

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Tuesday, February 21, 2017
Council Chambers, Crested Butte Town Hall

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

Council Members Present: Jim Schmidt, Jackson Petito, Roland Mason, Laura Mitchell, and Paul Merck

Staff Present: Town Manager Dara MacDonald and Town Attorney John Belkin

Finance Director Lois Rozman, Planning Director Michael Yerman, Parks and Recreation Director Janna Hansen, Building and Zoning Director Bob Gillie, Chief Marshal Mike Reily, and Town Clerk Lynelle Stanford (all for part of the meeting)

APPROVAL OF THE AGENDA

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

CONSENT AGENDA

- 1) February 6, 2017 Regular Town Council Meeting Minutes.**
- 2) February 15, 2017 Special Town Council Meeting Minutes.**
- 3) Resolution No. 5, Series 2017 - Resolutions of the Crested Butte Town Council Approving the Plat and Declaration and Party Wall Agreement for Engelmann Townhouses, Lots 25 and 26, Block 64, Town of Crested Butte, Colorado.**
- 4) Resolution No. 6, Series 2017 - Resolutions of the Crested Butte Town Council Approving the Plat and Declaration and Party Wall Agreement for Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Colorado.**
- 5) Resolution No. 7, Series 2017 - Resolutions of the Crested Butte Town Council Approving the Creative District Marketing Partnership with the Gunnison Crested Butte Tourism Association in an Amount Not to Exceed \$5,000.00.**
- 6) Resolution No. 8, Series 2017 - Resolutions of the Crested Butte Town Council Authorizing the Mayor to Execute the Grant Agreement Between the Town and the State of Colorado for the Crested Butte Wastewater Plant Upgrades.**
- 7) Authorization for the Mayor to Sign a Letter of Support for the 2017 Funding Assistance Program for the Peanut Lake Restoration Project.**

8) Proclamation Declaring Crested Butte as an Open and Inclusive Community.

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

PUBLIC COMMENT

None

STAFF UPDATES

Lynelle Stanford

- Mentioned the upcoming Mardi Gras parade.
- Applications for the Crested Butte Art Market and Artumn Festival had been submitted.
- Staff would be meeting with Vinotok event organizers this week.
- There would be a public hearing for a liquor license at 202 Elk on either March 20 or April 3.

Mike Reily

- Attended a conference that specifically included new chiefs last week.
- He had a tremendous team, and he felt fortunate. The community caretaker function was huge for them. He thanked the Council for their support.

Michael Yerman

- There was the first CDOT meeting on the way finding plan. CDOT only allowed three locations per sign. The RFQ for design would be ready the first week in March.
- The next Creative District meeting would be on March 1st at 9AM.

Bob Gillie

- He thanked his Staff and acknowledged their hard work.
- BOZAR had full agendas in March and April.

Rodney Due

- They had finally caught up, and now staff members were falling sick.
- He was forced to contract out a water main break.
- They had used the regular snow supply budget and were \$10K into the \$100K contingency. He didn't anticipate using the full \$100K.
- Due responded to Michel's question, and he estimated there had been 1000's of dump truck loads of snow hauled.

Janna Hansen

- Big Mine ice arena would only be open for a couple more weeks. Sunday, March 12th was the official closing date.

- Crews should be done shoveling the roof tomorrow.
- Schmidt asked about the repair of the roof crack. MacDonald clarified the roof didn't literally crack, but people heard the sound of a crack. Hansen explained the general contractor (GC) contacted the manufacturer of the roof. The manufacturer recommended that a structural engineer look at it. She was hoping to meet with the GC and engineer on-site to determine if they needed a third party evaluation.

Dara MacDonald

- Reminded the Council of the retreat on March 8th and the joint meeting with the County Commissioners on March 28th from 10AM to Noon in Council Chambers.
- Due would be bringing forth loan documents for the wastewater treatment plant loan.
- She mentioned the issue of disappearing residential units in order to create bigger units. She asked if Council wanted Staff to address. The Council directed Staff to investigate.
- There was the idea of a statewide sales tax for transportation to address the funding shortfall for CDOT.
- MacDonald confirmed for Mitchell that the parking at the school was not particularly utilized over the long weekend.
- Mason requested that the discussion of double basements be added to the condo combines.

PUBLIC HEARING

1) Ordinance No. 2, Series 2017 - An Ordinance of the Crested Butte Town Council Amending Chapter 18, Article 8 of the Crested Butte Municipal Code to Include Allowances for Additional Signage in the Business and Commercial Zone Districts Under Certain Circumstances.

Michel confirmed proper public notice was given. Gillie affirmed that nothing had changed from the last presentation. The meeting was opened to public comment, and there was no one present to comment. The public hearing was closed, and it was opened to Council discussion. There was no further discussion.

Schmidt moved and Merck seconded a motion to approve Ordinance No. 2, Series 2017. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

NEW BUSINESS

1) Ordinance No. 3, Series 2017 - An Ordinance of the Crested Butte Town Council Amending Chapter 16, Articles 16 and 21 of the Crested Butte Municipal Code to Include Requirements for Mechanical Parking Lift Systems, to Credit the Use of Private Property Parking for Public Parking in the "T" Zone District and to Exempt Parking Square Footage and Access to Such Parking from Resident Occupied Affordable Housing Requirements.

Gillie explained the ordinance was partly in reaction to proposals from proponents asking how to deal with parking requirements. The Crested Butte Hotel proposed mechanical stacking. The ordinance did not mean their mechanical parking was approved; it meant they were able to propose it. Michel asked how the Board would monitor so that it would be viable and usable. Gillie explained that if the system failed to operate, then the use would be in jeopardy. Certain details still needed to be worked out with developers such as that people could not opt out of the system and park on Town streets. Mason questioned drainage and whether the concept had been tested in another area similar to Crested Butte. Gillie stated there were none in Colorado. He reiterated they had not reached the details. Michel stated that when Council created policy they wanted a viable parking system that would work. There was a discussion around head in parking and snow removal.

Schmidt moved and Mason seconded a motion to place Ordinance No. 3, Series 2017 on the March 6th agenda for public hearing. **Motion passed.**

2) Authorization for the Mayor to Sign a Letter of Intent to Apply for Colorado Creative Industries Space to Create Application.

Merck moved and Petito seconded a motion to authorize the Mayor to sign a letter of intent to apply for Colorado Creative Industries Space to Create application. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

LEGAL MATTERS

Belkin had not heard anything from Jacob With regarding the Heights. The conversation had left off with Town potentially acquiring the property.

There was no update on Mt. Emmons, but he was working to organize a meeting with various parties on the continuation of the bill and clean up. He expected there would be some level of conversation on water issues at the joint meeting with the County Commissioners.

COUNCIL REPORTS UPDATES AND COMMITTEE UPDATES

Jim Schmidt

- He would be attending a (Housing Authority) retreat starting tomorrow.
- They asked for applications for a new director, and they hoped to hire by May 1st.
- The Cemetery Committee met last Friday. They talked about the work at the Jokerville gravesite and that there would be a dedication ceremony.

Jackson Petito

- He attended a Housing Foundation meeting.
- A lot depended upon what came out of the retreat.
- They discussed duplexes for essential service workers.

- Yerman asked for a letter of support for the Space to Create application.
- There was talk about modular builds.

Roland Mason

- He attended a Mountain Express meeting last Thursday. They discussed workforce housing. However, the shop building was competing with the need for housing, partly because it had been difficult to park busses this year with the snow, which made the shop expansion rise to the forefront.
- There was a new small bus. They would be putting it out for an artist to submit a proposal. He recommended that Larsen contact the Creative District for a possible partnership.

Laura Mitchell

- She suggested more collaboration and a better game plan for meetings after 3-day weekends.
- She attended a Mountain Express meeting.

Roland Mason

- He further explained that the Mountain Express shop was designed for cold storage.
- The income for Mountain Express was higher than what they budgeted.
- He believed they had four runs per day to Gothic this upcoming summer. They were still conferring with the County and Forest Service to work out the turnaround at Judd Falls.
- Mitchell added they had talked about adjusting the last pick up time at Gothic.

Paul Merck

- The Gothic race would be this weekend, and Miner's Ball would be Friday of next week.
- Coldharbour was still chugging along and working with other groups. There was a broad spectrum of what they would like to do, and he would be backing off.

3) Presentation by Center for the Arts and Possible Town Council Direction Regarding Financing Options for the Center for the Arts Renovation and Expansion Project.

Roland Mason recused himself and left the meeting.

Ed Schmidt and Jenny Birnie were present on behalf of the Center for the Arts. E. Schmidt explained that they tried to focus on questions that arose from the last presentation. They were asked to consider the impact of construction in Town Park. E. Schmidt reviewed Phase 1 through Phase 3 and showed graphic representations of the phases of the project.

Michel asked about bathrooms in the park for the summer. E. Schmidt confirmed the permanent bathrooms would be located in the Center. J. Schmidt thought it was a terrible

idea. E. Schmidt agreed they could look into refurbishing the existing bathrooms. Birnie thought it would be suitable to provide something similar to what was located at Gothic Field.

E. Schmidt described details of Phases 2 and 3. He identified that the funding gap existed in Phase 1. They wouldn't begin Phase 2 unless they adequately fulfilled the obligations of Phase 1. E. Schmidt confirmed for Michel when asked if the Center would pay back Town before starting Phase 2. He showed a chart depicting the capital campaign with fundraising projections. They anticipated a funding gap of \$749,417. E. Schmidt told the Council the gap was at the end of construction, and it would be short-lived.

E. Schmidt continued to explain that tax exempt financing did not make sense, mainly because the amount was too small. They decided a specific line of credit or renegotiation of the lease would be most beneficial to both parties. There were two options listed under direct arrangement: 1) Town extended funds as if it was a line of credit or 2) Take the lease and handle the line of credit as a tenant improvement allowance. E. Schmidt said they could pay it back under the terms required, and they would prefer to pay it back before financing the next phase. He listed advantages of the direct arrangement, and he thought it aligned the problem with the needs.

Mitchell confirmed the \$750K would be paid off via fund raising. MacDonald clarified it would be the Town investing in its own asset. Town would then in turn charge a lease to the Center. Because of TABOR, she specified it was not a loan. Michel acknowledged the value the Center provided to the Town.

Michel said they needed to determine if there was an affirmative vote from the Council. MacDonald confirmed for Petito that the benefit to the Center was the timing. She recognized that it would squeeze the capital budget to reserves. They could look at scaling back other projects, but it did decrease the ability concerning what they would otherwise be doing with the money. Mitchell agreed it was a good investment, but she wondered how taxpayers would feel about spending that amount of money. Michel elaborated that it was a line of credit that would be paid back, and they were giving taxpayers a benefit. Merck voiced agreement that it was positive and suggested they kept course. J. Schmidt agreed they should go ahead. The Council directed Staff, with thumbs up from five councilors, to bring forward something formal.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

None

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, March 6, 2017 - 6:00PM Work Session - 7:00PM Regular Council

- Monday, March 20, 2017 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, April 3, 2017 - 6:00PM Work Session - 7:00PM Regular Council

EXECUTIVE SESSION

Michel 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.

Petito moved and Mitchell seconded a motion to go into Executive Session for this topic. A roll call vote was taken with all voting, "Yes," except for Mason who had recused himself and did not vote. **Motion passed unanimously.**

The Council went into Executive Session at 8:31PM. Council returned to open meeting at 8:50PM. Mayor Michel made the required announcement before returning to open meeting.

Michel read the reason for the next Executive Session:

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b).

Schmidt moved Mitchell seconded a motion to go into Executive Session for the reasons stated by the Mayor. A roll call vote was taken with all voting, "Yes," except for Mason who had recused himself and did not vote. **Motion passed unanimously.**

The Council went into Executive Session at 8:51PM. Council returned to open meeting at 9:07PM. Mayor Michel made the required announcement before returning to open meeting.

ADJOURNMENT

Mayor Michel adjourned the meeting at 9:09PM.



Glenn Michel, Mayor



Lynelle Stanford, Town Clerk

(SEAL)

