

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, March 16, 2015**  
**Council Chambers, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 8:05PM.

Council Members Present: Jim Schmidt, Glenn Michel, Shaun Matusewicz, Chris Ladoulis, and Skip Berkshire

Staff Present: Town Manager Todd Crossett and Building and Zoning Director Bob Gillie

Town Planner Michael Yerman, Town Clerk Lynelle Stanford, Public Works Director Rodney Due, Parks and Recreation Director Janna Hansen, Chief Marshal Tom Martin, and Assistant Chief Marshal Mike Reily (for part of the meeting)

**APPROVAL OF THE AGENDA**

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

**CONSENT AGENDA**

- 1) **Approval of March 3, 2015 Regular Town Council Meeting Minutes.**
- 2) **Approval of Special Event Application and Special Event Liquor Permit Submitted by the Crested Butte Music Festival for From Russia with Love from July 11-13, 2015 at the Big Mine Ice Arena.**
- 3) **Approval of Special Event Application and Special Event Liquor Permit Submitted by the Crested Butte Music Festival for The Celebration Gala from July 17-19, 2015 at the Big Mine Ice Arena.**

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 COMMENT**

None

**STAFF UPDATES**

Tom Martin

- During Big Air, the Marshals dealt with open containers, underage consumption, and people on rooftops. He said it was primarily what they expected.
- It has been a busy winter, and it will be a busy summer.

#### Rodney Due

- There were some issues to work through concerning Big Air, and there would be a debrief meeting concerning the event.
- There are two projects out to bid: rec path extension (asking for concrete and pavement bids) and streets resurfacing.

#### Lynelle Stanford

- Mentioned there was a Ride the Rockies/Bike Week meeting last week.
- The Flauschink Parade would be administratively approved. It will be held on April 4.
- There will be a meeting this week regarding the 4<sup>th</sup> of July and One World.
- Received special event applications for Alpenglow and People's Fair.
- Community Clean Up Day will be on May 16.

#### Janna Hansen

- Stated there would be a community work session on the Big Mine Master Plan March 30 from 4PM to 6PM.
- The rink is closed.
- Has been busy with the hiring process of a Rec Coordinator and for seasonal summer positions.
- Both grant committees have recommended the McCormick Ditch grant move forward.

#### Michael Yerman

- Mentioned the upcoming Creative District meeting on March 26 at the Center for the Arts.
- Reported there would be trail crews to work on the Baxter Gulch Trail for four weeks this summer.
- Stated that since the article on Blocks 79 and 80 appeared in the *CB News*, he had received approximately twenty emails from people asking when they could buy houses. He said they would be working hard to get in the infrastructure.
- Schmidt questioned what the timeline would be on Anthracite Place, such as when they planned on completing and taking applications. Gillie answered it would not be done until next May or June. Gillie confirmed Gunnison County Housing Authority would manage the rentals.

#### Todd Crossett

- A lot of things went well with Big Air, and no one got hurt. The main message was taking a hard look at the event and having a thorough debrief.
- Was contacted by Burton with a request to do a photo shoot in Town.

- Will be interviewing candidates for the facility (building maintenance) position next week. They hope to have the position filled quickly.
- Mentioned that Rozman was busy with the audit this week.
- Staff will be finalizing the work plan this week.
- Related to the Council's priorities, the April 6 work session would be on the parks funding issue and sales tax. Also, he had been working with Melanie Rees on the VRBO research project that was started for CAST. There would be a significant discussion of what it looked like to set up guidelines for Blocks 79 and 80, including what markets to target and how to do it. Reminded the Council they looked at the Vail Model for special events. They needed to get sales tax underway and then they could consider a work session for special event policies and procedures.
- Spoke to a number of people around Town, all of whom reported being consistently busy, with higher numbers of people.

### **PUBLIC HEARING**

#### **1) Ordinance No. 1, Series 2015 – An Ordinance of the Crested Butte Town Council Amending Chapter 18, Article 9 of the Crested Butte Municipal Code to Allow for the Use of Enterprise Green Certification in Lieu of Leadership in Energy and Environmental Design (LEED) Certification for Buildings Over 20,000 Square Feet.**

Huckstep confirmed proper public notice had been given and that there were no changes from the time the staff report was written. No members from the public were present for the hearing, and there were no questions for staff. The public hearing was closed, and there was no further Council discussion.

Schmidt moved and Michel seconded a motion to adopt Ordinance No. 1, Series 2015. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **NEW BUSINESS**

#### **1) Council Discussion and Feedback on Potential Marshal Patrol Car Design.**

Schmidt said he was critical of the previously proposed design, and he felt the currently proposed design was fine. Huckstep asked if anyone on the Council thought otherwise. Berkshire wondered why they proposed to change the design to black rather than keeping the color blue. Reily said because black was always black. Crossett commended the Marshals for being sensitive to the culture of Town. Huckstep summarized and said the Council gave their "thumbs up" on the design.

#### **2) Mundus Bishop Center for the Arts Site Plan Recommendation Presentation.**

Crossett introduced Tina Bishop, Principal at Mundus Bishop, the lead for the Big Mine Master Plan process, and the process to decide where to best locate the Center for the Arts within Town Park. Bishop confirmed she was asked to take a look at how the

current park functions and how to find the best site for the Center for the Arts. She stated that Town Park boasted wonderful green space and had a great relationship between the mountains and towns. She felt there was a great opportunity to create an iconic building and to also retain the park character and recreational uses. She recognized how important it was to have lawn spaces, and that there were also limits on park spaces for active recreation. Bishop acknowledged there were great relationships between civic buildings and parks. She outlined the features of the current site. She thought it was interesting how the Center for the Arts was hunkered low in the park. Bishop said they were maintaining recreational programming to every extent possible knowing they were adding a building. She said they were asked to analyze how the park functioned, and it worked well because uses were not jammed up against each other.

There was a relationship diagram included in the presentation that was meant to give an idea of the importance of relationships in park design. For example, Alpenglow required a direct relationship with the stage, and play elements needed to stay near each other. Also, it was nice to have court sports together. Bishop said that having green space was also really important. She clarified the building wouldn't fill up the footprint. In addition, there were a lot of outdoor uses associated with the footprint, and there was a strong relationship between park use and entrances to buildings. She said with the new building, they would maintain all of the park uses, except for softball. Softball would be moved to Rainbow Park. Town would gain a large men's side field. In addition, Town would get an adult sized soccer field. Bishop said they created a building zone that was north of the current footprint. Michel wondered how many square feet the building would be in relation to the footprint. Bishop answered that the building zone was about 60,000 square feet and about 1/2 was for the footprint. There would still be a great route from east and west, and there would be a great gathering space for Alpenglow. They would retain a number of soccer fields, sport courts, and green space, all of which could share a pavilion.

Currently, there are 23 parking spaces at the Center for the Arts and Town Park. There could be an opportunity to create head-in parking on 7<sup>th</sup> Street, and they could potentially have 73 spaces. Overflow parking would still remain at the school. Ladoulis wondered if the location of parking was designed to get a number of spots, or if there was consideration of how traffic flowed. He didn't think anyone would park on the east side. Matusiewicz added that the area around Whiterock and 7<sup>th</sup> Street was completely filled for Alpenglow. Bishop said a key point was to maintain as much green space as possible in the park core. The parking was more for day-to-day use for the Center. Event parking was off site and not within the core. Yerman added that they were making sure they could use the 4 Way for parking as well.

Schmidt cited past opposition to moving Pitsker Field. He said that he did not have a problem, except the soccer field (at Rainbow Park) had a considerable crown. Bishop agreed they would have to modify and grading would be likely. Schmidt felt it would require considerable money to re-grade and replant. Huckstep asked if there would be a loss of use. Hansen said it would be a shift of usages, and they would gain field space. Berkshire wondered if there would be fencing (required for the softball field). Bishop

answered, "Yes." Berkshire expressed concern that an issue such as this one had to be vetted publically.

Berkshire asked if they could move the daycare center. He said people would like it to be near the school. Yerman mentioned the idea of an early childhood education site, related to a deal in which the annexors would get credit for space created for early childhood education. Yerman continued on to explain that the hardest facility to plan for was a baseball field. Crossett wondered how important it was to have a full sized field. Schmidt asked why the proposed baseball field in Rainbow Park wasn't oriented straight. Bishop said the proposed design gave the longest distance on each leg. Huckstep asked what would happen to the rec path that currently runs by Stepping Stones. Bishop said it would remain, but it would veer off to the side. Hansen said they might as well do it right and look at Town Park holistically. She said amenities needed improvements on multiple fronts, and Town could have a flagship park of which to be proud. Huckstep wanted to know more about the left and right field lines on the proposed baseball field at Rainbow Park. Hansen said they would need to do a netting study, and it would need significant netting. Ladoulis stated that fencing changed the flow from the pavilion out to the green space. Berkshire said the fencing would be like it was at Pitsker. Yerman said the dugouts would have enough of a buffer to not be right up against the alleys or pavilion. Matuszewicz asked them to consider the climbing boulder and how it became shaded earlier in the day due to the location of the restrooms. Schmidt said he has played on fields that did not have an outfield fence. He said with Block 76 towards right field, they wouldn't need to bother with a fence. Crockett Farnell, representative for the Center for the Arts, said that instead of a gigantic fence in Town Park, it would open up the whole corridor and be more overtly inviting. He said they spent the past three months in meetings and doing studies and took into consideration the neighbors to the northeast and the view of Town coming in on the main highway. He said they did not say the Center would put the building there and Town had to move all of their amenities. Schmidt pointed out that if the Center was not expanding, they would not move the ball park. Jenny Birnie, Executive Director for the Center for the Arts, said they would look at whatever option they're told. Schmidt would like to know public objections to moving Pitsker Field. He didn't think the notice that had been provided allowed people to know what was happening. Huckstep confirmed no one wanted to see a field go away in the process. Yerman said they would actually be gaining a full sized field, and the main rules were not to lose any amenities and to see how many they could gain. Town would gain a full sized softball field and kids' soccer fields. Berkshire said they were able to move Tommy V Field when the school expanded, and they were not getting rid of, they were relocating. The Council agreed they would defer any decisions to allow public comments.

**3) Resolution No. 4, Series 2015 – Discussion and Possible Decision Regarding a Resolution of the Crested Butte Town Council Expressing Support for the Use of Public Property for the Purpose of Expanding the Center for the Arts' Facilities.**

Schmidt moved and Berkshire seconded a motion to continue Resolution No. 4, Series 2015 to the next agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**4) Presentation by Frank Kugel of the Upper Gunnison River Water Conservancy District on the Gunnison Basin Water Plan.**

Frank Kugel, General Manager of the Upper Gunnison River Water Conservancy District, introduced board members Bill Nesbitt and Steve Glazer. They were providing an update on Upper Gunnison River water matters. Their district ran from Blue Mesa to include Crested Butte. Their grant program recently completed \$120K for water projects in the basin, in which Crested Butte has benefitted. The projects included: the Crested Butte Water Ditch, McCormick Ditch Diversion Project, and the stream gauge on Coal Creek. Kugel also updated the Council on the Colorado Water Plan. He serves on the Gunnison Basin Roundtable to provide input on the Colorado Water Plan. The primary concern that Kugel identified was that there could potentially be 10M Colorado residents in 2050 and water supplies would drop. There would be increasing demand and decreasing supply. The Gunnison Basin Roundtable had been working to reach out to community members asking for feedback. The feedback was needed in order to submit a plan from the Gunnison Basin. Kugel said that the Gunnison Basin faced the threat of trans-mountain diversion. Kugel felt that the water community was more informed than they were in the past, but they faced a threat if they didn't go to the table to negotiate and educate. The Front Range contained 85% of the population, and 85% of the water was here. Kugel wanted to negotiate in order to plan for shortages that might be faced in the future. Kugel stated that the deadline for public comment was basically now. He has to have the final draft of the Gunnison Basin Plan to the State by April 17, which would be presented to the Governor in early December.

Kugel said that, firstly, water conservation was one way to meet the gap between supply and demand. They wanted to get all of the municipal providers together to talk about water conversation. Kugel said that by asking the Front Range to conserve water, it was important that water in this area was conserved, too. Secondly, Kugel said another aspect was ag transfers, also known as "buy and dry." Basically, water was transferred off farmland, which they wanted to discourage because of the importance of agriculture. Thirdly, Kugel mentioned another aspect was new supply. For example, a way to encourage responsible growth in the Front Range included developing fewer golf courses and park spaces that required irrigation. The fourth aspect was to identify projects and processes and to look at ways to prioritize. Specifically, helping projects that were on the books to move forward.

Nesbitt spoke regarding a ballot initiative on the proposed public trust doctrine regarding giving up water works, water supply, and diversion structures to the public. He said it was a Federal piece in which the Feds were proposing to take over the reservoirs. Matuszewicz confirmed if water went over the divide, it went to the other side of the hill. Nesbitt reported there was a problem with legislative clout. Huckstep asked if there was anything that could be done as a community, beyond the building code. Nesbitt said any

water that was conserved became a part of the system. He said the concern was that they didn't get credit for water that was saved, and he felt it important that they received their proper due. Kugel said what the Town of Crested Butte was doing with the McCormick Ditch Project was an excellent example of responsible water usage. Schmidt asked about the Colorado River Compact. He asked if there was as much concern about the Colorado River Compact as there was about trans-mountain diversion. Nesbitt felt the paradigm needed to change. He said things could be done with existing reservoirs, and there seemed to be some give and take. Glazer said they were working towards the development of contingency plans. Nesbitt was not as concerned about downstream calls. The more immediate problem was that lake levels dropped and hydropower was lost. Glazer added that they wanted to be sure Gunnison's voice was heard and that the Roundtable was taking comments. Schmidt said that flood irrigation was wasteful compared to drip, and he wondered if there were any efforts to moderate. Kugel said that downstream users were reliant on return flows. Drip irrigation was great for the environment but downstream suffered. The overall goal was to preserve existing uses. They wanted to make informed decisions and applied research was important. Kugel mentioned their upcoming board meeting next week and upcoming projects in the area.

#### **5) Presentation by High Country Conservation Advocates (HCCA) to Provide a Periodic Update on Gunnison County Public Lands, Red Lady, and the Water of the Gunnison Basin.**

Alli Melton, Public Lands Director for HCCA, presented a periodic update. She began by talking about natural gas, specifically the Bull Mountain Master Development Plan, which would affect the north end of the Paonia Reservoir to McClure Pass. The last County process regarding proposed flow back pits demonstrated insufficiency in the County regulations regarding comprehensive planning.

Next, Melton spoke regarding the Colorado Roadless Rule Coal Mine Exemption. She said it would fragment some really important habitat. She said they worked to move away from boom or bust and wanted to move to a more sustainable model.

Melton mentioned the Spruce Beetle Epidemic Sudden Aspen Decline Management Response (SBEADMR) in regards to timber. Because the Forest Service wasn't clear, HCCA was prioritizing to make sure communities would be protected.

Melton provided an update on Red Lady. US Energy has engaged the Forest Service in the NEPA process. The Forest Service would be working on their own schedule and funding. It was unlikely this would be on their books, and the process probably would be starting next year.

Julie Nania, Water Program Director, said she had been involved in rule making hearings involving Coal Creek. The plan was to identify heavy metals in the creek, and they needed to be able to attribute sources of loading before they could establish standards. HCCA was asking for great involvement in the process due to concerns with ground water. Coal Creek Water Coalition was also involved and provided information as a

member of the public. Nania reported that as a result of the hearing, they convinced them to hold stakeholders' meetings, and moving forward they could play a more active role and active analysis. HCCA has been involved in the Gunnison Basin Implementation Plan and the Colorado Water Plan processes, commenting on in-stream flows concerns. Nania also mentioned the piping project of McCormick Ditch. Schmidt questioned if HCCA had talked about reengaging with US Energy for solutions to the "ultimate problem." Melton answered, "No." He then asked if they had any interest. Melton answered, "No." She said their approach was to wait and see when US Energy might be amenable. Schmidt wondered how they would know when they were amenable. Melton said they would contact HCCA. She said their role was better as a watchdog, rather than as a negotiator.

### **EXECUTIVE SESSION**

Huckstep confirmed with the Council they were agreeable to amending the agenda by adding Executive Session to the end of the meeting.

### **LEGAL MATTERS**

None

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

Glenn Michel

- Thanked the Council members who attended the One Valley Prosperity Project (OVPP) event. Reported that they were in the visioning process. They were collecting comments and challenges to create a visioning statement. Said he would be at Rumors later this week collecting information from people.
- Reported that the Mountain Express Board identified that they had strong revenue coming in from sales tax, and they would potentially be willing to fund a bus to the Judd Falls Trailhead. They approached the National Forest Service and the County. They received a letter back from the Forest Service indicating they were not willing to help improve the road or the turn around. A bus to Judd Falls was a potential solution to help traffic flow on Gothic Road. Matuszewicz asked if the answer meant that it could not be done, which Michel confirmed. Michel hoped they could have more dialogue. Huckstep said the Forest Service's reason was because there was already permitted businesses providing service. Michel said they would attempt to navigate the issue without disturbing.
- Mentioned the Big Mine Strategic Planning meeting on March 30. He said they were close to narrowing final plans, and it was a good time to weigh in and put in their thoughts.

Aaron Huckstep

- Informed the Council of the upcoming Marijuana Summit put on by GCSAPP.
- Attended Mayor/Mangers two Thursdays ago.

- Was in Denver last week for CAST. There was a legislative update with CML. The new director of CDOT was introduced. He talked about how it was impossible to build your way out of congestion. Also, he said there were the Office of Economic Development and International Trade and Mayor Hancock from Denver in attendance.

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

Huckstep mentioned correspondence from Chad Reich, Anika Juneau, and an email from Joan Cook. Crossett added that Yerman and Stanford were working to get hard copies of letters related to the annexation in a binder.

Schmidt asked Crossett what the status was of the retreat that had been discussed. Crossett said he was waiting for a proposal. Schmidt asked what the time frame might be. Crossett said he would follow up with the consultant this week. Huckstep asked him what his expectation was. Crossett expected a one-day retreat. There would be some preparation needed. He expected the consultant would interview people to get the lay of the land. He gave them the basic parameters of expectations, but he left them leeway to propose. He didn't want to front end dictate what it would look like.

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

- Monday, April 6, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, April 20, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, May 4, 2015 – 6:00PM Work Session – 7:00PM Regular Council

### **EXECUTIVE SESSION**

Schmidt moved and Ladoulis seconded a motion to go into 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). A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Council went into Executive Session at 10:17PM. Council returned from Executive Session at 11:03PM. Mayor Huckstep made the required announcement upon returning to the open meeting. No action was taken.

### **ADJOURNMENT**

Mayor Huckstep adjourned the meeting at 11:04PM

*Aaron J. Huckstep*

Aaron J. Huckstep, Mayor

*Lynelle Stanford*

Lynelle Stanford, Town Clerk

(SEAL)

