

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, September 16, 2019
Council Chambers, Crested Butte Town Hall

Mayor Schmidt called the meeting to order at 7:03PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Paul Merck

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

Parks and Recreation Director Janna Hansen, Community Development Director Michael Yerman, Town Planner Bob Nevins, and Design Review Coordinator Molly Minneman (for part of the meeting)

Schmidt mentioned the work session, which was a discussion on the budget. He congratulated Joey and Kat on their wedding.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- 1) September 3, 2019 Regular Town Council Meeting Minutes.**
- 2) Appointment of Election Commission.**
- 3) Resolution No. 18, Series 2019 - A Resolution of the Crested Butte Town Council Authorizing the Grant of a Revocable License to Claude K. Rowland and Charlene Carbone Rowland to Encroach Into the Right-Of-Way Adjacent to Elk Avenue and Lots 15-16, Block 25, Town of Crested Butte.**
- 4) Approval of Comment Letter to Congressman Scott Tipton Regarding Colorado REC Act.**
- 5) Resolution No. 20, Series 2019 - A Resolution of the Crested Butte Town Council Approving the Updated Intergovernmental Agreement ("IGA") Between the Town of Crested Butte and the Gunnison Watershed School District Replacing the Existing IGA from 2009.**
- 6) Approval of Nordic Trails Annual Use Agreement with CB Nordic.**

7) Resolution No. 21, Series 2019 - A Resolution of the Crested Butte Town Council Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the Completion of the Henderson Park Renovation Project.

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

Presentation by Executive Director of the Chamber Ashley UpChurch.

UpChurch informed the Council she would be presenting her mid-year report for BOLT funding. She reported on the visitors' centers visitation numbers. An outlier was the number of visitors from Florida that knocked Oklahoma out of third place. She spoke regarding their business support activity report. They continued to work on their strategic plan. UpChurch then provided an outline of the financial and membership report. Lastly, she summarized the event report. Magner asked UpChurch about the healthcare plan provided by the Chamber.

Presentation by Morgan Bast and Tim Baker on the CBMR Marketing Plan.

Tim Baker introduced himself. He acknowledged the Crested Butte experience and that this place was different. He introduced Morgan Bast. Bast identified the brand position as "the untamed destination at the end of the road." She listed the brand pillars: untamed, intrepid, and grit. She described the brand voice as purposeful, clever, and quiet confidence. Bast explained their target audience was the wild ones. She read the brand benefit statement. Schmidt questioned the plan for targeting families.

PUBLIC COMMENT

Lauren Kugler with the Community Foundation of the Gunnison Valley

- Updated on a project they were working on.
- She recognized that Diana Graves was present at the meeting, too.
- Kugler mentioned the welcome stickers related to the importance of a welcoming community. The stickers reflected 30 languages spoken up and down the valley.
- She identified that yard signs could be really welcoming.
- She said they were collecting ideas for a Day of Welcome. She anticipated a community group coming together.
- She thanked the community for being inclusive.

Laird Cagan, Semi-retired Internist, and Shelly Higgins, a nurse at GVH

- They wanted to talk about the crisis of healthcare.
- They proposed a solution of Medicare for all.
- They wanted a champion from the Council to help with a resolution.
- Cagan cited statistics reflecting problems with healthcare.
- They would present their resolution to the Council asking for improved healthcare for all.

STAFF UPDATES

- Schmidt referred to the staff report from MacDonald.
- MacDonald pointed out that dirt was moving in Paradise Park. Town closed with Bywater on Phase 2 on Friday.
- She sent an email with the letter to the Forest Service attached.
- Dave Gosen had not heard from many people wanting to attend the mine tour.
- Schmidt mentioned the Pirate Park grand opening.
- Dujardin asked Stanford about pro/con statements.
- Schmidt questioned MacDonald about Proposition CC.

PUBLIC HEARING

1) Ordinance No. 34, Series 2019 - An Ordinance of the Crested Butte Town Council Providing Requirements for Demolition, Relocation and Replacement of Buildings or Structures Amending Articles 1, 2, and 14 of Chapter 16 of the Town Code.

Schmidt confirmed proper public notice had been given. He read the title of the ordinance. Nevins explained the red lines in the ordinance that reflected changes from first reading. Nevins called the Council's attention to the exemptions in the ordinance, and he proposed an amendment to the first one, 5a, on page three of the ordinance. Schmidt noticed number two under replacement housing standards. Schmidt was not sure why it was called replacement housing. He summarized that they could replace and rebuild what was there, but if they wanted to build bigger, they would have to provide deed-restricted housing.

Schmidt opened the public hearing.

Sue Navy - 324 Gothic

- She was not a fan of houses being torn down all over town, but she thought the ordinance could limit it from occurring.
- She asked about the period of significance and if any houses in Town were built before 1880.
- She encouraged the Council to go along with the clarifications.
- Nevins explained they separated into a two-step process that had to be completed before a person could demolish.
- Green suggested the Council review to see if it was working.
- Navy appreciated the effort and hoped the ordinance would be airtight.

Schmidt closed the public hearing. There was no further discussion amongst the Council.

Haver moved and Bradley seconded a motion to approve Ordinance No. 34, Series 2019 as amended. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Nevins thanked members of the Staff and the public.

2) Ordinance No. 35, Series 2019 - An Ordinance of the Crested Butte Town Council Amending, Chapter 18, Article 5 Section 18-5-10 Adoption of the Town Code Related to the Adoption by Reference of the 2017 National Electric Code.

Schmidt confirmed proper public notice had been given. Yerman explained the consequences of not passing the ordinance. It was keeping in line with the State.

Schmidt opened the public hearing. No one from the public chose to comment. The public hearing was closed.

Merck moved and Dujardin seconded a motion to approve Ordinance No. 35, Series 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

OLD BUSINESS

1) Discussion on The Corner at Brush Creek.

Schmidt stated there would be a joint work session with Mt. Crested Butte next Monday. He reviewed the outcomes of the discussion from the last Council meeting, which were: to maintain 156 units, 1.5 parking spaces, and hold back five acres. Mitchell could remain at 1.5 parking spots for studio apartments, but she would require two spaces for larger units. Haver did not see why they would negotiate amongst themselves before hearing from Gatesco. MacDonald summarized the decision point of the MOA parties. Haver said they needed to speak about the newly proposed parameters from Gatesco. MacDonald reminded the Council there were 41 conditions for approval. Magner said they needed to address what Gatesco had brought forward. MacDonald would draft a list of changes from the previous proposal to discuss at the joint meeting.

George Gibson - Resident of Skyland

- Gatesco wanted to be excluded from the East River District.
- He provided a timeline. The project would not ever happen.
- He said the project should fit the water and sewer infrastructure.
- Send a message to Gatesco and the County to fit within existing constraints.

NEW BUSINESS

1) Ordinance No. 36, Series 2019 - An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 2, Article 8 of the Crested Butte Municipal Code to Establish a Public Art Commission in Replacement of the Creative District Commission and the Requirements Related Thereto.

Yemma told the Council the ordinance would solidify the restructuring of the Creative District. Then, she explained the advocacy, programming, and partnership aspects of the Creative District would become a Commission housed under The Center, and the public art policy would remain under the authority of a Public Art Commission under the Town of Crested Butte. There were no comments from the public.

Haver moved and Dujardin seconded a motion to approve the first reading of Ordinance No. 36, Series 2019 and set a public hearing for October 7th, 2019. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

2) Resolution No. 19, Series 2019 - A Resolution of the Crested Butte Town Council Supporting Ballot Measure "6A" to Increase the Mill Assessment in Gunnison County by 1.9 Mills for the Provision of Library Services and Facilities.

Drew Brookhart, Executive Director for Gunnison County Libraries, presented to the Council. He reported that people used the library in a lot of different ways. He cited numbers reflecting usage District-wide. He reviewed programming. The Board was trying to secure the libraries' viability long-term. He outlined what 6A would do for the District.

Schmidt asked whether there would be an IGA between the Library District and the County and how the County would build a new building. Magner asked who would determine where the funds would be allocated. Brookhart answered that it would be the Library Board. Magner asked how this end of the valley could ensure their fair share of funds. Brookhart fielded a variety of questions related to the funding. Haver wanted more time to consider. Dujardin called it a no brainer at this point. Mitchell questioned the timeline. Magner agreed she would like time to ponder the implications. Merck supported measure 6A.

Haver moved and Magner seconded a motion to continue Resolution No. 19, Series 2019 to the October 7th meeting. A roll call vote was taken with Bradley, Magner, Schmidt, and Haver voting, "Yes," and Dujardin, Merck, and Mitchell voting, "No." **Motion passed.**

3) Resolution No. 12, Series 2019 - A Resolution of the Crested Butte Town Council Amending Town of Crested Butte Affordable Housing Guidelines Adding Section 8 Regulations for Employer Rentals Units to Part III Purchasing Affordable Housing.

Schmidt identified changes to amend the title of the resolution. Yerman informed the Council the red lined draft in the packet included John Sullivan's comments. Yerman recommended that Town use the Gunnison County Regional Housing Authority's grievance committee. He outlined updates that were made to Section 8, such as they added to qualified applicants and amended the owner in the deed restriction to include the Gunnison County employer allowance. Magner wanted to make sure the units were used for the intended purpose. She suggested adding full-time employees in line one, under Qualified Gunnison County Employer Buyers, after the inserted word has. There was further discussion on full-time employment and various scenarios.

The discussion turned to tenant rights and protections to offer the workforce. Mitchell thought they should trust the process. Dujardin identified the two-year allowance as a catch-all. Green reported on the timeline of the process for eviction. Under number four (Qualified Occupants), Dujardin suggested the duration be two continuous years.

Yerman confirmed that business owners could not live in the units. He spoke to the 25% business ownership stake limitation. Dujardin brought up concerns he had with number seven under Qualified Occupants and number two under Purchase and Resale of Units.

Yerman reviewed the changes which were: 1) adding full-time after has to #1 (under Qualified Gunnison County Employer Buyers); 2) under #4, adding “continuous” to the duration and taking out “over” preceding the term two years; 3) adding Gunnison Valley Regional Housing Authority to serve as the grievance committee; and 4) in Section #2, the unit has to first be sold to a Gunnison County employer. Magner questioned wording, an owner of a Gunnison County Employer, on #6 under Qualified Occupants. Green mentioned #7 under Qualified Applicants, and she suggested potential be removed from before the word occupant.

Dujardin moved and Mitchell seconded a motion to approve Resolution No. 12, Series 2019 with the changes to Exhibit A. A roll call vote was taken with all voting, “Yes.”
Motion passed unanimously.

LEGAL MATTERS

None

COUNCIL REPORTS AND COMMITTEE UPDATES

Will Dujardin

- He had a great time with the group from Park City.

Candice Bradley

- She did not make it to the Creative District meeting and could not make The Center meeting tomorrow.
- She agreed the Park City event was fun.

Chris Haver

- He had a Housing Authority meeting. They were doing evaluations of the Executive Director, and they were honing their goals and expectations as they put together a fall retreat.
- Schmidt added that they asked for price estimates for an update of the housing needs assessment.

Mallika Magner

- The healthcare program from the Chamber was amazing.

Jim Schmidt

- Medicare was great.
- He thanked the Council and Staff for participation in the Park City conference.

- Schmidt and MacDonald attended the mayor/managers meeting. There was a presentation by the School District. 97% of kids that have gone into the school have graduated.
- Schmidt and MacDonald met with Tim (Baker) from CBMR. They reviewed the same marketing information they presented tonight, and there was an update on the lift.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

MacDonald asked whether the Council wanted to consider the healthcare resolution proposed during public comment on a future agenda, which they did.

Staff requested a special meeting next Monday at 5:50PM prior to the work session on Brush Creek to consider a contract for the installation of lift station upgrades.

Merck moved and Dujardin seconded a motion to have a special meeting on September 23rd at 5:50PM before the joint work session. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

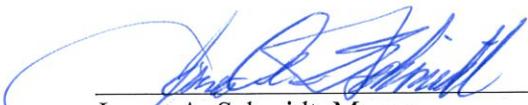
DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, October 7, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, October 21, 2019 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, November 4, 2019 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt polled to determine whom would be attending the conference in Park City. There was a brief discussion on the itinerary.

ADJOURNMENT

Mayor Schmidt adjourned the meeting at 9:47PM.



 James A. Schmidt, Mayor



 Lynelle Stanford, Town Clerk (SEAL)

