

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, September 17, 2018
Council Chambers, Crested Butte Town Hall

Mayor Schmidt called the meeting to order at 7:41PM.

Council Members Present: Will Dujardin, Chris Haver, Kent Cowherd, Jackson Petito, and Laura Mitchell

Petito departed from the meeting after Old Business.

Staff Present: Town Manager Dara MacDonald, Town Attorney Barbara Green, Town Planner Bob Nevins, and Town Clerk Lynelle Stanford

Chief Marshal Mike Reily, Community Development Director Michael Yerman, and Parks and Recreation Director Janna Hansen (for part of the meeting)

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 1) September 4, 2018 Regular Town Council Meeting Minutes.**
- 2) Vinotok Special Event Application for September 21 - 23, 2018 and Special Event Liquor Permit for September 21, 2018.**
- 3) Appointment of Creative District Commissioner.**

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

PUBLIC COMMENT

Sue Navy - 324 Gothic

- Provided updates on events, such as Stand at the Summit from HCCA, and others.
- Mentioned the Paradise Clean-up on October 21st, and she thanked the Town for the funding for the BBQ and dumpsters.

Tricia Kubisiak - 142 Larkspur Loop

- The Center for the Arts didn't want to provide affordable rent space for the School of Dance.

- The Center was disregarding the locals, and she asked for intervention from the Town.

STAFF UPDATES

MacDonald reviewed decision points for the Council on various ballot measures, as referenced in her staff report. She asked if the Council wanted to include them on a future agenda. The Council agreed all four in the staff report were discussable.

MacDonald reported that Waste Management was asking for a rate increase to bolster recycling programs with the unexpected loss of China as a destination for many recyclable materials. The increase was outside the scope of the current agreement. There were discussions on the rates of contamination and communication to customers. It was decided to bring forth a resolution amending the contract.

MacDonald mentioned the Land Trust would be convening a community forum regarding Peanut Lake Road, and they were asking for a representative from Town. Mitchell volunteered to serve.

Cowherd questioned the outcome of the Jazz Fest. Hansen said there was the same amount of work from her department's standpoint, regardless of attendance. He also asked about the size of the plug at the electrical vehicle charging station, regarding a potential place to charge electric bikes.

Schmidt brought up the location of the basketball courts at The Center. Hansen explained there had been iterations of plans, and they were moving forward with the approved plans from BOZAR. Dujardin asked about usage of the basketball courts at Town Hall and at The Center.

Dujardin pointed out that rocks were being removed from the banks of Coal Creek. Hansen elaborated upon the issue, along with work that was being done. Cowherd asked for communication. Hansen would have a sign installed.

OLD BUSINESS

1) Discussion on The Corner at Brush Creek Housing Project.

MacDonald included a report in the packet, in which she collected comments received from Council members and ordered them topically. Schmidt started the discussion with the topic of economic feasibility. Haver suggested that they hire a consultant, who was knowledgeable, since pro-formas were often proprietary. Petito didn't want a consultant to be at the cost to the Town to help the proponent meet their condition. Green said they could ask for a pro-forma at the next meeting as a part of the County process. She also mentioned an in camera review that would protect certain information. Then, Schmidt focused the discussion on site design. MacDonald pointed out, before they could agree to a preliminary plan, they had to know to what they were agreeing.

Next, Schmidt brought up the required parking of two spaces per unit. MacDonald stated that with the reduction of units, it would impact the underground parking. Green clarified they would ask the County not waive the requirement of two per unit. MacDonald summarized she heard two parking spots per unit to be constructed as the units were constructed.

Intercept parking and ball fields were discussed next. Schmidt identified that parking would become more and more essential. There was discussion on the usage of intercept lots. Schmidt recognized commonality in the comments of dedicating five acres to be retained. Haver saw the importance of having ball fields in order to help foster the sense of community. MacDonald stated that a recreational use would never be changed to parking. Cowherd thought it critical to stand on five acres. Dujardin acknowledged the land had been set aside for parking. Petito stated they were setting aside a certain portion for parking and/or ball fields; it would be what they brought up in the meeting with Mt. Crested Butte. Dujardin wanted to separate the discussion on ball fields from parking. Schmidt said they would set aside five acres. There was not consensus from the Council around parking versus ball fields. The uses would be determined in the future.

Schmidt thought the Housing Authority should manage the development. Petito identified there was the possibility of abuse with one landlord for 600 people with no government looking out for them. No one voiced disagreement with Schmidt's and Petito's comments.

The Council agreed there needed to be enough water, and then the discussion turned to rental versus for sale units. There was analysis on other for sale units becoming available in the area. Cowherd said they needed to focus on the needs assessment. Mitchell thought it would be difficult to obtain lending. Cowherd didn't want to see the ownership element disappear.

The next discussion point was on density and number of units. The density was compared to the density at Pitchfork. There was focus on the number of 15 units per acre. The discussion would be continued with Mt. Crested Butte.

Lastly, the Council discussed impact and independent review. MacDonald said that requiring a market study made sense. Schmidt had concerns of people driving down valley. Haver thought the market study could help to determine the size, and a third-party review would be helpful.

David Leinsdorf - 3 Treasury Hill Road

- They were talking 120 to 125 units with the size of the property after holding out five acres.
- Fifteen units an acre would be very dense.

Jackson Petito departed from the meeting; therefore, he did not vote on any upcoming motions.

NEW BUSINESS

1) Mid-year Report from Chamber Executive Director, Ashley UpChurch.

Ashley UpChurch updated on the first half of the year at the Chamber and Visitor Centers. She pointed out numbers associated with the Visitor Centers. She then reported on business support activities. UpChurch included the financials for the first half of the year in the packet. She reviewed membership numbers. She stated the event, Fat Bike Worlds, was doing well, and Crafted took a hit due to a change in location.

2) Ordinance No. 22, Series 2018 - An Ordinance of the Crested Butte Town Council Approving the Cable Television Franchise Agreement with Time Warner Cable Pacific West LLC, Doing Business as Charter Communications.

MacDonald provided background on franchise agreements in her staff report. She summarized the definition of a franchise agreement. She pointed out that Crested Butte did not use the public access channel, but the agreement reserved the right to have one. They would still clarify roles and responsibilities while Charter did work on Town property, but she didn't expect issues coming to agreement.

Mitchell moved and Haver seconded a motion to set Ordinance No. 22, Series 2018 to a public hearing on October 1st, 2018. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

3) Ordinance No. 23, Series 2018 - An Ordinance of the Crested Butte Town Council Amending Chapter 8, Article 1 of the Crested Butte Municipal Code to Include Regulations for Operation of Bicycles and Electrical Assisted Bicycles Approaching Intersections.

Reily did not recommend moving forward with the ordinance. People typically performed the Idaho Stop. Confusion would lie around which places had it and which places did not. He couldn't give his blessing as a chief of public safety in Town. Dujardin suggested they set the ordinance for public hearing to hear input from the public. Mitchell made a motion to not proceed with the ordinance that she withdrew.

Dujardin moved and Mitchell seconded a motion to continue the first reading of the ordinance to the next meeting. A roll call vote was taken with all voting, "Yes," except Schmidt voted, "No." **Motion passed.**

4) Ordinance No. 24, Series 2018 - An Ordinance of the Crested Butte Town Council Approving by Reference Amendments to the Red Lady Estates Condominiums Plat Map and Declaration Text for the Vacation of the Public Access Easement and Relocation of Public Access Onto the Adjoining Town-Bench Property.

Schmidt recalled history on the agenda item. He explained they would be vacating the existing easement and creating a new access. Nevins stated the Town was the declarant, and he described the location of the trail.

Dujardin moved and Haver seconded a motion to set Ordinance No. 24, Series 2018 to a public hearing on October 1st, 2018 for the Red Lady Estates Condominiums Map and Text Amendments. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

5) Ordinance No. 25, Series 2018 - An Ordinance of the Crested Butte Town Council Declaring a Moratorium on the Issuance of New Business Occupation Licenses Under Chapter 6, Article 2 of the Crested Butte Municipal Code for Formula Restaurant and Retail Businesses in All Business and Commercial Districts.

MacDonald reminded the Council of their goal to ban formula businesses on Elk Avenue. She explained the purpose of a moratorium. She reviewed the scope of the ordinance and the proposed definition of formula businesses. Several businesses already located in Town would meet the definition. Staff would propose to have public outreach to move the discussion into the BOZAR to have them ultimately make a recommendation to the Council. They had to be working to an end during the moratorium. There were no pending applications. Dujardin identified language to change, in which Town was widely known as the last great Colorado ski town, within the ordinance.

Haver moved and Mitchell seconded a motion to set Ordinance No. 25, Series 2018 to public hearing on October 1st, 2018 with the changes as noted. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

COUNCIL REPORTS AND COMMITTEE UPDATES

Laura Mitchell

- Mountain Express closed on the first lot with RTA.
- The TA was now focusing on horseback riding. They would continue the TGR partnership.

Chris Haver

- Went to a STOR Committee meeting. They talked about issues encountered in other counties. In busy areas, they considered limiting trails to certain days of the week for hikers and certain days of the week for riders. West Maroon would be getting improvements in the next year. They had a conversation on the Razor issue in the valley.

Kent Cowherd

- The Council appointed a new Creative District Commissioner on the Consent Agenda.
- He would observe at the work session in Mt. Crested Butte tomorrow night.

- After seeing a meeting in Durango, he suggested presentations from students to Council, to help students learn about the civic process.

Will Dujardin

- A citizen continued to bring up, bringing the snow banks back.
- He mentioned the idea of high school internships. MacDonald would bring it up to Department Heads again.
- Pointed out there were Vinotok alters on Elk Avenue.

Jim Schmidt

- Went to the Land Trust fundraiser for the Gunsight Bridge.
- Had a Gunnison Valley Housing meeting last week.
- Attended Mayor/Managers meeting.
- Spent time in Estes Park. They built a parking garage, and it was jam-packed.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

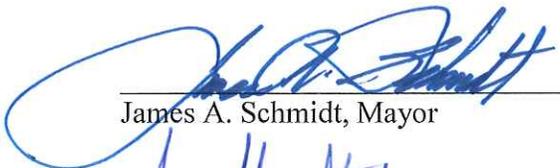
- Schmidt brought up electric scooters and that places had banned them. He asked the Council if they needed to get ahead. MacDonald would schedule the topic for discussion.
- Haver mentioned the letter at the end of the packet. MacDonald confirmed it had already been sent.
- The Council conferred about scheduling a discussion for the review of the Town Attorney.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

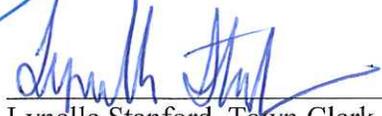
- Monday, October 1, 2018 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, October 15, 2018 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, November 5, 2018 - 6:00PM Work Session - 7:00PM Regular Council

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 10:19PM.



 James A. Schmidt, Mayor



 Lynelle Stanford, Town Clerk (SEAL)

