



**BASALT TOWN COUNCIL
MINUTES – MARCH 12, 2019**

Basalt is an inclusive, sustainable, mountain community that boasts both historic charm and progressive vision. It is an engaging place to live, work and play while offering an abundance of creative, professional, educational and recreational outlets.

5:00 WORKSESSION A: Green Team
WORKSESSION B: Finance Committee Structure

5:45 Council Break

REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL

Mayor Jacque Whitsitt called the meeting to order at 6:03 pm. Council members present were Gary Tennenbaum, Bill Infante, Auden Schendler and Ryan Slack. Council member Katie Schwoerer was absent and Council member Jennifer Riffle arrived later in the meeting.

2. STUDENTS OF THE MONTH: March - Pillar of Citizenship: Do your share to make your school and community better; Cooperate; Stay informed – vote; Be a good neighbor; Obey laws and follow rules; Respect authority; Protect the environment. Our students of the month are:

From Basalt Elementary: Kane St. John and Debbie Del Cid
From Basalt Middle School: Jack Raife and Jennifer Carrasco
From Basalt High School: Emily Northrup and Tai Kim

3. CONSENT AGENDA

3A. Minutes: February 26, 2019

3B. Resolution No. 07, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Approving an Agreement for Professional Services with CTA, Inc. to Complete the New Basalt Master Plan (Susan Philp)

3C. Resolution No. 08, Series of 2019: A Resolution of the Town Council of the Town of Basalt, Colorado, Approving an Agreement for Professional Services with Walters Company Inc. for the Cottonwood Drive Sidewalk Project (Ryan Mahoney/Boyd Bierbaum)

3D. Continue to April 9, 2019: Public Hearing on Basalt River Park LLC Application: Basalt River Park LLC on behalf of the Roaring Fork Community Development Corporation, a Colorado Non-Profit Corporation, has made an application to develop twenty-eight (28) residential units, three (3) commercial buildings which are proposed to include two (2) non-profit facilities and a food and beverage operation, and associated improvements on the property and on Town-owned property adjacent to or near property, commonly known as the Roaring Fork Community Development Corporation (CDC) Property. Development Actions include: Rezoning to the Community Serving Commercial (CSC) Zone District; CSC Sketch Plan Review; Amendments to the CSC Zone District, Sketch Plan Subdivision, ESA and ESA Reach II Floodplain Review. (Ryan Mahoney/James Lindt).

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

4. CALL TO THE PUBLIC

4A. Introduce Matt Scherr – Newly Appointed Eagle County Commissioner (this was actually done just prior to Students of the Month)

4B. Positive Comments and Gratitudes about Basalt

4C. At this time members of the public are invited to address the Town Council on any issue, except for items scheduled for a Public Hearing at this meeting.

Young citizens Jake and Ben, home school students who visited the Council meeting this evening, came forth to request a ‘kids’ table’ be made available at the Sunday Market for community youth to sell various crafts, or other items such as caramels. Staff was asked to reach out to the young entrepreneurs and work with them to get a table at the Sunday Market this summer.

5. MAYOR AND COUNCIL REPORTS/COMMENTS

Gary Tennenbaum thanked all the Town of Basalt employees for their work noting that all the recent snows tax government at its highest level. With that, the TABOR issue and other things going on, Gary felt staff deserved chair massages. Mayor Whitsitt seconded that thought.

Auden Schendler said that all the snow plowing all night and on the weekends was incredible and praised staff.

Auden Schendler noted that a fire on Homestead Drive over the weekend burned one of the homes in Basalt and wanted to be sure the family was connected to community resources. Town Manager Ryan Mahoney noted the Town had a comprehensive list of resources and that the Red Cross had been present to assist the family over the weekend. Auden said everyone who saw the fire had some PTSD from this summer’s fires, but said once again, the fire department stomped it. The whole neighborhood was in jeopardy but the police, fire and other emergency agencies were there.

Bill Infante said that to say they did a great job was an understatement; they were still there at 10:00 pm doing clean up. Bill reported that a Go Fund Me site had been set up for the family through Aspen Santa Fe Ballet (initially reported as Folklorico).

Bill Infante remembered a courageous young woman from Basalt High School that Council had honored at their last meeting, Anna Cunningham. Anna passed away on February 28th, one day after the High School honored her with a St. Baldrick’s event - Basalt Bold and Bald. Council and staff offer condolences to her family and friends. The St. Baldrick’s event was a tremendous show of community and spirit.

Mayor Whitsitt thanked Gary for running the meeting and thanked Council for being present to honor Anna Cunningham with a Proclamation at that meeting.

6. MANAGER’S REPORT

Town Manager Ryan Mahoney said a press release went out today asking for the community to complete a survey that would get information to the Council on how we might move forward with the TABOR mill levy issue. The survey mailing includes a property tax calculator and the survey and can also be accessed on the Town’s website at www.basalt.net. There is a short window for the survey to be returned; they are due back by March 29.

7. PRESENTATIONS

7A. Information on RETA 1: Update on the arts restricted balance.

Finance Director Christy Hamrick reviewed this restricted fund balance with the TACAW board and were reporting the same to Council here; no action was required.

7B. Discussion re: Gifts to elected officials

Town Attorney Jeff Conklin reviewed the Statutory Rules on gifts to elected officials and government staff members. Amendment 41 to the Constitution allows for a gift of \$65.00 maximum. At the last meeting, gifts were offered to Council members by Scott Gilbert, but were collected and are to be returned. The Town’s Charter almost identically mirrors the Statute.

8. COUNCIL ACTIONS

M/S COUNCILORS SLACK AND SCHENDLER THAT THE TOWN COUNCIL CONVENE AS THE LOCAL LIQUOR AUTHORITY. THE MOTION CARRIED 5-0.

8A. Public Hearing and Review of an Application for a new Hotel and Restaurant Liquor License: Butch’s Lobster Shack, to be located at 144 Midland Avenue

Town Clerk Pamela Schilling led discussion of this item along with applicant Robert “Butch” Darden.

Findings of the Local Liquor Authority were reviewed and the applicant discussed his proposed business plan.

Mayor Whitsitt opened the public hearing. There were no public comments and the hearing was closed.

M/S COUNCILORS SCHENDLER AND SLACK THAT THE TOWN COUNCIL APPROVE A NEW HOTEL AND RESTAURANT LIQUOR LICENSE FOR BUTCH’S LOBSTER SHACK, 144 MIDLAND AVENUE, BASALT, COLORADO, PER STAFF RECOMMENDATIONS. THE MOTION CARRIED 5-0.

The Council had been running a little early on their agenda, and the applicant was not present for the next item. Council closed the Liquor Authority and moved to item 8C. (The item was later re-opened after item 8C.)

M/S COUNCILORS SLACK AND SCHENDLER THA THE TOWN COUNCIL ADJOURN AS THE LOCAL LIQUOR AUTHORITY AND RECONVENE AS THE TOWN COUNCIL.

8C. Resolution No. 09, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Suspending Collection of the Town’s Tax on the Sale of Cigarettes and Other Tobacco and Nicotine Products

This item was led by Town Attorney Jeff Conklin.

Auden Schendler observed this was another example of why TABOR is bad policy; we have to undo the thing we did; it’s bureaucratic waste and another reason for the State to deal with this.

M/S COUNCILORS SLACK AND TENNENBAUM THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 09, SERIES OF 2019 AS PRESENTED. THE MOTION CARRIED 4-1 WITH COUNCIL MEMBER SCHENDLER OPPOSED.

M/S COUNCILORS SLACK AND SCHENDLER THAT THE TOWN COUNCIL CONVENE AS THE LOCAL LIQUOR AUTHORITY. THE MOTION CARRIED 5-0.

Council member Jennifer Riffle arrived at this time (approximately 6:45 pm.)

8B. Public Hearing and Review of an Application for a new Hotel & Restaurant Liquor License: CC’s Café, to be located at 104 Midland Avenue

Town Clerk Pamela Schilling led discussion of this item along with applicant Cecilia Gonzales.

Findings of the Local Liquor Authority were reviewed and the applicant was offered an opportunity to discuss her proposed business plan.

Mayor Whitsitt opened the public hearing.

Kris Mattera, speaking as a citizen, supported the approval of this new H&R liquor license for CC Café.

A letter was noted as having been received earlier in the day from Reid Haughey of the residential units above CC Café in support of the application, but also expressing concerns with some hours and potential noise with the issuance of this license.

There were no further public comments and the hearing was closed.

M/S COUNCILORS INFANTE AND SLACK THAT THE TOWN COUNCIL APPROVE A NEW HOTEL AND RESTAURANT LIQUOR LICENSE FOR CC’S CAFÉ, 104 MIDLAND AVENUE, BASALT, COLORADO, PER STAFF RECOMEMNDATIONS. THE MOTION CARRIED 6-0.

M/S COUNCILORS SLACK AND INFANTE THAT THE TOWN COUNCIL ADJOURN AS THE LOCAL LIQUOR AUTHORITY AND RECONVENE THE TOWN COUNCIL. THE MOTION CARRIED 6-0.

8D. Resolution No. 10, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Approving and Intergovernmental Agreement (IGA) with Pitkin County, Colorado Related to Collection of the Pitkin County Use Tax

Finance Director Christy Hamrick explained the IGA and the how and why it came about.

Town Attorney Jeff Conklin noted that the timing requirements might not jibe and recommended an amendment to paragraph 3 of the Agreement to delete the phrase “within 90 days of issuance of CO”.

M/S COUNCILORS SCHENDLER AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 10, SERIES OF 2019 WITH THE AMENDMENT PRESENTED BY ATTORNEY CONKLIN. THE MOTION CARRIED 6-0.

Items 8E, 8F and 8G were related and discussed together, though motions were made separately.

8E. Resolution No. 11, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Approving a Grant Agreement with the NRCS to Complete Mitigation Work from the Lake Christine Fire and Ratifying Related Actions and Approving a Grant Agreement with the State of Colorado for Related Funding

Town Manager Ryan Mahoney kicked off discussion of this item followed by Finance Director Christy Hamrick who got into the details of the grant agreement.

M/S COUNCILORS RIFFLE AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 11, SERIES OF 2019 AS PRSENTED, WITH HUGE GRATITUDE TO THE STATE AND FEDS. THE MOTION CARRIED 6-0.

8F. Resolution No. 12, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Approving and Intergovernmental Agreement (IGA) with Eagle County, Colorado related to the Lake Christine Fire NRCS Grant

M/S COUNCILORS SLACK AND INFANTE THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 12, SERIES OF 2019 AS PRESENTED. THE MOTION CARRIED 6-0.

Council member Infante also asked for updates, as appropriate, on the Lake Christine Shooting Range Committee.

8G. First Reading of Ordinance No. 06, Series of 2019: An Ordinance of the Town Council of the Town of Basalt, Colorado, Providing For a Supplemental Appropriation for the Year Ending December 31, 2019 Related to the Lake Christine Fire NRCS Grant

M/S COUNCILORS SLACK AND SCHENDLER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 06, SERIES OF 2019 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR MARCH 26, 2019. THE MOTION CARRIED 6-0.

8H. Update and Discussion on Tree Farm Application: Consideration of Referral Comments to Eagle County on Request by Tree Farm Applicant to phase the Willits Underpass contribution

Assistant Planning Director James Lindt and applicant representative Indy Lane were present to discuss this matter with council.

James noted that Council had discussed this item at the February 26 meeting and had given staff direction at that time. A draft letter included in the packet followed Council's direction to "discuss commercial concessions with the Tree Farm applicant in exchange for being able to phase their reimbursement payment".

MS COUNCILORS SCHENDLER AND INFANTE THAT STAFF SEND THE LETTER AS WRITTEN. THE MOTION CARRIED 6-0.

8I. Resolution No. 13, Series of 2019: A Resolution of the Town Council of Basalt, Colorado, Adopting the Town of Basalt Strategic Framework

Town Manager Ryan Mahoney discussed the Basalt Strategic Framework as developed by Council and Manager Mahoney earlier in the year. Some amendments were made by Council:

Discussion was held on how to keep the Strategic Framework alive, and how do we set our priorities among all our goals and tasks. Jacque really liked the value statement and wondered if there was a way to work with each other and department heads, maybe quarterly, to reinvigorate these values. Gary Tennenbaum said all the work plans for the year should be based on this strategic focus and the task prioritization needs to relate back to this. Gary also wanted to be sure it wasn't just listed as 'Parks and Trails', rather "Open Space, Parks and Trails". Gary said Council had also discussed sustainable growth and how we should be looking at opportunities for sustainable growth by looking for opportunities to preserve our agricultural lands and the sustainable agriculture next to our town. Gary felt it was important that the ideas about sustainable growth appear in this strategic document where they would be seen by agencies that could potentially help fund those opportunities.

Auden Schendler felt that strategy needed to guide the Master Plan and should be in the strategic documents, under Built Environment. Jacque added it should also speak to the capacity of the valley and Basalt not wanting to over-run it's part.

Auden liked the idea that the Strategic Framework would be a living document. He thought that under "Built Environment" the statement "create a well designed community" should be amended to "create a well designed sustainable community. Under Local Economy, Auden felt the statement "we support common sense investment" was code for not doing anything radical and should be eliminated; general consensus agreed. Auden added that under Environment, we needed to add "and climate" to the goal of preserving and protecting our natural environment.

Bill Infante offered 'thanks and praise' for the document. Jacque Whitsitt agreed.

M/S COUNCILORS SLACK AND SCHENDLER TO ADOPT RESOLUTION NO. 13, SERIES OF 2019 WITH CHANGES AS SUPPLIED BY AUDENS AND OTHERS THIS EVENING. THE MOTION CARRIED 6-0.

9. INFORMATION AND CORRESPONDENCE

- 9A. Accounts Payable
- 9B. Advanced Agendas
- 9C. Correspondence to the Town

10. ADJOURN

M/S SCHENDLER AND TENNENBAUM TO ADJOURN THE MEETING AT 7:38 PM. THE MOTION CARRIED 6-0.

The minutes of this March 12, 2019 meeting were read and approved this 26th day of March, 2019.

BASALT TOWN COUNCIL:

By: 
Jacque Whitsitt, Mayor

ATTEST:


Pamela Schilling, Town Clerk

This meeting can be viewed in its entirety at:
<https://townofbasalt.ompnetwork.org/sessions/101088?embedInPoint=1&embedOutPoint=10416&shareMethod=link>