

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, August 25, 2014**  
**Jerry's Gym, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 6:02PM.

Councilmembers Present: Jim Schmidt, David K Owen, Glenn Michel, Roland Mason, Shaun Matusewicz, and Chris Ladoulis

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, Town Clerk Lynelle Stanford (for the duration of the meeting)  
Chief Marshal Tom Martin, Public Works Director Rodney Due, Finance Director Lois Rozman, Parks and Recreation Director Janna Hansen, Town Planner Michael Yerman, and Building and Zoning Director Bob Gillie

**Approval of the Agenda**

Under New Business, Item #4, Discussion and Possible Action Regarding Letter of Support for Fund Raising Effort for the Center for Arts for a New Arts Facility Located at Lots 6,7,8,9,10 and 11, Block 50, Crested Butte, was removed from the agenda and continued until September 2, 2014. Belkin requested Items #1 and #2 be combined under the Public Hearing.

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

**Consent Agenda**

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

**Public Comments**

None

**Staff Updates**

Lois Rozman

- Referred the Council to the 2<sup>nd</sup> Quarter financial update in the packets.
- Referenced a staff report from herself and Yerman requesting an amendment to the affordable housing maintenance budget. They would like to proceed with certain improvements this year, including painting and interior work. The budget would be amended \$11,500. Rozman reported the funds would be gained back when the unit is sold.
- The budget amendment was moved to Other Business to Come Before the Council.

#### Rodney Due

- The bathrooms were closed at Big Mine Park due to a sewer stoppage, but they are now opened again.
- His crew finished the storm drain at the Teocalli bus stop today.
- This week, he is waiting on the CDOT permit to work on the Deli trail. They are working with the county and Skyland. Due reported the bike trail would be closed for a little while.
- Due also reported the tennis courts project starting and the McCormick diversion project.

#### Michael Yerman

- Crested Butte is now a nominated Creative District. He reported the public process would start shortly for strategic planning.
- Mentioned the Transportation Plan Meeting on Sept 25.
- Met with DOLA over the last week to tour projects for potential funding.

#### Janna Hansen

- Will be doing a presentation to Rotary on Wednesday regarding Ordinance No. 8.
- RFQ deadline for Big Mine has been moved to the 31<sup>st</sup>.
- Fall Sports have started.
- If the contract is approved for the tennis courts tonight, the crew will start prep work tomorrow. They are completing the work in-house, and it is dependent upon the Public Works Department's schedule. The slab will be poured, and they will continue in the spring with painting lines and installing fences.
- A citizen questioned Hansen regarding the future of Big Mine Disc Golf Course. He wanted to know where the course could be moved. He mentioned hands on people that want to volunteer. Hansen answered they are creating a Master Plan for Big Mine Park. She said they would have multiple focus sessions with user groups in the fall. She said their mission is to continue maintaining current amenities.

#### Lynelle Stanford

- Reported on upcoming special events. The People's Fair is scheduled for August 30 and 31, 2014. The ARTumn Festival will be taking place September 20 and 21, 2014.
- Also, while not technically considered a special event, the Big Mountain Enduro has applied for a special event liquor permit for September 3-6, 2014 in the Academy parking lot.
- Mentioned upcoming Vinotok application to be discussed by the Council at the next meeting.

Todd Crossett

- The Big Mountain Enduro requested the use of the Academy parking lot.
- US Energy has withdrawn their VCUP from the Department of Health. The State was requiring a higher level of monitoring. Plugging of the mine adits did not go as planned.

### **Public Hearing**

- 1) Discussion of Major Special Event Permit Application by Western Colorado Events, LLC for Activities to be Held in Crested Butte between August 26, 2014 and September 12, 2014.
- 2) Resolution No. 11, Series 2014 – A Resolution Approving the Application for a Major Special Event Permit by Western Colorado Events, LLC for Activities to be Held in Crested Butte between August 26, 2014 and September 12, 2014.

#1 and #2 were combined into one hearing.

Huckstep began by reminding meeting attendees that the discussion is not a referendum on growth, business, or endorsement of a brand. He identified the objections are concerns of the character of the community, process questions, allegations of secret activities, and criticism of public relations and public handling. As a result, there is a great deal of distrust, accusations, and numerous allegations of collusion. He said there is a high degree of concern for losing sense of community and the fear of losing things we hold dear.

Public Hearing Opened.

There was a question of where the Town is in the process. Huckstep answered the major special event application is in front of the Council. If it is approved, we move forward; if not, we will not move forward. He said the application could also be approved with contingencies. Once the public hearing is closed, the Council will deliberate.

Chris Ladoulis immediately identified himself as a business owner who owns a restaurant in the proposed zone for the event. He said he would not participate and would leave the room once the public hearing is closed. Belkin advised he could stay; he could just not advocate. Owen felt his presence might squew the Council. He requested Ladoulis leave immediately. Belkin said if one member of the Council objects, it stands. Ladoulis recused himself and left the room.

Bobby Wells and Sean Byrne presented from Mosaic, a marketing company based in Chicago that was hired by Anheuser Busch (referred to as AB throughout the minutes). Byrne started off with an apology around the hot topic of secrecy. He said the nature of the event is the reason why the secrecy exists. Participants are to be surprised and delighted, and the intent was never to insult. The secrecy had a reason behind it. He

said Whatever USA is a symbolic concept about giving people a great experience, meeting new people, and experiencing new things. He confirmed they were not filming a Super Bowl commercial. He said it's a small group and is about unique experiences in this incredible setting. The reason they love it is the same reason people live here. Byrne reported there are four areas of focus: Participatory (chance for guests to learn new things), Stumble Upons, Stores and Patios, and Big Marquee Events (chance for participants to come together). He said it isn't about celebrities or big bands. He said he knows there is an impact to the community, and they are trying to reduce the impact as much as possible. He said they are inviting people to come out and play. If a person is over 21, they will get a wristband and will get to partake. Bud Light will be available. They are asking for responsible use. Anyone not abiding to responsible use will be asked to leave. They do have private events reserved only for guests. He reiterated it's truly about experiencing new things, doing it with people they have never met, and having new stories. He admitted they haven't talked to all business owners. They want people to buy t-shirts that say Crested Butte, Colorado and they encouraged businesses to keep their doors open. Byrne said they are working on alternative activities for families. The Silver Queen lift will be opened free of charge for families on Saturday. He said they would leave Crested Butte better than they found it. In fact, he reported he would be devastated if they left it worse. He cited an activity called High Five. They will identify five projects they would love to support, and guests, with paint on their hands, will high five their favorite project. Byrne said it would be a significant donation to the city. He implored people to look at the bigger economic picture. He did say if he had to do it all over again, he would approach it differently. Byrne said it isn't about a commercial, and it isn't about people drinking for 48 hours. He said it is an opportunity to show off the town that you have built.

The discussion turned to Crossett's staff report. Crossett said staff struggled with getting information to exactly what the details were. He said it is not unusual to spend a lot of time on special events. The main focus from staff is to be sure the main stakeholders have looked at it from a public safety standpoint. Crossett estimated their application is 90% complete. He referenced pending items on the last page of his staff report. There are pending items such as the final decision to the requested increased capacity at Big Mine Ice Arena is with the Fire Board, who does not meet again until September 2. Signage and branding information have been received. Crossett said intrinsic to the plan are waivers to ordinances. Gillie made a list of everything it could possibly touch. They must respect the nature of the Town. The staff is trying to use judgment. For example, the event at Big Mine will be loud. Staff has asked the applicant to take mitigating measures in giving residents a chance to go away. Additionally, there are things that have just now come in, such as lighting on the street. Town staff said the lights were too high, and they've lowered them. It is up to the Council if this is what the Town wants. Belkin reminded the Council that in July they adopted a Major Special Events ordinance. Staff was approving special events administratively, but the ordinance has been put in to deal with major special events. The standards for the Council's approval are delineated in the ordinance. Belkin said the

Council could adopt the resolution that incorporates the permit and the contract. Crossett said with any big project or event like this, there are 100s of details that continue to pop up. In the contract, the staff has field authority to make any changes.

Adam Bond – “Bondo” – 117 7<sup>th</sup> St, Apt 3

- Loves big special events.
- No housing but all kinds of jobs.
- Would love to see another big event.

Kevin McGruther – 501 Sopris.

- All counting on you. Good luck.

Ross Tunkey – Rivergreen Subdivision

- In favor of event.
- Great summer business wise.
- We don't want to be a mine, but we want to be something. Let's be an event town. Let's be a venue.
- Let's be polite, welcome them and have a great event.

Jennifer McGruther – 501 Sopris

- Directed the Council to the sidebar on the agenda: the Town Council values. Preserve high quality of life and maintaining a real community.
- Part of the privilege of living here means we share the community.
- Deeply concerned about exclusionary nature of the event. Need a wristband and show ID to walk through Town. Doesn't see it being inclusionary when there are fences.
- Council has done a poor job in process, has failed the community, and created divisiveness.

Carolina Alling – 818 Sopris

- In support of businesses that are coming to support our local economy and tourism.
- Concerned about families and kids. Program for kids and community is being pushed away
- Kids are very important to the community.
- The money is not enough to buy our community.
- We can share in a respectful way.
- Things that need to be worked out such as toxicity of seal coat on the road.

Laura Silva – 53 Escalante Street.

- More than 100% in favor of event.
- The cost to live here is very expensive because it's shared with people from the outside world. They then want to share it as well.

- Being creative is all we have left until people are back for the next season. I will take whatever business I can get. I say bring it on.

Tim Wirth – 29 Maroon

- Appreciated, very much, Huckstep's opening statement. Cited it was unusual for a political person to admit being wrong.
- Unhappy for the reasons we are gathering. Doesn't want us to become a community beer parlor.
- Is this how Crested Butte should be? Public property for private gain.
- Questioned how Council can get this far down the road in absolute secrecy. Let's turn out and go a different direction. Not appropriate for Crested Butte or representative democracy.

David J Rothman – 17 Maroon

- Thanked the Council for running the meeting well and applicant for presenting a plan.
- Corrected event organizers that it is Elk Avenue, not Elk Street
- Cited democratic access issue. Some people had access. Hard to accept in the democratic process.

Priscila Banks –

- Shared experience so far working with event organizers has been so-so.
- Last week they blocked her lot with logs that they moved on to her property, and she talked to them about the huge timbers on her property. The logs are still sitting on her property today, and her employee had to roll them out of the way.
- Talked about putting a satellite on the building. No one told her there would be cable going through her space.
- Requested by 115 Elk Ave tenants to lock front door because people have been using private bathrooms.
- Agreed to help, will continue to help. Wants it to go through, but it is always a stretch, always a stretch on what I agreed.

Daniel Goldstein – 8 Ski Jump

- Fragile environment – need to include the community with that, not just the wilderness.
- Wouldn't be here if you guys didn't pull a quick one on us. Not specifically Budweiser, really what hasn't been said, is the damage to the environment.
- The concept that the town is for sale.

Monica Mesa – Yoga for the Peaceful

- Very disappointed how the event has created a divisive, reverberating effect in the community.
- It sets a precedent that our town can be purchased and that money is more important than ethics and integrity.
- Innumerable negative impacts that can only be predicted. Not worth it for \$250,000.

Dave Collucci - Teocalli in CB South

- They're our guests, not your guests.
- Obvious it's divisive.
- Everyone here wants a say in if we should do this or not.

Kat Hassebroek – 313 Belleview

- The noise at Big Mine is no different from local band practice at Mark's Automotive.
- Fun event. Looks forward to how it goes off.
- Event representatives have approached Peak Property. Trickle down. All of them are positive. Speaks in support.

Dave Ochs – 801 Red Lady Ave

- The Chamber presented a survey to members, and the results came back 90% in favor.
- Two petitions online and overall 86% in favor of the event
- Personal point of view: we are a venue.
- People come, they spend their money, and they leave.

Ceil Murray – 222 Maroon

- Comments are about process. The speed of the process has not allowed enough information to come to the public, and what comes to the public, changes daily.
- \$250,000 should not be earmarked. Should be up to the Town's people to decide.
- If you decide to approve this permit, should be approved with requirements such as firm numbers on insurance.
- People with event say one thing, and the map says something else. Look at the language carefully and decide what numbers are firm.

Mark - 572 Cascadilla

- Is a liaison to hire local people to work the event.
- \$250,000 is peanuts compared to people that pay their rent and buy their food.
- Hopes he can see everyday Joe that can benefit.

#### Nancy Reimer

- Company is donating \$250,000. No other events that donate.
- Slow weekend for tourism. Helps round out the season a little bit more.
- 1300 participants on Elk Avenue are not that significant when compared to other events.
- In 1970 Disney filmed the Snowball Express.
- Asking Town to consider the benefits. The employees who want the hours and want to work.
- Asking the Town to vote "Yes" for whatever.

#### Tyler Lucas – 32 Whiterock

- Disappointed that we don't have a better process for this.
- People have known for many months.
- Something doesn't feel right. Secretive process. Doesn't feel like representative democracy. Hopes that we can find a new way.
- \$250,000 gift for the town – let's ask for more money. Consider how to give back to other things such as: affordable housing and the Gunnison County Substance Abuse Prevention Project.

#### Crockett Farnell – 201 Sopris

- Best of the negotiations and deals are mutually beneficial.
- Our brand has become precious.
- Common concern has been \$250,000 valuation of the town. With problems such as traffic, parking, Internet connectivity, the mine fight, \$250,000 is not enough. AB will spend \$600,000 on flights alone.
- Based on magnitude, the legacy fee should not be less than \$10M.

#### Frank Stichter – Upper Highlands in CB South

- Packet was detailed, thorough.
- Economic side of equation is the event is a 48-hour period on a non-productive weekend.
- Opportunity to have immeasurable impact.
- Expressed support for Special Entertainment District.

#### Baron Farnell

- Not here to argue because he wanted to thank the Council for having us here.
- Bud Light thing will make a difference.
- Why waste our time? We'll wake up feeling wasted.
- Will attract the wrong tourists.

#### Shaun Horne – Oh Be Joyful Gallery – Plein Air Invitational – Art Walk

- Made the point that not every business in Town is going to benefit.
- Will not be a good environment for high-end retail.

- What we see in September are the leaf peepers.
- Meets some really good quality patrons during that time of the summer.
- Question of is this in tune with the Town's values. The formation of the Creative District indicates Crested Butte is an expressive community. Sounds like a massive expression of a party. Actually is in tune with our history.

David Coleman – 310 Belleview

- All restaurants in area, people are in support of the event.
- Will be really good for the economy.
- Opportunity for them to work.
- Blaming the secrecy on the Council is a problem. Secrecy was because they're trying to put on a good event.

Rob Mahedy – 105 Goren Street

- Very nervous about this.
- Asked them (event organizers) while they were taking pictures, and they said sorry we can't talk to you about it.
- Biggest concern is AB and their relation to alcohol, violence, and sporting events.
- Concerns are pollution of our air, water, and soil.

Glo Cunningham – 324 Teocalli

- Will love you just as much if you don't think like me tonight.
- This event seems fun, festive, funky, characters, costumes, and unique, which is how she describes her town.
- Snowball Express – Elk was closed for three weeks.
- Biggest problem is secrecy. When she heard it was a game, she understands it. Understands why they did it that way.

Kyleena Falzone – 222 Sopris - 4 Businesses in Town and Mt. Crested Butte

- Extra income associated with this event is pretty huge.
- Representing a number of businesses in Town. 400 residents signed petition that are in 100% in favor.
- Thanked AB for their incredible crew. If it happens, it will be awesome. Please make right decision and support the event.

Michele Simpson – 222 Gothic Ave

- Agreed with Senator Wirth.
- Event is inappropriate for Crested Butte and the process is inappropriate.
- Event is unnecessary coming off of a record summer season.
- If we paint the Town any color, it should be red for Red Lady.
- Not a venue, a community.

Johnna Bernholtz –

- Senator Wirth said it perfectly: the way the process has or has not worked is the biggest problem.
- September has been growing.
- Negative publicity goes a lot further than the good publicity.
- The \$250,000 is ridiculous, and it should benefit the community not just a section

Mike Nolan – Representing Downtown Crested Butte Lodging Association

- Everyone in lodging supports the event.
- Elk Mountain Lodge is full for five nights, rather than one or two nights.
- Social media is like a fire sale. Everyone will know where Crested Butte is.
- Voted for Council members because he thought they were pro business. If we keep shutting down every single event, it will be hard for kids to have a future here.

Doug Hudson – Owner of Gravity Groms

- Based in Nordic Center and Big Mine Ice Rink, and his business is profoundly affected. His business is closed for the fall as of today because he had to cancel after school program for kids.
- Supports this production happening in Crested Butte. We need productions and events.
- Agrees with procedural issues.
- Council should look at other avenues for the \$250,000.

Gabe Martin – 110 Floyd Ave

- Organizer of Big Air on Elk LLC put on every year. Every year their event gets better. We bring in way more people than what they're talking about.
- If it's a one-time shot, what are we afraid of? They haven't asked for money. Need events, especially for the off-season.
- They are not bringing I70 really close to us and not building a huge airport.

Gregory Gull – Resident of Mt. Crested Butte

- Brings back corporate imperialism. Let's bring McDonald's and Taco Bell in here.
- Think about what we value in this community. What kind of community are we and what do we want to be?

Solace McGruther

- Not right to not allow kids on Elk Avenue.
- I would need an escort, seriously?
- Not fair to kids in Town.

Martha Keene – 316 Butte Ave

- The secrecy is serious. Wants to know how the Council can do that.
- Record breaking summer but there hasn't been housing.
- What are they doing to relay sense of responsibility to participants? It's not some giant party where they can come and do whatever they want.

Rob Vandervort – 319 Red Lady

- We don't need the event.
- Bad brand management. Not the brand we have cultivated over the last few decades.
- Crested Butte should be selective and strategic.

Shea Wilson –

- Nothing is mentioned about sustainable.
- Doesn't want to see big businesses.
- What are we highlighting with this?
- She would not come from what she's seeing on social media.

Chris Sullivan – Behalf of the Guild LLC, Mountain Oven, First Ascent Coffee

- Has not been contacted by anyone from AB Beverage or member of the Council on how this event will impact his business.
- Access to 21 Elk is going to be impeded a total of nine days.
- Echoed the sentiment that this is not 100% positive impact for all businesses.
- Do not merely look to the short term.

Kent Preston – 66 Red Mountain Ranch Road

- Questioned if people are opposed to Budweiser coming to Town, or if the process frustrates them.
- The people they bring are not going to be falling over drunk.
- The ad this is based on, it's about whatever, enjoy the experience you'll have. Something fun is going to happen.
- They're here to show 1300 guests a fun time. They will remember the views, will remember Elk.
- The process could improve. Most will have fun and will come back and spend their money.

Greg Pettys – 414 1<sup>st</sup> St

- Surprised how little the wilderness has been mentioned.
- Let's be mindful in the process.
- People are very smart in this town. We know how all of our decisions have affects.

Leslie Locklear – 15624 Hwy 135

- Knows what a franchise can do to a small town.
- Impacted by drunken traffic that has taken out fence, trees, pasture on her property.
- Do you take your families back to the places you partied?
- \$250,000 is not enough money and community should decide where it goes.

Mickey Jackowski

- In a sense the Town has already voted for the Council's decision; we elected you to make this decision.
- Business is growing 20% every season. Repeat customers.
- If we treat them with respect, they will remember Crested Butte as a fun place.

Bruce St. John – 3 Black Diamond

- Shame the process has divided the community to the extent it has.
- Important to remember that diversity makes the community.
- Every performance bond has been woefully inadequate.
- Feels the \$250,000 is a small number for what we're providing and giving up. Wants to see it quadrupled.

Jim Starr – 323 Gothic Ave

- All comments have been about people and money. Majestic beauty has been ignored.
- If we're going to bring in more and more people, we have to deal with the impacts.
- Have the strength and the wisdom to say, "No" and take care of visitors we already have.

Zach Vaughter 111 ½ Gothic Ave Crested Butte Farmers Market

- If event is approved, the Farmers Market has to know they will be able to operate the Sunday after the event.

Corey Bryndal – 73 Packer Way

- Problem is the way the mayor, town attorney, and town council have allowed it to become divided.
- Wants to see an improvement. Process needs to play out well in advance.

Kimbire Woods – 11 Hunter Hill - Grubstake Gallery

- Business does not stand to benefit from this event.
- Most worried about lack of concern for the environment.
- Has not heard about any kind of money to go for clean up. Should be environmental deposit.

Corey Tibljas – 228 Elk Ave

- Bud Light was a big supporter of Big Air.
- We are the community that's up for whatever. This is our chance.

Dickie Brown AKA Red Lady Viktoria

- Invited the powers that are at AB, to invent a Save the Red Lady Lager and all proceeds go to Red Lady.

Eileen Dupre– 92 Alpine Court

- We have an opportunity to give businesses a cushion to carry into the next season.
- What is for the good of the community?

Todd Barnes – 17 Paradise Road

- It's not really Christmas if you know what is under the tree.
- Told staff the weekend might help pay rent and credit card payments. 25 employees that are intending on staying to work the weekend of the event.
- These guys will nail it. Think it will be a fine event.

Katherine Taylor – Brush Creek Road

- Greatest offense is the problem the Town and the people have not had a chance to evaluate and come to terms. The way it has happened has not served our community.
- Missing the process and the democracy. Community has not had time and process to do it in the right way.

Molly Murfee -124 ½ Maroon Ave

- We do not serve a drop of alcohol the night of the event (reference to Vinotok). Concerned about an event that includes tasting of beer and not very much food.
- Does not feel \$250,000 is enough money. Be more forward thinking about it. Proponent to money for keeping a mine off Red Lady.
- This is our home, please be respectful.
- Needs transparency.

Ryan Herr – 620 7<sup>th</sup> Street

- If you have event, consider greening it as much as possible. Consider using biodegradables.

Linda Roberts – 12 Ruth's Road

- Lying to ourselves if we think it's not all about money.
- Suggested if Council approves, approve with modifications.
- Look for at least \$5M: Perimeter trails, rec center, finish Snodgrass. Drop in the bucket for what this town needs.

Kyle Skinner – 215 Brackenbridge St

- Really event is only 48 hours.
- Probably will leave town cleaner.
- Only reason it's happening is because it was a secret.

Lyn Maresca –

- What's the real impact?
- What's going to stop Western State from coming? What kind of plans do we have in place to deal with people coming in, considering it's gotten out to the Front Range.

Audris Zobs - 21 Sopris

- The way this process has unfolded, no one looks past Saturday night to Monday morning.
- Doesn't seem to be any long-term plan about economic development. It's a Band-Aid that won't help anyone past the next weekend. In reality this doesn't fix anything.

Mel Harper – Riverbend

- Not a supporter.
- If this has not been voted on yet, what's going on with moving in wood and putting up fences?

Dave McGuire –

- We're all living here under a bigger secret. Secret we all have to live with. We all live with the big secret that's about to hit us. We're talking about snow!
- The secrecy is what's going to make the event work.

Mark Ewing – 218 Gothic

- Going to wear a costume and it's going to be fun.

Jill McKeown – 103 Elk Ave

- The fences worry her. We don't live in a fenced place.
- Hopes they see our paradise and leave it better than before.

Andy Tyzzer – Cement Creek Road

- Wanted to thank the Council for their work and their patience on this issue.
- Things have been happening really fast. Things that happen really fast tend to be suspect. Suggests a pause. Another option. No sense of urgency about this. It was their decision to move ahead before the final ok. We need a pause for people to come together.

Kevin Freeman –

- The locals need to stand up for what we think.
- You're making a great choice by voting, "Yes."

Ross Tunkey -

- Environment – can you address it? Can you make us proud? If you can't, tell us.
- Any brewer will tell you they can't make Bud Light. Most brewers can't refine to that quality.

Kevin McGruther-

- Good Luck! We're all counting on you.

Monica Mesa-

- Hopes we can heal from this chasm.
- Important to keep attracting people that fit our vision.
- Deep down inside you know you have made a terrible mistake. Takes great character to admit a mistake.

Sue Navy – 324 Gothic

- You have some negotiating to do. Further negotiate to help protect Red Lady.
- \$250,000 doesn't cut it for what is being offered. Need to protect our mountain in order to protect our community.

Davin Sjoberg – owner of Teocalli Tamale

- We are on a timeline with this approval, so whatever solutions let's do our best to serve.
- Would expect AB to promote the integrity and values we respect.

Kate Sealy – 516 2<sup>nd</sup> Street

- Thinks it's a good idea.
- It's 48 hours. It could be a good date or a bad date. Amazing opportunity. Eventually it will trickle down.

Corey Bryndal-

- Staging has actually increased. Things are moving. Someone has moved them to actionable decision.
- The contract is with a shell company.
- We are potentially offering our real community; the full weight of AB should be put on the line.
- Asked Huckstep to recuse himself.

Katherine Taylor-

- This feels like a show. Democratic process is flawed right now.

Johnna Bernholtz-

- Questioned transparency and why there were trailers parked at public works yard.

Molly Murfee –

- Hard for her to swallow, asked when things will start rolling out, was told it was the 26<sup>th</sup>, then they came.
- Feels like things in the process have been omitted.
- Needs to know what has been happening. Needs some details and more transparency and honesty going forward.

Shaun Horne –

- Asked the Council to make part of the agreement with AB that retail businesses that are hurt, get some type of compensation.

Glo Cunningham -

- Believes strongly a citizens committee should be formed to decide where the money should go. The entire town should benefit. Volunteering to head up the committee.

Joel Benisch -

- AB behind it - perfect. If not, need AB's indemnification.
- \$25M in insurance is necessary. Make sure we are additionally insured under each policy.
- Performance bond which guarantees performance, there's nothing in the contract they're required to do.

David Rothman – 17 Maroon

- Particularly struck by comments on shell corporation.
- If someone were to protest, on public property, we have handed over legal authority to determine if WCE (Western Colorado Events) should decide result.

Jen McGruther-

- Asked Huckstep to address Corey's (Bryndal) points.

The staff was then addressed and questioned why there are trailers in the Public Works Yard. Due have allowed other people to park there in the past in similar situations. The parking was allowed with the agreement that they leave if the event is not approved.

The question was asked what would stop Western students from coming and if there was a plan for the influx of people. Event organizers said if there is a mob scenario, we've tried to keep the wraps on it up to this point, going back to the plan to keep the event a secret. Individuals from the community are always invited. Fence is to keep minors out. Homeowners that come from out of state will have access to the location. Martin said security would monitor numbers to determine when it's not safe. He said if numbers become overwhelming, they would not let in more people. Martin said he's comfortable with plan to monitor numbers.

Event organizers were asked about environmental issues and the mechanisms they're taking to reduce environmental impact. They said the impact will be in trash on Elk Avenue.

Entrance/Exit Locations: main entrance will be at 4<sup>th</sup> and Elk. This location allows them to manage individuals involved in the event. They have hired the greatest security. Event organizers said they would add access points for locals with a band. Community members implored them to communicate with invitees to inform them of the values of the local community. Event organizers said participants would sign waivers, indicating they will be removed if they break laws and rules. They have an entire plan for these individuals. Until the time they land, they have no idea where they are going.

Another question was posed asking the value of the event to AB and what was its intended use. Event organizers answered they are not doing this for a Super Bowl commercial. They are using the footage for social media and one short commercial shot. It was confirmed that possible footage could end up in a commercial.

Discussion was had regarding citizen comments from Priscilla Banks and the conflict with logs in her lot. Event organizer, Wells, apologized. He said that is not the way they operate, and he will report the situation to upper management.

The question of where people are staying was asked. Event organizers said people arrive Friday, and 95% of the guests will be staying in Mt. Crested Butte. Sunday morning they are headed back, and they are leaving around 8:30AM.

Organizers of the Farmers Market asked for validation their location would be ok on Sunday. The biggest concern was the sound stage. Wells said that portion allows them to break down after 10PM, and they will start immediately deconstructing the stage. Wells asked to be forgiven for a strike plan that is not in place at this point. In hindsight, he said they should have elaborated more on that plan.

Event organizers were asked how they arrived at the figure of \$250,000. They said it was a combination of hotel and lodging that they can inject into a town. They reported working with restaurants and bars, and the tax revenue to be gained in addition to providing jobs. They took into account the overall equation. The number

they're looking at impact to Town is north of \$2M. They see the macro view to what is being provided to the local community.

Due was asked to explain the implications of painting Elk Avenue blue. Due reported the paint being proposed is the same traffic paint that is used when adding the color that is added to paint crosswalks. He said anywhere you see traffic paint on the roads, it is the same kind; it is an industry standard. Due was asked about any additional environmental concerns. He said there is no more concern when compared to striping, painting curbs, and crosswalks. Due referenced a marijuana leaf painted on Elk in the 200 Block. They used seal coat to cover the leaf, and it didn't bleed through. Due was asked about seal coating versus slurry coating the street. He said slurry coating is basically a guarantee. Belkin added the contract asks for a \$150,000 letter of credit to cover as well as a \$250,000 cash deposit. He said with the monetary things they're putting up, he is comfortable with their protections.

Crossett said one outstanding item was the strike plan. Event organizers were asked what was the plan for removal or tear down of the event should it occur. Wells said they would like to be able to come in and develop a true strike plan. They would use local vendors. An entire strike plan needs to be developed.

The question was posed to event organizers if the speed of this particular production is comparable to other productions. Wells said they typically work under short time lines. Yes, they would have liked to have a longer runway. They think the plan is far and above other events. Wells said he wants to work on things in the next week to make sure individual parking spots are worked with and keeping things such as community.

Schmidt asked Huckstep to address the recusal question brought up from citizens regarding a conflict of interest. Huckstep answered it relates to discussions between the tenant of Big Mine Ice Arena and Crossett to resolve a frustrating issue. He answered he isn't going to sit by when a tenant has a lease terminated early. He cited it is his general policy as person is to jump in and help fix problem. A tenant of Town property was forced out of property, and former Parks and Recreation Director, Jake Jones, elaborated in a letter. The tenant, Gravity Groms, wanted to run an after school program into September, and this particular event was going to wipe out the possibility of the after school program. Huckstep elaborated that he saw an issue and jumped in, and he helped to explore opportunities. Belkin confirmed Huckstep need not recuse himself.

Schmidt brought up fencing and access issues, and he wanted to be sure anyone who has to get in is able. Wells said people would be able to get in and out once they have a wristband. Schmidt also questioned if the number of restrooms is appropriate. Wells answered people will be using the bathrooms in restaurants and bars, and he felt they had more than enough based on their numbers. But, he was willing to revisit the topic with the Council.

There was a question of indemnity of AB. It was requested that AB is added as a guarantor to the contract. Belkin said this was possible. Belkin said event organizers discussed possibly tying the \$250,000 to the deposit, so they could pay the money after they get their money back. Belkin recommended they pay \$250,000 and then get the deposit back. \$150,000 is supposed to guarantee light poles, streets, and those things.

Michel asked Crossett about the fire plan at Big Mine Ice Arena. Crossett explained that the fire plan needs to be signed off by the Fire Board. Organizers are proposing to put more people than approved capacity in Big Mine Ice Arena. The Fire Department said a fire safety engineer could sign off on the increased capacity, and it is set to go in front of the Fire Board on September 2. It was added that the fire safety engineer would need to identify the draft he's signing. Owen commented that with other special events, the Chief or Scotto signs. Crossett said it is up to the Fire District, and with their plan to increase the number of people the decision needs to be made by the Board. Mason asked if there is there a back up plan if the Fire Board does not sign off. It was answered that the plan presented should be what the Fire Board is looking for.

Michel confirmed with Wells that Gothic Field is not being painted blue as it appeared in the plan. Wells further confirmed that nothing is planned at Gothic Field. Michel asked Crossett what is his estimation was on the completeness of the application. Crossett said it was about 90% complete. Owen said the Major Special Event ordinance required a complete application. Ideally the Town could require an application six months ahead, a complete application three months ahead, and then the Town can do a better job of public participation. Huckstep said the Major Special Event ordinance was passed the second meeting in July, and every timeframe has been blown on the ordinance. Belkin said that, according to the ordinance, the timeframes are waivable by the Town Manager for good cause. Owen said that he recalled the ordinance required a pre-application conference, and he wondered if that occurred in this case. Crossett said there were a number of conversations that would qualify. He said the Town has struggled with getting detailed information from the organizers. Owen questioned why there was not a complete application by August 8. He asked Crossett if he considered too much too late to be handled. Crossett said he felt like progress was made by August 8. Wells said it was conveyed to him by staff that it was supposed to be ready by August 8. Crossett said in retrospect he might have recommended never to start the process. He said if the Council is not comfortable to vote, "No." Matuszewicz said the ordinance is clear to show what is considered a complete application. He said it is hard to weigh in on an application that is not complete. He addressed the event organizers and said he found it almost impossible they don't have a strike plan at this hour. He went on to say they are asking to waive a signage ordinance, but they had no idea what they wanted to put in place. Wells answered they have a short window for the strike plan, and their determination was to focus on the upfront. Wells agreed the strike plan should have been more of a focus. Wells went on to say that the creative work that is outlined in the event is proprietary, and with it being a public document, renderings would give away

the full concept. The Council agreed the community desired full disclosure of the above-mentioned items.

The Council further questioned Wells if he had contacted the residents around the 1<sup>st</sup> and Elk parking lot. It was pointed out to Wells that they might need to plan the Farmers Market for a different location if they can't execute a strike plan at night. Huckstep suggested a creative use of infrastructure and possibly using the stage for the Farmers Market. Mountain Oven and Vinotok were also mentioned as being impacted. It was suggested Wells could take an opportunity to help them. Wells said he could figure out alternatives to make sure everyone is happy. Michel said he wants to see the guarantee for the Farmer's Market and Vinotok immortalized in the document. He asked what their plan is for these events to go off properly. Huckstep reminded them that the event is also making a 1% to Open Space donation. Michel clarified that he just wanted the organizers to listen to them; most people just want to be heard.

Matuszewicz asked about the signage plan and what happens in regards to non-participating restaurants in the zone. Wells said businesses that are participating will have Bud Light signs, but non-participating businesses do not get signs. He also asked Wells about their staffing plan regarding security and people getting into the event zone. Matuszewicz asked if they intended to security wand people. Wells said they want to do it. It's an extra security measure. He said everyone should be able to enter and it's not their intention to quiz people on their residency. Mason expressed concern that residents could be hassled by security, and this would be detrimental to the effort the Marshals make to cultivate relationships. Wells said that AB does not have jurisdiction, and a problem local would be approached first by a Marshal. Wells further expounded that he does not think escalation will get very far with security that is in place.

Owen confirmed that the insurance levels in the contract are \$5M per occurrence. He asked if that should be increased to something more substantial. Belkin said to take into account the value of the governmental immunity. He said he confirmed with the Town insurance provider, CIRSA, and they indicated the coverage was sufficient.

Schmidt asked the event organizers if they have the ability to negotiate the amount of \$250,000. Byrne said they would have to circle back to their clients at the request of the Council. Byrne said they are not coming to change the town. They are trying to create an experience. He assured the Council they would make 100% sure the questions that are on the table will be taken care of immediately. He asked for leniency on the town staff. Byrne further stated he started with apology and will end with an apology. He said it is on the event organizers because they asked for secrecy behind it. The secrecy was done for reason, and he said it did not work well.

Michel confirmed from Crossett's staff report that there are 16 major items still pending. He said it is the first time the public has had a chance to take a swing at it.

Wells said there is not time to wait days. This event is up against the wall, and they have to move tomorrow.

Owen said the Council's job is to protect and ensure public safety and welfare of the Town. He can't say they are protecting health and safety by voting on this incomplete plan. Huckstep said contingencies could be added to the approval. Owen said that normally a contingency approval is waiving one thing, like insurance; this application has 16 items. Matuszewicz further elaborated that they are major pending items.

Huckstep said the Council has set a very high bar. There is a reimbursement in place. He said with this is the bar, he's not sure they would ever approve another event. Bar might prove to be a deterrent in the future, and the flip side of the coin is that we'll ruin our Town's values.

Michel said there are really good concerns the community has raised. He said the \$250,000 has to be more. There are a lot of questions that haven't been answered, and it is not the fault of the Council that the applicant has waited so long.

Wells said they need to start tomorrow. They have an extreme amount of effort and resources committed, and they need to start with the full plan tomorrow. He assured the Council they would have everything in next 24 to 36 hours. Huckstep asked the Council if they would entertain a licensing agreement. He asked the Council if they would allow them to start work at Big Mine, and if the Council denies the application, they would have to take their work down.

Matuszewicz said the plan pertaining to the carnival needs to be more detailed. He asked how tall are the structures involved in the carnival. He asked if we know about the lighting and the noise. Belkin said the staff could come back on the carnival. The Council decided the plan was good enough if the staff okay's it.

The Council decided to continue the hearing due to the number of outstanding, significant issues.

Michel moved and Schmidt seconded a motion to continue this public hearing to Thursday, August 28, 2014 at 6PM, including the availability of the e-packet by close of business Wednesday, August 27, 2014. A roll call vote was taken with all voting, "Yes." (Except for Ladoulis who recused himself). **Motion passed unanimously.**

The staging, planned at Big Mine and 1<sup>st</sup> and Elk parking lot, was again discussed. The Council decided it was possible to issue a written license agreement. The discussion of the licensing agreement was added under Other Business.

- 3) Ordinance No. 10, Series 2014 – An Ordinance Amending Chapter 6 of the Crested Butte Municipal Code to Add Regulations for the Creation of an Entertainment District in which Common Areas for the Consumption of Alcohol May be Operated by a Promotional Association.

The above-mentioned public hearing (originally Item #1 and Item #2 under Public Hearing) and Item #3 under Public Hearing on the agenda were continued.

Schmidt moved and Matuszewicz seconded a motion to continue Item #3 under Public Hearing until Thursday, August 28, 2014 at 6PM. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

- 4) Ordinance No. 9, Series 2014 – An Ordinance Amending and Replacing the Affordable Housing Guidelines for Paradise Park Subdivision, Blocks 77 and 78 Contained in Appendix N, Part VII of the Crested Butte Municipal Code, Applicable to Block 77, Lot 4, Unit B Only; Amending and Replacing the Affordable Housing Guidelines for the Town Ranch House Contained in Appendix N, Part IV of the Crested Butte Municipal Code; and Amending the Rental Guidelines for Town Owned Units the in the Affordable Housing Guidelines for Paradise Park Subdivision, Blocks 77 and 78 Contained in Appendix N, Part VII of the Crested Butte Municipal Code.

Schmidt moved and Mason seconded a motion to approve Ordinance No. 9, Series 2014. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

#### **NEW BUSINESS**

- 1) Resolution No. 10, Series 2014 - Resolutions of the Crested Butte Town Council Creating an Entertainment District Authorized by C.R.S., § 12-47-301. (*if necessary*).

It did not become necessary to address Resolution No. 10, Series 2014 at the meeting.

- 2) Ordinance 11, Series 2014 – An Ordinance Amending Chapter 16, Article 18 of the Crested Butte Municipal Code to Include Regulations for the Allowance of Signs on Public Property where Certain Conditions Are Met.

Schmidt confirmed the ordinance has to do with trail signs.

Owen moved and Schmidt seconded a motion to set Ordinance No. 11, Series 2014 for public hearing. **Motion passed.**

- 3) Discussion and Possible Action Regarding Award of Design Build Contract for Tennis Court Replacement Project with Renner Sports in an Amount not to Exceed \$240,000.00.

Matuszewicz confirmed with Hansen that the bid came back at \$212,000. He questioned the 10% overage. Hansen said the courts will have a vapor barrier, and she added a 12% contingency on top of it.

Matuszewicz moved and Ladoulis seconded a motion to award the tennis court replacement project with Renner Sports in an amount not to exceed \$240,000. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **LEGAL MATTERS**

None

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

Schmidt mentioned the last Public Policy Forum of the year.

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

Huckstep referred to a request from Rozman and Yerman to increase a budget line item in the affordable housing budget for housing maintenance. Ladoulis asked if the assumption was the Town repairs the unit and recoups the costs upon the sale of the unit. Huckstep said it was for regular maintenance on a town owned unit. It was mentioned that revenues are higher than expected. Crossett said it was bought in low enough that the Town would get money out of it. It was stated that if the outside was not painted, it would need to be re-sided.

Schmidt moved and Mason seconded a motion to increase the affordable housing 2014 budget to increase the housing maintenance line item. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The discussion returned to the licensing agreement that would allow AB/Bud Light event organizers to begin using the Big Mine Ice Arena and surrounding area and the 1<sup>st</sup> and Elk Parking Lot. The agreement does not imply future approval.

Ladoulis recused himself.

Michel moved and Mason seconded a motion to authorize the Mayor or Town Manager to sign a licensing agreement upon the terms discussed. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

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

- Tuesday, September 2, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, September 15, 2014 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, October 6, 2014 – 6:00PM Work Session – 7:00PM Regular Council

**ADJOURNMENT**

Mayor Huckstep adjourned the meeting at 2:26AM.



Aaron J. Huckstep, Mayor



Lynelle Stanford, Town Clerk (SEAL)

