



101 Midland Avenue, Basalt, CO 81621

Meeting Date: July 26, 2016
Location: Town Council Chambers

Time: 5:00 p.m.

TOWN COUNCIL MEETING MINUTES

1. Call to Order (Pam Schilling)

The regular meeting of the Basalt Town Council was called to order at 5:03 pm on Tuesday, July 26, 2016.

2. Roll Call (Pam Schilling)

Present were Council members Auden Schendler, Katie Schwoerer, Bernie Grauer, Mark Kittle, and Jennifer Riffle. Mayor Jacque Whitsitt and Mayor Pro tem Gary Tennenbaum were absent.

Appoint Temporary Mayor Pro tem

M/S COUNCILORS RIFFLE AND GRAUER THAT THE TOWN COUNCIL APPOINT MARK KITTLE AS TEMPORARY MAYOR PRO TEM. THE MOTION CARRIED 4-0.

Worksession: With TACAW (The Arts Center At Willits) on Constructing the Performing Arts Center

Mayor Pro tem Mark Kittle opened the Worksession with TACAW.

A short recess was called at 6:00 pm.

Council reconvened at approximately 6:15 pm.

3. Consent Agenda (Mayor Pro tem Whitsitt)

3A. Minutes: July 12, 2016

3B. Tuesday, August 2, 2016 – Approve Harris Street Closure for 3 to 8 pm for National Night Out

M/S COUNCILORS GRAUER AND SCHENDLER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 5-0.

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

Citizens speaking this evening:

- Bennett Bramson spoke regarding the installation of an accessibility ramp in Lions Park to be able to access the park area between the stage and the Art Base.
- Kerry Wirth reminded Council that, even with the new underpass, there was no direct path for pedestrians to get to Basalt High School without crossing the road in several locations. She also noted that with the re-do at the high school, the school district would appreciate any financial support for the Basalt High School Auditorium.
- Mirte Mallory spoke regarding We-Cycle with a brief update on the ridership of the new WE-Cycle bicycle sharing program in Basalt.

5. Council Comments, Reports, Disclosures

- 5A.** Citizen Acknowledgment – Basalt Emergency Management Committee Chair Bill McEnteer
- 5B.** Council Comments and Committee Reports

Bernie Grauer said that he had been approached by a number of citizens who walk up Cedar Drive off of Pinon Drive, and had felt intimidated by the residents of the area. There is a sign that simply reads the road is Eagle County's, but it is not maintained. Bernie said when he walked it he was stopped by someone who told him he was on private property. Bernie pointed out it was an Eagle County Road and he is an Eagle County taxpayer. He asked if it would be worth staff time to get a clear marking that it is a public road. Staff indicated they would look into it.

- 5C.** SGM – Engineer's Report

Louis Meyer reported on the update of the Basalt Avenue Underpass and Whitewater Park – both projects will be happening at the same time. Louis said a big part of what he has to do for the Underpass Project is to temper expectations. The underpass is a big, high profile difficult project with project variables (water table) and unknowns.

- 5D.** Town Manager's Report

Town Manager Mike Scanlon reported for Mayor Whitsitt that she had had a discussion with Chris and Stan regarding their Aspenalt Lodge.

Mike reported that starting this week, there will be a task list of projects and the progress of each one.

Mike Scanlon said that he and Judi had received word today that the project monies for the Underpass project do not have to be separated by their funding sources; CDOT will take care of that for the Town.

At the end of the last meeting, a number of council members indicated they wanted to review the Town Attorney. Mike said staff would set that up for the next meeting.

6. SECOND READING OF ORDINANCES:

6A. Public Hearing and Second Reading of Ordinance No. 15, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado: Approving Revised Plans for the Roaring Fork Conservancy's Proposed River Center and Old Pond Park.

Planning Director Susan Philp introduced this item and applicant representatives present to discuss the matter: Larry Yaw, Don Schuster, Rob Morey and Pat McMahan.

MOTION BY SCHENDLER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 15, SERIES OF 2016 CONTINGENT ON THE CONCERNS RAISED BY THE INFORMATION JENN AND KATIE BROUGHT UP.

Discussion followed concerning potential amendments to the motion.

Town Manager Mike Scanlon suggested an amendment to the motion that would insert the following text into Ordinance 15, Exhibit A, #4: "In addition, the Town Council shall grant final approval based upon submitted financial documents."

THE MOTION AS AMENDED BY STAFF WAS SECONDED BY GRAUER.

The public hearing was opened at 7:25 pm. There were no comments and the public hearing was closed.

THE MOTION CARRIED 5-0.

6B. Public Hearing and Second Reading of Ordinance No. 16, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado: Approving a Minor PUD Amendment to Add Kitchens to Ten (10) of the Roaring Fork Club Suites, Lot 2, Block 1, Roaring Fork Club PUD.

Assistant Planning Director James Lindt, Vesela Mihaylova, Director of the Cabin Corporation of the Roaring Fork Club, Teri Bruna Director of Reservations were present for this discussion.

The public hearing was opened at 7:28 pm. There were no public comments and the hearing was closed.

M/S COUNCILORS GRAUER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 16, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 5-0.

6C. Public Hearing and Second Reading of Ordinance No. 17, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado: Amending the Town's Community Housing Guidelines to Change the Composition of the Special Housing Evaluation Committee (SHEC).

Assistant Planning Director James Lindt led this discussion.

The public hearing was opened at 7:30. There were no public comments and the hearing was closed.

M/S COUNCILORS RIFFLE AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 17, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 5-0.

7. RESOLUTIONS

7A. Public Hearing and Resolution No. 29, Series of 2016: Resolution of the Town Council of Basalt, Colorado, Approving the Basalt Mini-Storage Expansion Sketch Site Plan and Sketch Subdivision Including Annexation for the Property Known as the Basalt Mini-storage Expansion Property, Basalt, Colorado

Assistant Planning Director James Lindt, applicant representatives Clay Crossland and Jeff Orsulak were present for this discussion.

M/S COUNCILORS GRAUER AND SCHENDLER TO APPROVE RESOLUTION NO. 29, SERIES OF 2016 WITH THE CONDITIONS THAT THERE BE SUBSTANTIAL IMPROVEMENT TO LANDSCAPING INCLUDING MODERATE SIZED TREES WITHIN 6 MONTHS AFTER COMPLETION OF EACH BUILDING, AND PROVIDE A PATH TO MATCH THE EXISTING PATH WITH SIZE AND MATERIALS, AND A MORE DETAILED REDESIGN OF THE BUILDING. THE MOTION CARRIED 5-0.

7B. Resolution No. 30, Series of 2016: Resolution of the Town Council of Basalt, Colorado, Amending the Policy for Administering Town-Owned Employee Housing Units.

Assistant Planning Director James Lindt led this discussion.

M/S COUNCILORS RIFFLE AND GRAUER THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 30, SERIES OF 2016: AMENDING THE POLICY FOR ADMINISTERING TOWN-OWNED EMPLOYEE HOUSING UNITS TO INCLUDE THAT LANDLORD TENANT VIOLATIONS ARE ENFORCEABLE BY LANDLORD TENANT LAW; THAT ALL SUBLEASES SHALL BE APPROVED BY THE TOWN OVERSEER OF THE EMPLOYEE HOUSING UNITS INCLUDING SUB-LESSEE OR ROOMMATE - TO MEET THE STANDARDS; AND THAT THE DEFINITION OF FAMILY IS TO BE CHECKED. THE MOTION CARRIED 5-0.

8. FIRST READINGS OF ORDINANCES:

8A. First Reading of Ordinance No. 18, Series 2016: An Ordinance of the Town Council of Basalt, Colorado: Approving Rezoning to R-3 TN and Special Review for an Accessory Dwelling Unit at 309 East Sopris Drive, Lot 1B, of the Osman Subdivision, Basalt, Colorado.

Assistant Planning Director James Lindt introduced applicant Kai Peterson.

M/S COUNCILORS SCHWOERER AND SCHENDLER APPROVE ORDINANCE NO. 18, SERIES OF 2016, ON FIRST READING, AND SET THE PUBLIC HEARING AND SECOND READING DATE FOR AUGUST 9, 2016. THE MOTION CARRIED 5-0.

8B. First Reading of Ordinance No. 19, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Authorizing the Conveyance of Real Property, Being a Portion of the Town's Property Located at 30 Shining Mountain Way, Snowmass, CO 81654

Town Attorney Tom Smith led this discussion.

M/S COUNCILORS RIFFLE AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO.19, SERIES OF 2016, UPON FIRST READING, AND SET THE PUBLIC HEARING AND SECOND READING DATE FOR AUGUST 9, 2016.

7:40 9. RECOMMENDATIONS FROM THE FINANCE COMMITTEE

9A. Minutes of the Finance Committee: July 11, 2016

9B. Resolution No. 31, Series of 2016: A Resolution of the Town Council of Basalt, Colorado to Increase Change Order Allowances by the Town Manager related to the Basalt Avenue Underpass Construction Project (Mike Scanlon)

Mayor Pro tem, I move that the Town Council Approve Resolution No. 31, Series of 2016: to Increase Change Order Allowances by the Town Manager for the Basalt Avenue Underpass Project.

10. EXECUTIVE SESSION:

M/S COUNCILORS SCHENDLER AND SCHWOERER THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION (AT APPROXIMATELY 8:56 PM) FOR THE PURPOSES OF:

- **A CONFERENCE WITH OUR ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(B);**
- **THE PURCHASE, ACQUISITION, LEASE, TRANSFER OR SALE OF PROPERTY INTERESTS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(A). THE MOTION CARRIED 5-0.**

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

- a. Accounts Payable
- b. Advanced Agendas
- c. Correspondence to the Town
- d. We-Cycle Mid-Season Update
- e. Town Clerk Administrative Liquor Actions

12. ADJOURNMENT

COUNCIL ADJOURNED THE MEETING AT APPROXIMATELY 9:45 PM.

The minutes of the July 26, 2016 meeting were read and approved this 9th day of August, 2016.

BASALT TOWN COUNCIL:

ATTEST:

By: _____
Jacque Whitsitt, Mayor

Pamela Schilling, Town Clerk