

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, August 17, 2020

Mayor Schmidt called the meeting to order at 7:07PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, 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, Chief Marshal Mike Reily, Community Development Director Troy Russ, Parks and Recreation Director Janna Hansen, Public Works Director Shea Earley, Assistant Design Review Coordinator Jessie Earley, and Design Review Coordinator Molly Minneman (for part of the meeting)

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 1) **August 4, 2020 Regular Town Council Meeting Minutes.**
- 2) **Resolution No. 17, Series 2020 - A Resolution of the Crested Butte Town Council Approving the Memorandum of Agreement Between The Board Of County Commissioners of the County of Gunnison, Colorado and the Town of Crested Butte for Childcare Center Nurse Consultant Services.**

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.**

FAREWELL TO EXECUTIVE DIRECTOR OF MOUNTAIN EXPRESS CHRIS LARSEN

Schmidt described Larsen as a fixture in the community and a steady worker. MacDonald showed on her screen a picture of a collage commemorating Larsen's career. Schmidt and Mitchell expressed their thanks to Larsen, who was on Zoom, and so did other Council members.

PUBLIC COMMENT

None

STAFF UPDATES

- Schmidt referred to the Manager's Report in the packet.
- He acknowledged the question of starting the meeting early on September 8th. The regular meeting would start with an Executive Session at 5:30PM. No one on the Council voiced disagreement.
- Schmidt brought up broadband and the DOLA grant. MacDonald informed the Council that \$500,000 would still need to be raised locally. The goal was redundant broadband fiber in the north valley. If the large project became possible, she would come back to ask the Council for a commitment that would be included in the 2021 budget.
- Schmidt recognized the slurry seal project, and he thanked Public Works for the work at the cemetery.
- Dujardin asked Reily for an update on the investigation mentioned in the Manager's Report. Reily updated that the Marshals cited someone into County Court for a harassment charge.
- Dujardin asked about an agenda for the intergovernmental meeting on Wednesday.
- Haver confirmed that Jack DeRose was found.
- Haver questioned details of the COVID-19 messaging.
- Magner asked about the vandalizing of masks on the dragon at the entrance into Town.
- Schmidt reported on numbers collected by the County on mask wearing. The discussion became focused on details regarding masks, such as the availability at The Chamber.

PUBLIC HEARING

1) Ordinance No. 23, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Enter into a Land Lease Agreement with Commnet Cellular D/B/A Verizon Wireless for the Installation of a New Wireless Tower and Related Facilities on Town Owned Property Located At 2 N. 8th Street, Crested Butte, Colorado.

Schmidt read the title of the ordinance. He asked: 1) why the tower needed to be so tall and 2) why it had to be the ugliest tower that existed. He wondered about the effects of the tower on the people in the vicinity. MacDonald confirmed the lease did not speak to the height of the tower, but the plans were attached.

Colleen Nebel, location consultant for Verizon, was on the Zoom call. She identified the purposes of the new lease agreement, which were for Verizon to build a new wireless facility and thereby provide wireless service to Crested Butte. Nebel reviewed

background on locations that were considered and the reasons they were not chosen. She explained the attributes of the chosen location at Public Works. She spoke to design elements of the proposed tower. Nebel reported on exposures from the tower. She stated someone from Verizon would be on hand for the BOZAR meeting to speak about health and safety.

Schmidt asked what the tower would be covering. Nebel said it would add capacity. She had maps depicting areas that would be improved, covering downtown. Nebel pointed out Verizon could provide space on the tower for another provider. Nebel confirmed Verizon would provide service for a new customer to get a new phone line with the installation of the tower.

The discussion turned to BOZAR. Russ explained the Council had more power now than BOZAR would next week. Nebel stated Verizon was open to considering other designs. The lattice was deemed more acceptable because there would be a view in between, compared to the mono tree. She mentioned other options. Haver and Schmidt advised bringing options to BOZAR.

Schmidt confirmed proper public notice was given. He opened the public hearing. No one from the public chose to comment. He closed the public hearing.

Haver moved and Mitchell seconded a motion to approve Ordinance No. 23, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Ordinance No. 24, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Planned Unit Development (PUD) and Crested Butte's Official Zone District Map for Lots 17-21, Block 30.

Schmidt read the title of the ordinance. Russ outlined public noticing that had been done. He described the location of the property. Russ referred to the regulations governing the project. He reviewed background related to the property. The applicant met all criteria of the development agreement. He explained there were three parcels to the PUD. Russ showed the historic PUD that was approved. He pointed out modifications requested by the applicant related to building heights and setbacks. Russ identified the intent of the PUD. The notable waivers were to building width, roof pitch, and a difference between the finished and natural grade. Russ showed slides depicting visual impacts. Russ reported on the waiver requests in detail and the mitigations that were worth the waiver requests. He spoke about the special use permit and excessive slope review. There would be one condition placed on the special use permit.

Brian Delaney, architect, was on the line to answer questions. Schmidt confirmed Old Kebler Pass Road would still be used for public access. He asked about the conservation easement to the north of the house. Schmidt recognized that it would not be a picnic area for Town. Minneman affirmed the deal was a positive trade for less density.

Schmidt confirmed proper public notice had been given. He opened the public hearing. No one from the public chose to speak. Schmidt closed the public hearing.

Schmidt read the conditions for approval:

1. The applicant shall enter into a restrictive covenant agreement with the Town memorializing the conditional use permit required for the detached accessory dwelling to provide a long-term rental, and a separate unit for a non-residential use in the building as defined in Code Section 16-1-20 prior to the Town's issuance of a building permit.
2. The applicant shall enter into a restrictive covenant agreement with the Town memorializing the conditional use permit for the detached non-residential accessory building as defined in Code Section 16-1-20 prior to the Town's issuance of a building permit.
3. The applicant shall record an access easement, snow storage easement, and utility easement through Lot 4 with Gunnison County consistent with the easements depicted on sheet A03 of the BOZAR submission or, if changes are necessary, to the satisfaction of the Town's Public Works Department and the Crested Butte Fire Protection District prior to the issuance of the Certificate of Occupancy;
4. The applicant shall provide a letter from a Colorado licensed geotechnical engineer confirming the stability of the slope prior to the Town's issuance of the building permit;
5. The applicant shall submit an irrigation plan to the satisfaction of the Town's Public Works Department prior the Town's issuance of the building permit;
6. The applicant shall receive BOZAR approval for the design and style of porch features. The BOZAR approval shall not allow the FAR of the primary structure exceed of 3,750 sf;
7. The applicant shall receive approval from BOZAR for architectural appropriateness that includes the Guideline categories relating to Design and Style, Windows, Doors, Lighting, Chimneys, Building Eaves and Overhangs, and Materials for the residence, accessory building (garage) and accessory dwelling; and,
8. The applicant shall receive approval from BOZAR for the landscape plan that includes the location of the trees, number of trees, tree species, ground cover and surfacing from grade to eighteen (18) inches above grade. The site plan A.02, Level 0/parking plan A.10 and landscape plan on L1-L4 shall provide consistent drawings to scale of the details, datum and labeling of the site plan.

Dujardin moved and Mitchell seconded a motion to approve Ordinance No. 24, Series 2020 with those eight conditions. A roll call vote was taken with all voting, "Yes."

Motion passed unanimously.

NEW BUSINESS

1) Draft Criterion for Review for the Next Town Grant Cycle.

MacDonald reviewed the reasoning for the agenda item. She identified the goals to target with this round of grants, which included support for mental health and providing food or housing security. The total funds to award in this grant round would be \$75,000. Bradley and Mitchell would continue to serve on the grants committee.

Merrill moved and Haver seconded a motion to approve the modified guidelines and application form. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

Sullivan informed the Council they were moving forward with arrangements for the closing on the annexation, but there was not a date set, yet.

COUNCIL REPORTS AND COMMITTEE UPDATES

Will Dujardin

- He appreciated the replies to his EOC updates.
- He attended a Climate Action Coalition meeting.
 - He mentioned climate action improvements they were making to the County buildings.
 - They talked about the solar site visit. There were updates regarding the community solar garden built by GCEA, and they were looking at other solar garden options.
 - There was a big conversation on how they could look at putting in a micro-grid.
- He would have a Gunnison Watershed board meeting next week.

Candice Bradley

- The Council discussed having John Norton come to talk about TAPP issues. She suggested they ask him about diversity in marketing.

Chris Haver

- The OVLC met.
 - They talked about proposals for communications. They chose a company with which to work and limited the pricing to \$60,000, with \$15,000 going into print or other advertising.
 - They discussed what happened when someone was sick. They were clarifying and improving the communication.
 - There was a nice online toolbox for businesses that had been created.
 - There would be a discussion and education on ventilation efforts. Dujardin acknowledged there were not so good companies for ventilation systems.
 - The OVLC would continue to get updates from the Recovery Team.
- The Housing Authority did the final review and adopted the Housing Guidelines.
 - The mortgage assistance funds were not heavily used yet.
 - The projects that were moving ahead were still moving ahead.

- Schmidt questioned the restaurant situation and whether there was talk of increasing the maximum capacity of 50 people. Haver believed it was a State rule. Dujardin said the State would not enact anything until the cases per 100,000 came down.

Laura Mitchell

- She attended the RTA meeting a week ago.
 - The FAA awarded the airport \$3M more for improvements.
 - There were three missed busses due to the traffic accident.
 - Alpine Express was being proactive with cleaning.
 - RTA was not certain they would build a building.
 - The Dallas airport was currently the busiest airport in the world.
 - Airlines were still looking pretty busy.
 - They were waiting for CARES Act funding to recover lost sales tax revenue.
- Mountain Express and RTA had a meeting.
 - They talked about what busses would look like this winter. They considered starting earlier. They also discussed parking in Mt. Crested Butte.

Mallika Magner

- She would have board meetings this week.

Jim Schmidt

- There was a Governor's webinar. A lot of people were way behind Gunnison County. There was no dramatic new news.
- He attended the same housing meeting on which Haver already reported.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Magner did a ride along with Pete Daniels. She thanked Reily for making it happen.

Magner asked if there was an interest in starting to look at parking. Dujardin voiced his agreement. Schmidt was not sure what it would solve. Magner acknowledged parking was a difficult issue, and the Council should try to figure it out. Mitchell recognized there had to be collaboration. She was willing to revisit the plan if Mt. Crested Butte was involved. MacDonald suggested the parking plan be discussed during the budget kick-off work session.

Haver thanked Dujardin and Magner for bringing Black Lives Matter to the work session. He was concerned that one thing that was not unifying was about using Elk Avenue for messaging. He did not believe that using Elk Avenue for messaging would make or break the efforts. Schmidt pointed out streets were covered with snow and another display could be more appropriate.

Schmidt informed the Council there had been eleven vehicles lined up for the RV dump station this last weekend.

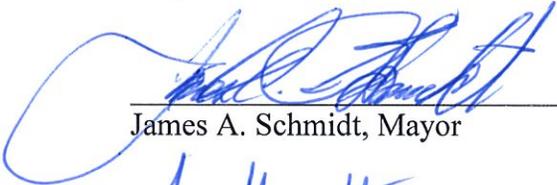
DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, August 31, 2020 - 1:00PM to 5:00PM Work Session to Discuss Budget
- *Tuesday*, September 8, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, September 21, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, October 5, 2020 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt reminded of the work session on August 31st. Dujardin recommended they take down their own barriers to understand the discussion going on around the community. He hoped they could have the conversation for real.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 9:11PM.



James A. Schmidt, Mayor



Lynelle Stanford, Town Clerk (SEAL)

