- Dujardin brought up that two of the three thresholds to go into yellow (on the Coronameter) had been reached, and it felt like this trend would cause the move into yellow. Dujardin pointed out implications of the yellow level. Magner asked for clarification on the ramifications of the yellow level for bars. The discussion became focused on details of the yellow level and the criteria for moving into

yellow. Dujardin recognized the warning system in the Coronameter, and he encouraged everyone to continue doing his or her part.

- Schmidt informed the Council that Gunnison wanted to hold the next intergovernmental meeting in the open-air ice rink. Dujardin was agreeable, assuming they would be acting in accordance with the public health order. He added that it would be useful to have the meeting on Zoom.
- MacDonald said there would be a follow up survey on Elk Avenue. The survey would focus on the end date of the configuration.
- Russ responded to Haver concerning the sharrows on Elk Avenue.
- MacDonald, responding to Dujardin, reported on the graphic in the packet regarding travel spending in Colorado.

PUBLIC HEARING

1) Ordinance No. 17, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code Sections 16-2-20 and 16-2-30 (3) and Adopting Revised Design Standards and Guidelines.

Schmidt read the title of the ordinance. He confirmed proper public notice had been given. Jessie Earley offered to do an abbreviated presentation from what was presented during the work session. Schmidt thought the information provided during the work session was good. No one in the public asked to hear the presentation.

Schmidt opened the public hearing. There were no comments from the public. The public hearing was closed. There was no further Council discussion.

Magner moved and Mitchell seconded a motion to approve Ordinance No. 17, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Ordinance No. 18, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code Chapter 16, Article 6, Division 4, Planned Unit Developments.

Schmidt read the title of the ordinance. He confirmed proper public notice was given. He referred to a presentation during the work session two weeks ago. Russ explained this ordinance was to correct and bring into compliance with State Statute. He reviewed slides outlining the intent of a PUD, the applicability, the process, the application, and the criteria.

Schmidt opened the public hearing. There were no comments from the public. The public hearing was closed. There were no comments from the Council.

Magner moved and Mitchell seconded a motion to approve Ordinance No. 18, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

3) Ordinance No. 19, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code, Sections 16-1-10 and 16-5-530 to Define and Allow a Veterinary Clinic Or Hospital As a Conditional Use Within the Town's Commercial (C) Zone District.

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

Haver moved and Dujardin seconded a motion to approve Ordinance No. 19, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

4) Ordinance No. 20, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for an Electric Car Charging Station on the Town-Owned Public Parking Lot Located at Block 22, Lots 9-11.

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

Dujardin moved and Haver seconded a motion to pass Ordinance No. 20, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

5) Ordinance No. 21, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant an Electrical Utility Easement for the Underground Electric Transmission and Distribution Lines for an Electrical Transformer on the Town-owned Property at 606 6th Street, Crested Butte, Colorado 81224.

Schmidt read the title of ordinance. He confirmed proper public notice had been given. He opened the public hearing. There were no comments from the public.

Mitchell moved and Magner seconded a motion to approve Ordinance No. 21, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

1) Consideration of Bid Award for Construction of Hockey Changing Rooms at the Big Mine Ice Arena.

Hansen announced that Pinnacle had made a mistake in their bid, and they could not afford the price they provided. As a result, Black Dragon was the lowest bidder. Hansen provided the cost for simply the changing rooms and no spectating area and the final project cost with Black Dragon. Hansen reported on capacity related to the Coronameter. The discussion became detailed around what would be allowed for hockey with restriction levels. Hansen reviewed owner-furnished items that would be needed.

Magner questioned adding the spectator seating after the fact. Hansen affirmed it would be possible. Merrill was more attached to giving them more room or another tool to recoup expenses in the winter. She wondered if it would help them do more. Schmidt asked how much was left from Whatever. Hansen mentioned additional grant funding from Met Rec.

Schmidt asked if there was anyone that wanted to comment.

Wendy Buckhanan - From West Elk Hockey Association

- They were hopeful with Pinnacle's bid.
- They would still like the project to happen.
- Everyone was saying hockey was a big thumbs-up right now.
- She said they could operate with "home dressing."

Schmidt acknowledged that Haver left the meeting.

Kent Cowherd

- He did not think it was a good choice to spend the money at this time on this project.
- He recommended delaying the project a year.

Christie Hicks

- The Nordic Center was anticipating a winter of not letting people into the warming house because of square footage and social distancing requirements.

Dujardin wanted to keep two non-profits operating over the winter. He was okay with doing it, but he was hesitant. Merrill thought sooner was more important than later. They should support as many non-profits and businesses as possible. Mitchell was hesitant to spend the money, but she felt they would be glad they did. Magner thought the project was really great. She was completely in favor of it; however, the Whatever money and Met Rec money would still be there. She agreed with supporting the non-profits, but she did not think it was a prudent time to spend money. She would prefer the Council tighten their belts and be more fiscally conservative. Schmidt asked Zillioux about RETT funds. Zillioux reported less activity but higher prices.

Dujardin moved and Mitchell seconded a motion to continue this item to the next meeting. A roll call vote was taken with all voting, "Yes." Haver was absent and did not vote. **Motion passed unanimously.**

2) Ordinance No. 22, Series 2020 - An Ordinance of the Crested Butte Town Council Approving the Lease of 906 Butte Ave (A Town Owned Building) to Jeff Black.

Schmidt read the title of the ordinance. MacDonald mentioned the lease was a catch-up item.

Magner moved and Dujardin seconded a motion to set Ordinance No. 22, Series 2020 for public hearing at the August 4th meeting. A roll call vote was taken with all voting, "Yes." Haver was absent and did not vote. **Motion passed unanimously.**

LEGAL MATTERS

Sullivan stated they had a constructive conversation with the incoming County Attorney, Matt Hoyt. A lot of the conversation focused on how to coordinate enforcement of public health orders. Hoyt was interested in facilitating a constructive relationship with the Town.

COUNCIL REPORTS AND COMMITTEE UPDATES

Will Dujardin

- He brought up an email outlining that in a forum on Facebook, a Sheriff's Deputy commented referring to protestors as speed bumps and threatening violence. The Sheriff's Department released a statement that mentioned in part an account being hacked. Schmidt was unaware and did not have specific comments, but what was happening in Portland was frightening. Magner knew of a decision made by the Court of Appeals that related to a Gunnison County Deputy. Dujardin was aware that it was a prevalent problem that could not be swept under the rug. It could be a defining moment, and it was important to keep on the radar. Dujardin suggested revisiting a proclamation and a directive to Chief Marshal Reily to examine what was going on in the department. Magner wanted to be a part of discussions. MacDonald recommended a conversation between the Marshals and a group of concerned citizens.
- Dujardin conveyed the importance, for Haver, of the OVLC meeting on Thursday.

Mallika Magner

- The Valley Housing Fund closed on the Redden Project. They anticipated starting on the tiny home project next summer. They planned to rent out the trailers this winter. Mitchell was concerned about a particular trailer not being livable.

Laura Mitchell

- She missed the Mountain Express meeting. They did an election. Mt. Crested Butte would be the chair, and she would be the vice-chair.
- She asked about Town providing trashcans that restaurants were supposed to empty. They were not being emptied.

Mona Merrill

- She would have a STOR meeting this week.
- She would get caught up on The Center for the Arts tomorrow.

Jim Schmidt

- He participated in the Mayors' CAST meeting on the 7th. They talked about masks and enforcement. They would talk about how ski areas were envisioning next winter.
- MacDonald and he were on a phone call with Tim Baker from CBMR. CBMR was taking things one step at a time. Baker mentioned resorts that were closed in Australia. Their largest resort remained open.
- He went to the Mayor/Managers meeting in Pitkin. Pitkin's entire budget for the year was \$40,000.
 - The college reported they still planned on opening.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Schmidt mentioned a proclamation for those who had stood out and helped to feed people during the off-season. He asked the Council for direction and whether the Council should do a proclamation for everyone or just for Kyleena. Magner affirmed a proclamation was in order for Kyleena, and it would be great to find a way to recognize all of the people. Schmidt was happy to do a proclamation for Kyleena and one for everyone else. Dujardin thought it was important to focus on Kyleena but to also focus on others. The Council agreed to two different proclamations.

Dujardin wanted to make people aware of the conversation on trash. He voiced appreciation for work done by Staff.

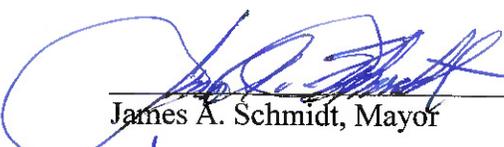
DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- *Tuesday*, August 4, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- *Monday*, August 17, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- *Tuesday*, September 8 2020 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt reminded of the work session next Monday.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 8:56PM.


James A. Schmidt, Mayor


Lynelle Stanford, Town Clerk

(SEAL)

