



BASALT

101 Midland Avenue, Basalt, CO 81621

Meeting Date: January 12, 2016
Location: Town Council Chambers

Time: 6:00 p.m.

TOWN COUNCIL MEETING MINUTES

1. Call to Order (Mayor Whitsitt)

The regular meeting of the Basalt Town Council was called to order at 6:01 PM on Tuesday, January 12, 2016 by Mayor Jacque Whitsitt.

2. Roll Call (Pam Schilling)

Council members present were Herschel Ross, Bernie Grauer, Rick Stevens, Mark Kittle, Gary Tennenbaum and Rob Leavitt.

3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: December 8, 2015

M/S COUNCILORS ROSS AND GRAUER TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 7-0.

4. Council Comments, Reports, Disclosures

Rick Stevens discussed an upcoming Cradle to Career initiative meeting on January 20 of the elected officials from Eagle, Pitkin and Town of Basalt to help figure out how to provide affordable day care and early childhood education, and continue that through to the child's college or work path. The number of children waiting to get into Blue Lake preschool is 167.

Bernie had received a few complaints about the traffic curb bulb-out in front of the RMI building and wondered if it was due to be made more visible to traffic.

Herschel Ross said the mayor took a council member to task for asking staff to do a bunch of work between first and second reading, Herschel said he supported the established protocol for first and second readings. He felt staff had done an amazing job presenting objective and thorough presentations at first reading of ordinances; and council is then supposed to take additional requests for information to staff as a group, not an individual.

Herschel Ross asked if other council members would be interested in a worksession with the Town Attorney for a brush-up on open meeting laws, ex-parte communications, etc.

Herschel Ross also recognized Scott Condon as a reporter who does his homework and comes to the meetings. He appreciated Scott and the effort he put in.

Council consensus was to have a worksession on open meetings meeting with Town Attorney Tom Smith at their February 9 meeting.

5. Citizen Comments: for Items Not on the Agenda and Items Added to the Agenda After the Deadline

Cathy Click, representing Pan and Fork River Park Citizen's Committee named the Committee members and submitted additional signatures debt and land initiative petitions. Cathy spoke on behalf of the group, requesting the issue be put forth at the April 5 election. A letter was submitted from Attorney Dave Myler explaining that the Council could on their own, forward the Ordinances to a public vote

Mark Harvey spoke to the matter of the Ordinances requesting they go before Council at the January 26 meeting. He said some saw this as a once in a lifetime opportunity for the Town and needed to be done right; this was an opportunity to make the town come alive. This group has obtained more than 300 signatures in the past week. Mark said the petition was reasonable and allowed for some development and some real green space and allowed for lots of creative ideas to flourish.

Cathy Click said it has been an amazing conversation, and thought people really enjoyed the conversation and taking it further. About 50 people signed who are part of the greater Basalt, who agreed they'd like to see mostly park and half an acre of development on the park. People were eager to add to the parkland we already own and were excited about the Our Town Planning process for an active urban river park at the entrance to Basalt. They want a chance to vote on what happens at the Pan and Fork property. Cathy invited everyone to another community bonfire where this issue could be further discussed.

Parker Maddux, 350 Riverside Drive, speaking on behalf of his wife and himself, said he withdrew his name from the petition understanding that the proposal was something different than what it was. He felt the proposal for nothing other than a park, was unwise. He expressed concern for the number of empty spaces in the downtown area already, and the huge financial cost.

Doug MacDonald, said that what was being proposed by the petition did include a reasonable amount of development; they were not advocating an all park solution.

Steve Chase said the format of his letter to the editor, which was 'What questions should I ask before I sign a petition', was a challenge to his neighbors and community to do the same thing. Steve Chase expressed concern with the cost of the property and the use of property which would be limited to only 5 months a year.

Rob Hollis quoted philosopher Roger Scruton and Oscar Wilde about buildings and their beauty and utility. Rob spoke of the needs of a community in terms of environmental design, and the social, economic and environmental needs this type of design fulfills. He supported additional subsidy for bus systems for local feeder routes. He talked about architecture and art as the usefulness of beauty. Mr. Hollis though we needed to focus on developing beautiful things and not just useful things.

Gerry Terwilliger, Homestead Drive, wanted to address the problems Steve Chase raised. Gerry said that if this goes to a vote, everybody will have a chance to ask and answer the questions Steve raised. Gerry said he circulated some of the petitions and 2 people signed who were dead set against the park, but they signed because they wanted to get it to the people and let the people decide so we can move forward.

Mayor Whitsitt noted that Council would be deliberating this question again before deciding what they would do with the petitions.

6. SECOND READING OF ORDINANCES:

Mayor Whitsitt opened all 3 ordinances (6A, 6B, 6C) at one time by reading the titles:

6A. Public Hearing and Second Reading of Ordinance No. 26, Series of 2015: An Ordinance of the Town Council of Basalt, Colorado, Amending Chapter 4, Revenue and Finance, of the Basalt Municipal Code Concerning the Town's Sales Tax, By Providing for a Sales Tax Credit Against Certain Public Improvement Fees Paid at Willits Town Center, Basalt, Colorado

6B. Public Hearing and Second Reading of Ordinance No. 27, Series of 2015: An Ordinance of the Town Council of Basalt, Colorado, Approving a Public Financing Agreement with Willits Town Center, LLC, Regarding the Financing of Public Improvements at Willits Town Center

6C. Public Hearing and Second Reading of Ordinance No. 28, Series of 20015: An Ordinance of the Town Council of Basalt, Colorado, Approving Amendments to the Approval Documents for the Willits Town Center PUD and Authorizing Transfer of Property Interests From the Town to the Willits Town Center (WTC) Developer

Town Manager Mike Scanlon recused himself from the meeting.

Evan Welsh of Mariner, Tim Belinski of INDVentures and David Warner of Lipkin Warner were present, representing the applicant.

After a presentation by staff and the applicant, the public hearing was opened by Mayor Whitsitt at 7:35 PM.

Citizens speaking at the public hearing were:

Jennifer Riffle, Sopris Drive; Edward Troy, Riverside Drive, Mark Kkwiecienski, Diana Sirko – Superintendent of the Roaring Fork School District and resident of Evans Court, Royal Laybourn, Bill McEnteer – Evans Court, Amanda Poindexter - resident of Aspen/Basalt campground, Friederike French Willits resident, Carol Hawk Willits resident, Mark Kuhl resident of Willits, Ted Guy, Emily Ransford – Missouri Heights residents, Craig Scott Willits resident, Scott Condon Aspen Time reporter and neighbor of the development, Patti Lecht, Robin Waters on behalf of the Board of Directors of the Basalt Chamber of Commerce (a written letter), Temple Glassier, Katie Schwoerer – Willits residents, Bill Infante and Joel Mischke Willits business owner and resident.

The public hearing was closed at 8:33 PM.

Council comments and discussion followed.

Vote on Ordinance No. 26, 2016:

M/S COUNCILORS ROSS AND STEVENS THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 26, SERIES OF 2015 ON SECOND READING. THE MOTION FAILED 3-4 WITH COUNCILORS TENNENBAUM, KITTLE, LEAVITT AND MAYOR WHITSITT OPPOSED.

Vote on Ordinance No. 27, 2016:

M/S COUNCILORS GRAUER AND ROSS THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 27, SERIES OF 2016 ON SECOND READING.

An Amendment to the motion was offered:

M/S COUNCILORS GRAUER AND STEVENS TO AMEND ORDINANCE NO. 27, SERIES OF 2016, TO REDUCE THE CREDIT PIF TO \$4 MILLION.

THE AMENDED MOTION FAILED 2 – 5 WITH COUNCILORS LEAVITT, ROSS, KITTLE, TENNENBAUM AND MAYOR WHITSITT OPPOSED.

The original motion was called:

M/S COUNCILORS GRAUER AND ROSS THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 27, SERIES OF 2016 ON SECOND READING. THE MOTION FAILED 3-4 WITH COUNCILORS LEAVITT, WHITSITT, KITTLE AND TENNENBAUM OPPOSED.

M/S COUNCILORS ROSS AND STEVENS TO APPROVE ORDINANCE NO. 28, SERIES OF 2016 ON SECOND READING WITH THE AMENDMENTS THAT WERE DISTRIBUTED AT THE MEETING ON THE YELLOW SHEET (AMENDING CONDITION NO. 7, OF EXHIBIT A TO ORDINANCE 28, RELATING TO THE DEVELOPER'S OBLIGATION TO DESIGN, ENGINEER, AND CONSTRUCT A 1,200 SQUARE FOOT BUILDING ON BLOCK 8 OF THE WTC; AND AN AMENDMENT TO THE PARKING GARAGE AGREEMENT , EXHIBIT TO ORDINANCE 28, 2016, PARAGRAPH 3(A) AMENDED TO INCLUDE LANGUAGE THAT THE LOSSES ARE FOR THE PARKING GARAGE.) THE MOTION CARRIED 5 – 2 WITH COUNCILOR TENNENBAUM AND MAYOR WHITSITT OPPOSED.

7. FIRST READINGS OF ORDINANCES:

Mayor Whitsitt opened Ordinances 7A and 7B together by reading the titles as follows:

7A. First Reading of Ordinance No. 01, Series 2016: An Ordinance Authorizing the Execution and Delivery of a Contract to Buy and Sell Real Estate Between the Roaring Fork Conservancy and the Town of Basalt, Colorado, and Providing Other Matters Properly Relating Thereto

7B. First Reading of Ordinance No. 02, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Approving a Lease Agreement for Construction and Occupancy of a River Center at 22826 Two Rivers Road on Property to be Owned by the Town

Rick Lofaro and Larry Yaw were present with a few slides of the proposed project.

Motion on 7A:

M/S COUNCILORS ROSS AND STEVENS THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 01, SERIES OF 2016, ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JANUARY 26, 2016. THE MOTION CARRIED 7-0.

Motion on 7B:

M/S COUNCILORS ROSS AND LEAVITT THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 02, SERIES OF 2016, ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JANUARY 26, 2016. THE MOTION CARRIED 7-0.

7C. First Reading of Ordinance No. 03, Series of 2016: An Ordinance of the Town of Basalt, Colorado, Amending Chapter 4, Revenue and Finance, of the Basalt Municipal Code to Add a New Article VIII Establishing a One Percent for the Arts Program

Nancy Lovendahl was present representing this issue for the Public Arts Council for a brief Power Point presentation.

M/S COUNCILORS ROSS AND TENNENBAUM THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 03, SERIES OF 2016, ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JANUARY 26, 2016. THE MOTION CARRIED 7-0.

Mayor Whitsitt noted that a draft of upcoming worksession and meeting items had been included in the packet.

8. INFORMATION AND CORRESPONDENCE:
NO ACTION REQUIRED BY THE TOWN COUNCIL

- 8A. Accounts Payable for 12/22/15 and 01/12/16
- 8B. Advance Agendas
- 8C. Correspondence to the Town
- 8D. Town Clerk Administrative Liquor Actions
- 8E. RFTA Budget Presentation

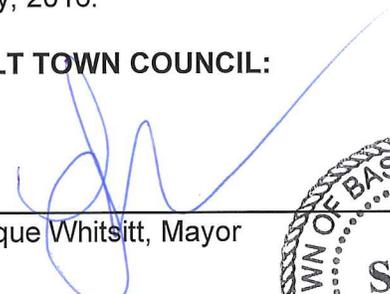
9. ADJOURNMENT

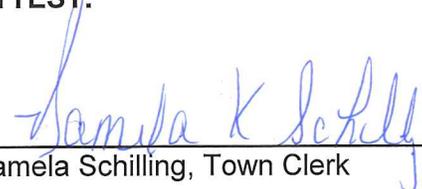
M/S COUNCILORS ROSS AND GRAUER TO ADJOURN THE MEETING AT 10:17 PM.

The minutes of the January 26, 2016 meeting were read and approved this, 26th day of January, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: 
Jacquie Whitsitt, Mayor


Pamela Schilling, Town Clerk

