

**Town of Crested Butte  
Regular Town Council Meeting  
Minutes  
Monday, December 2, 2013  
Council Chambers, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 7:03 p.m.

Council members present: Jim Schmidt, Roland Mason, Shaun Matuszewicz, Chris Ladoulis and Glenn Michel.

Staff present: Todd Crossett, Town Manager; John Belkin, Town Attorney; and Shelley Jansen, Town Clerk.

Staff present for part of the meeting: Lois Rozman, Finance Director; and Bob Gillie, Building and Zoning Director.

**APPROVAL OF AGENDA**

Schmidt moved and Michel seconded to approve the agenda.

A roll call vote was taken with Ladoulis, Schmidt, Michel, Huckstep, Matuszewicz voting "Yes" and Mason was not in attendance at the time. **Motion Passed.**

**CONSENT AGENDA**

1) Approval of November 18, 2013 Minutes.

Schmidt moved and Ladoulis seconded to approve the consent agenda.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

**PUBLIC COMMENTS**

Dan Marshall, Director of the Chamber of Commerce asked the Council for funding for the 12 days of Holiday Cheer. Marshall shared that he was confused in the grant process and missed the deadline to the Town of Crested Butte. Mt. Crested Butte allocated \$3,000 for the 12-Days of Holiday Cheer. Council decided to discuss under other business that comes before the council.

**STAFF UPDATES**

Jake Jones-

- Wreaths are all lit up by LED lights along with the 4-way and GCEA put up lights at the Post Office.
- Parks and Recreation will be beginning to make ice at the Hockey Rink.

Tom Martin-

- Started writing winter parking tickets last night and there are still 12 to 15 people who were ticketed, even with all the notices.
- Martin recognized and thanked some of the volunteer parking guards; Belkin, Jansen and Crossett.

Lois Rozman-

- October sales tax is showing 2% down and should be flat from the non-filers. Up 6.1% for the year.

Todd Crossett-

- CDPHE is going to give the Town until December 13, 2013 to give input in major areas of concern in regards to the US Energy VCUP application. Ladoulis asked Todd if the response would be with all three parties and Crossett stated he wasn't sure.

## **PUBLIC HEARINGS**

1) Ordinance No. 24, Series 2013-An Ordinance Amending Chapter 6, Article 4 of the Crested Butte Municipal Code Relative to the Number of Permitted Outdoor Vendors on Public Property at Sixth Street and Elk Avenue and the Allowance for the Sale of Certain Non-Foodstuff from Foodcarts Where Certain Conditions are Met.

Mayor Huckstep asked if public notice had been given and Deputy Clerk Jansen confirmed it has been given.

Mayor Huckstep opened the public hearing for public comment.

Shaun Mast stated that the vendors at the 4-way all work together to allow for a productive area. Mast stated that they coordinate when and where they are going to be located and vendor merchandise would be great to be able to sell at the stand.

Mayor Huckstep closed the public hearing.

Matuszewicz moved and Mason seconded to approve ordinance No. 24, Series 2013.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

2) Ordinance No. 25, Series 2013-An Ordinance Amending Chapter 16, Article 5 of the Crested Butte Municipal Code to Permit Residential Units Allowed as a Conditional Use in the "T" Tourist District to Comprise 100% of the Floor Area in Any Building Where Certain Conditions are Met.

Mayor Huckstep asked if public notice has been given and Clerk Jansen confirmed it has been given.

Discussion ensued on the process of the affordable housing project.

Gillie stated that the following residential units are in the T-Zone; Meadows, Slate River, Crystal Creek & Solarium. Gillie stated that there have been other changes within the T-Zone to meet the needs of a given project.

Gillie stated that the Council can choose to deny, approve or continue until December 16<sup>th</sup> and the site visit will begin at noon tomorrow. On December 9, 2013 there will be a Planning Commission meeting to discuss the subdivision and then a Special Council meeting after the

Planning Commission meeting to set an ordinance for public hearing at the December 16<sup>th</sup> meeting.

Schmidt stated that since the gravel pit was purchased out of the Open Space Fund that if it changed from open space the Town would need to pay back the Open Space Fund

Ladoulis asked Gillie what precludes us in making the decision at the same time. Gillie stated that legally the process needs to follow the State process for the subdivision change. These acts should happen before BOZAR. Belkin stated that if the T-Zone ordinance does not move forward then the project will not proceed.

Mayor Huckstep opened the public hearing for public comments.

John Wirsing approached the lectern to speak and Belkin stated that there is a Code of Ethics under Civic Nature in regards to Wirsing being a past Council member. Belkin asked Wirsing to stay within the conversation and asked Gillie to reinstate the two changes that will happen in the code. Gillie stated that residential units will be long-term rentals in the T-Zone and the addition of a conditional use that the household needs to make 80% of Area Median Income (AMI).

John Wirsing stated that we need a tourism zone for shops to exist. Elk Avenue is not going to get any bigger. The Town needs those spaces available for tourism growth. Wirsing stated that he hears from everyone that it is a great project, but not the right location. If we can't find a good location then maybe it shouldn't be in Town. Wirsing strongly encouraged the Council not to make the zoning change.

Susan Eskew, owns a deed restricted home and has a long term employee who pays \$1,700 per month. Eskew works for CB Lodging and manages the Hostel and other affordable housing projects in the area. It is impossible to find anything in Town and the rent has quadrupled in Town. Individuals living on the Mt. don't have the lifestyle as one who lives in Town.

Jim Starr stated that in order to have any business you need employees. Our community has been in transition in having second home owners who purchase property and rent it out to short-term renters. If this community is going to thrive we need to be able to house our work force.

Ralph Clark III, AKA Butch, stated that affordable housing is important to our basin. The location of this project is perfect and fits the need.

Mayor Huckstep closed the public hearing.

Schmidt thanked Butch Clark for his generous donation in Gunnison. Schmidt stated that this project can house approximately 60 people that wouldn't have to have a vehicle and won't have to commute. Schmidt said that he has faith in Coburn and Karl to make this project right and supports the change in the use in the T-Zone. Schmidt also stated that there are reasons that the lot has been empty for a long time.

Ladoulis stated that he doesn't disagree with the affordable housing project, but hears from his constituents that it is not the right location. Ladoulis is sensitive to others concerns of the location and doesn't want to dilute the T-Zone. Ladoulis stated that if we go down that road, he is concerned in making it global.

Mason stated that the process has been rushed in making the decisions and the unintended consequences have not been vetted. Mason stated that he hasn't heard from one person that supports the location of the project.

Michel stated that he is comfortable changing the requirements for the T-Zone and there will be a larger discussion of changing the zoning.

Matusewicz stated that he is a renter and will happily trade the T-Zone for an affordable housing project. Matusewicz stated that he has questions about the AMI, not about the changes in the T-Zone.

Mayor Huckstep asked staff to look at the PUD process for this particular site.

Discussion ensued about the T-Zone and the history within Town.

Karl Fulmer, Director of the Housing Authority stated that this project could not be done without the tax credits.

Eskew stated that the models of a hotel are not working and short-term rentals of homes are working.

Mayor Huckstep stated that this project creates a way to control the rents for an affordable housing project.

Discussion ensued on the timing of the process.

Schmidt moved and Michel seconded to continue the public hearing for ordinance No. 25, Series 2013 to the Special Council meeting on December 9, 2013.

3) Ordinance No. 26, Series 2013-An Ordinance Authorizing the Short Term Borrowing of Funds Not to Exceed \$160,000.00 and the Expenditure of Such Funds for Purposes of Purchasing a Certain 2014 International Dump Truck By Way of a Lease to Purchase Arrangement.

Mayor Huckstep asked if public notice has been given and Clerk Jansen confirmed it has been given.

Schmidt asked if this follows TABOR. Rozman stated yes.

Mayor Huckstep opened the public hearing for public comment.

No public comments.

Mayor Huckstep closed the public hearing.

Mason moved and Schmidt seconded to approve ordinance no. 26, Series 2013.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

4) Ordinance No. 27, Series 2013-An Ordinance Authorizing the Purchase by the Town of Crested Butte from the Trust for Public Land those Certain Lands Included in "Phase III" of the Kochevar Properties Purchase Legally Described as Township 13 South, Range 86 West, 6<sup>th</sup> P.M., Section 28: E1/2NE1/4; Except that Portion of the 70.2 Acre Tract Recorded at Reception No. 599303 and 599304, Lying Within E1/2NE1/4, County of Gunnison, State of Colorado.

Mayor Huckstep asked if public notice has been given and Clerk Jansen confirmed it has been given.

Mayor Huckstep opened the public hearing for public comment.

No public comments.

Schmidt asked Rozman about the open space fund balance and Rozman stated approximately \$190,000.

Schmidt moved and Matuszewicz seconded to approve ordinance no. 27, series 2013.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

5) Ordinance No. 28, Series 2013-An Ordinance Approving the Second Amended and Restated Deed of Conservation Easement Granting a Conservation Easement to the Crested Butte Land Trust for the Lands Referred to as "Phase III" of the Kochevar Properties Purchase by the Town of Crested Butte From the Trust for Public Land Described as Township 13 South, Range 86 West, 6<sup>th</sup> P.M., Section 28: E1/2NE1/4; Except that Portion of the 70.2 Acre Tract Recorded at Reception No. 599303 and 599304, Lying Within E1/2NE1/4, County of Gunnison, State of Colorado.

Mayor Huckstep asked if public notice has been given and Clerk Jansen confirmed it has been given.

Mayor Huckstep opened the public hearing for public comment.

No public comments.

Ladoulis moved and Schmidt seconded to approve ordinance no. 28, series 2013.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

## **NEW BUSINESS**

1) Approval of Special Event Application ARTumn Festival, Sept. 20-21, 2014-road Closure Zero Block of Elk Avenue.

Ladoulis asked about the history of Steve's company and he stated that he has done events for the last 12 years in the state of Colorado. It is difficult for craft or artists to make money and these events are important to them. Steve is offering ½ price fee for artists in the valley in order to create economic activity.

Steve stated that he will be focusing on quality. Steve is willing to take recommendations on how the festival is staged with minimal impact.

Schmidt moved and Mason seconded to approve the special event application ARTumn Festival, September 20-21, 2014 with the following stipulations: 1) Town staff will approve of layout. 2) Event cannot interfere with Vinotok. 3) Proof of Insurance. 4) Security plan approved by Marshall's Office.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

2) Approval of a New Hotel and Restaurant Liquor License for Coal Creek Grill at 129 Elk Avenue.

Schmidt asked if they are going to plan on live acoustic music. Coleman stated that on a rare occasion there will be live music, but that is not the long-term plan.

Schmidt moved and Matuszewicz seconded to approve the new hotel and restaurant liquor license for Coal Creek Grill at 129 Elk Avenue.

A roll call vote was taken with all voting "Yes." **Motion Passed.**

## **LEGAL MATTERS**

Nothing

## **COUNCIL REPORTS AND COMMITTEE UPDATES**

Matuszewicz-

- Center for the Arts meeting on Thursday.

Ladoulis –

- 20 attendees at the Business meeting and there will be another meeting in January.

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

Schmidt stated that bus stops along highway 135 are not lit at night and encourages the Council and RTA to begin the process to find funding.

Schmidt stated that he misses the weekly reports from Manager Crossett.

Matuszewicz asked about the agenda for the retreat. Mayor Huckstep stated that it will be about Policy and Procedures, Committees, Council Objectives, US Energy and Manager Objectives.

Rozman told Crossett to state that \$4,000 is available in the 2013 Council funds that can be used for the Chamber funding or out of the 2014 grant funds.

Michel stated that Elk Avenue needs the support during the holiday time. Marshall stated that the 12-days of Holiday Cheer purpose are to be family oriented.

Schmidt moved and Michel seconded to approve the allocation of \$2,000 to be given to the Chamber of Commerce for the 12 days of Holiday Cheer out of the Council excess budget from 2013.

A roll call vote was taken with Ladoulis, Schmidt, Michel, Huckstep all voting "Yes" and Matusewicz recued himself from the vote, due to a conflict of interest. **Motion Passed.**

**DISCUSSION TO SCHEDULE FUTURE WORK SESSION TOPICS**

None

**COUNCIL MEETING SCHEDULE**

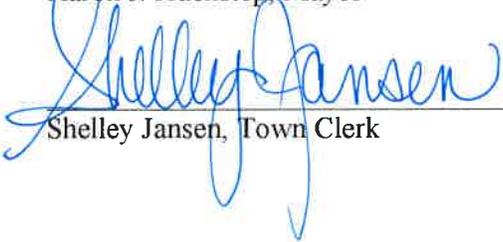
Monday, December 2, 2013-6 p.m. Work Session-7 p.m. Regular Council

Monday, December 16, 2013-6 p.m. Work Session-7 p.m. Regular Council

**ADJOURNMENT**

Mayor Huckstep adjourned the meeting at 9:59 p.m.

  
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Aaron J. Huckstep, Mayor

  
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Shelley Jansen, Town Clerk

(SEAL)

