



101 Midland Avenue, Basalt, CO 81621

Meeting Date: August 23, 2016
Location: Town Council Chambers

TOWN COUNCIL MEETING MINUTES

1. Call to Order

The regular meeting of the Basalt Town Council was called to order by Mayor Whitsitt at 6:02 PM.

2. Roll Call

Council members present were Mark Kittle, Gary Tennenbaum, Auden Schendler, Katie Schwoerer and Bernie Grauer.

Appointment of Temporary Town Manager

M/S COUNCILORS GRAUER AND SCHENDLER THAT THE TOWN COUNCIL APPOINT JUDI TIPPETTS AS TEMPORARY TOWN MANAGER UNTIL A MORE PERMANENT APPOINTMENT IS MADE. THIS MOTION IS BEING MADE BASED ON THE ACTION OF TOWN MANAGER MIKE SCANLON WHO EXERCISED HIS RIGHTS IN HIS CONTRACT TO TERMINATE HIS CONTRACT WITH THE TOWN OF BASALT ON FRIDAY, AUGUST 19, 2016. THE MOTION CARRIED 6-0

Remarks by Mayor

Brief remarks were made by the Mayor prior to taking citizen comments on the Town Manager transition.

Citizen Comments on Town Manager Transition

Citizens speaking on the Town Manager transition (not all comments were limited to the Town Manager transition; some comments dealt with the Pan and Fork, potential ballot issue, community civility, etc.) At approximately 6:30 pm, Deb Morrison was recognized for her years of commitment to the community and Cam Chip A Tooth.

Tracy Bennett
Denise Latousek
Stacey Craft for Larry Yaw
Stacey Craft for herself

- Patti Lecht
- Heather Kent
- Gerry Terwilliger
- Mark Kweiceinski
- Ted Guy
- Patrice Becker
- Deb Morrison and Camp Chip a Tooth Acknowledgment
- Charlie Spickert
- Herschel Ross
- Kathy Hegberg
- Cathy Markle
- Doug MacDonald
- Kathleen Cole
- Dave Borchers for himself and Cara Borchers
- Robin Waters
- Rob Leavitt
- Laura Dows
- Jacque Whitsitt
- Greg Shugars

Gary Tennebaum said he would like council to develop a policy on executive sessions.

Executive Session:

M/S COUNCILORS GRAUER AND TENNENBAUM THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR THE PURPOSES OF:

- Determining positions relative to matters that are or may become subject to negotiations in accordance with C.R.S. 24-6-402(4)(e); specifically the purchase of property owned by the Roaring Fork Community Development Corporation; and
- For the purpose of a conference with the Town Attorney and outside counsel to receive legal advice regarding the Mike Scanlon personnel matter, in accordance with CRS 24-6-402(4)(b).

THE MOTION CARRIED 5-1 WITH COUNCILOR KITTLE EXCUSING HIMSELF FROM THE EXECUTIVE SESSION STATING HE WAS NOT CLEAR ON THE SPECIFICS OF THE CRS TITLES.

Council entered executive session at 7:10 pm. Council adjourned the executive session and reconvened the council meeting at approximately 8:20 pm.

A short recess was called.

3. Consent Agenda (Mayor Whitsitt)

3A. Minutes: August 2, 2016

3B. Continue to September 6 - Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment (Susan Philp)

M/S COUNCILORS KITTLE AND GRAUER THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PUBLISHED. THE MOTION CARRIED 6-0.

4. Council Comments, Reports, Disclosures and Other Reports

4A. Citizen Acknowledgment – Deb Morrison Camp Chip-a-Tooth (presented during Citizen Comments)

4B. Council Comments

Mayor Whitsitt indicated she was going to Denver to accompany Rhonda Weybright of Real America to a CHAFA (Colorado Housing and Finance Authority) meeting.

Bernie Grauer requested staff maintain an open ended to do list that would appear on every agenda with Council's requested or directed items and the action that has been taken toward each. It was suggested this come back to council for discussion and a motion at a future meeting.

4C. SGM – Engineer's Report: No formal presentation was made, though an updated report was included in the Council's packet.

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

5A. Carolyn Kane of the Basalt Regional Library Board made a presentation to Council concerning the Basalt Regional Library District Ballot Issue

Diana Cordova Elliot discussed the annual fried chicken dinner scheduled for tomorrow night at Lions Park in conjunction with the final concert of the season; the 115th year of Basalt party to take place October 7 with an opening of the Arbaney Barn museum. Diana requested a couple of council volunteers for the 115 year celebration. Diana commented on the Basalt Charity Classic, that it was not the exclusive privilege of the Basalt Education Foundation; it was an event that is reviewed every two years.

6. ITEMS FOR COUNCIL CONSIDERATION

6A. Approve Special Event Activity Permit for Fireworks Display at the Roaring Fork Club

Assistant Planning Director James Lindt explained this was an event of low level fireworks to celebrate a private wedding at the Roaring Fork Club.

M/S COUNCILORS KITTLE AND GRAUER TO APPROVE THE SPECIAL EVENT ACTIVITY PERMIT FOR THE ROARING FORK CLUB.

Discussion followed with Councilor Schworer expressing concern for staff time being spent on permitting a private special events, and the lack of fee structure for same. Katie also expressed concern for animals – domestic and wild – who can be very agitated by fireworks. Katie requested a policy discussion be put on the list for after November for special event application fees.

THE MOTION CARRIED 5-1 WITH COUNCILOR SCHWOERER OPPOSED.

Mayor, I move that the Town Council Approve the Special Event Activity Permit for the Fireworks Display

6B. Basalt River Park Bond: Council discussion on Information presented at Open Houses and for September 6th Resolution (Judi Tippetts and Susan Philp)

Planning Director Susan Philp and Acting Town Manager/Finance Director Judi Tippetts highlighted points in the ballot question and discussed the possibility of a special meeting at which Council would hear public comments that have been made at the open houses, and work toward a final question for the September 9 ballot language deadline.

An open house and worksession was scheduled for Tuesday, August 30 beginning at 6 pm.

Margot Pendleton was present to encourage council to think about splitting the question by property, or doing only the park piece. She did not want to see the ballot issue go down, but she felt the proposed numbers were shocking.

7. SECOND READING OF ORDINANCES:

7A. Public Hearing and Second Reading of Ordinance No. 20, Series 2016: An Ordinance of the Town Council of Basalt, Colorado, Utilizing the Uniform Election Code of 1992 in Lieu of the Municipal Election Code of 1965 in Order to Participate in a Coordinated Election with Eagle and Pitkin Counties on November 8, 2016.

Mayor Whitsitt opened the public hearing at 8:56 pm. There were no comments and the hearing was closed.

M/S COUNCILORS SCHENDLER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 20, SERIES OF 2016 ON SECOND READING. THE MOTION CARRIED 6-0.

7B. Public Hearing and Second Reading of Ordinance No. 22, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 4, Article IV of the Basalt Municipal Code, Entitled Sales Tax, to Permit not more than 20% of the Fund Generated by the 1% Sales Tax Rate Dedicated to Capital Improvements Projects for Parks, Open Space Acquisition and Trail Projects, to be used for the Maintenance of Parks, Open Space and Trails, and Submitting this Ordinance to a Referendum Election.

Planning Director Susan Philp offered a brief background of the ordinance, and the recommendation to take public comment this evening, but continue the item to the September 6 Council meeting.

Mayor Whitsitt opened the public hearing at 9:00 p.m. There were no comments and the public hearing was closed.

M/S COUNCILORS KITTLE AND GRAUER TO CONTINUE THE PUBLIC HEARING AND ITEM 7B TO THE SEPTEMBER 6, 2016 COUNCIL MEETING. THE MOTION CARRIED 6-0.

8. RESOLUTIONS

8A. Public Hearing and Resolution No. 35, Series of 2016: A Resolution of the Town Council of Basalt, Colorado Approving the Elice R-4 MD Sketch Site Plan for the Property Known as 150 W. Homestead Drive, Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt described the resolution and project, and introduced Mark and Chris Elice, applicants.

Mark Elice made brief comments about his concerns with the approvals.

The public hearing was opened at 9:12 pm. There were no comments and the hearing was closed.

M/S COUNCILORS TENNENBAUM AND KITTLE THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 35, SERIES OF 2016. THE MOTION CARRIED 6-0.

9. FIRST READINGS OF ORDINANCES:

9A. Ordinance No. 23, Series of 2016: An Ordinance of the Town Council of Basalt, Colorado, Approving a Contract for the Purchase from the Roaring Fork Development Corporation Real Property Identified as Lot 1 of the Basalt Community Campus and Basalt Park Minor Subdivision

Town Attorney Tom Smith explained the ordinance. David Myler, attorney for the CDC, spoke to the Ordinance and explained their concerns with the election contingency and need to think it through.

Mark Kwecisenski spoke to the contract noting that it would be impossible to exercise the purchase price of \$2.9 million by the September deadline, and asked about the appraisal provision.

M/S COUNCILORS GRAUER AND TENNENBAUM TO APPROVE ORDINANCE NO. 23, 2016 ON FIRST READING AND SET THE SECOND READING AND PUBLIC HEARING TO SEPTEMBER 6, 2016, AS AMENDED BY THE CONTINGENCY OF A NOVEMBER 8 ELECTION PASSAGE. MOTION CARRIED 6-0.

9B. MOVED TO CONSENT AGENDA TO CONTINUE: Public Hearing and First Reading of Ordinance No. 21, Series of 2016: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to Chapter 16, Zoning, of the Municipal Code of the Town of Basalt, Colorado, Amending the Community Serving Commercial (CSC) Zone District, Adding and Revising Definitions and Other Changes to Chapter 16, Zoning, In Order to Implement the Our Town Planning Master Plan Amendment.

Mayor, I move that the Town Council Approve Ordinance No. 21, Series of 2016, on first reading and continue and set the second reading and public hearing for September 6, 2016

10. RECOMMENDATIONS FROM THE FINANCE COMMITTEE

10A. Removed from the Agenda

10B. Amended Council Policy 110 related to the Town Council Finance Committee

M/S COUNCILORS GRAUER AND SCHWOERER THAT THE TOWN COUNCIL APPROVE THE AMENDED POLICY 110 RELATED TO THE TOWN COUNCIL FINANCE COMMITTEE WITH THE AMENDMENT ADDING THAT ALL VOTES SHALL BE BY ROLL CALL, AND THE FINANCE COMMITTEE SHALL APPROVE ALL MINUTES. THE MOTION CARRIED 6-0.

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

- A. Accounts Payable
- B. Advanced Agendas
- C. August 15, 2016, letter from Basalt Childcare Coalition
- D. Minutes from August 12 Kitchen Cabinet Meeting

12. ADJOURNMENT

M/S COUNCILORS TENNENBAUM AND SCHENDLER TO ADJOURN THE TOWN COUNCIL MEETING AT 9:30 PM. THE MOTION CARRIED 6-0.

The Minutes of the August 27, 2016 Meeting were read and approved this 13th day of September, 2016.

BASALT TOWN COUNCIL:

By: 

Jacque Whitsitt, Mayor

ATTEST:



Pamela Schilling, Town Clerk

