



**BASALT TOWN COUNCIL  
MEETING MINUTES – JULY 28, 2020**

**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.**

Present for Worksession A roll call were Basalt Town Council members Mayor Bill Kane, Mayor Pro tem Gary Tennenbaum, Council members Bill Infante, Glenn Drummond, David Knight, Elyse Hottel and Ryan Slack. Also present for discussion of this item were John Mele of Roaring Fork Fire Rescue Authority, Planning Director Susan Philp, Assistant Planning Director James Lindt, Town Attorney Jeff Conklin, Richard Peterson-Cremer an Attorney with Karp Neu Hanlon, Chief Building Official Rick Fout, Police Lieutenant Aaron Munch and Town Manager Ryan Mahoney.

**1. WORKSESSION A:** Proposed Amendments to Basalt Municipal Code Regarding Protection from Wildfire (Jeff Conklin/John Mele/Rick Fout/Susan Philp)

Town Attorney Jeff Conklin opened by noting that in consultation with the regional Fire Authority, staff has been discussing some potential amendments to the Code that relate to fire prevention. Some proposed amendments are land use related, some are more building regulation related. Planning Director Susan Philp followed explaining that there had been an informal committee set up that worked on how these amendments; how they would fit in the code and what they would say. John Mele gave a background of this topic of code changes – Firewise Construction and Firewise Mitigation for new development. Housing design and construction materials choices – metal roofing, screens over gutters, composite material decks vs. wood – help harden a property against wildfire, as with clearing brush, tall grass and mitigate wooden fences, you can reduce disaster potential and give firefighters a chance to defend the property.

**2. WORKSESSION B:** Basalt Chamber (Ryan Mahoney/Kris Mattera)

Basalt Chamber Director Kris Mattera and Town Manager Ryan Mahoney led discussion of this item along with Basalt Chamber Board members Peter Bell, Aaron Munch, Ryan Mahoney, Amanda Wagner, Betina Infante, Phillip Ring, John Charters and Sylvia Theisen.

The session wrapped up with Mayor Kane suggesting a retreat or worksession with the Town Council and Basalt Chamber Board when more is known about the opening of schools, ski season, etc., and let that lead to regular meetings between the two boards.

### **3. CALL TO ORDER AND ROLL CALL**

Present were Council Members Glenn Drummond, Elyse Hottel, David Knight, Ryan Slack, Bill Infante, Gary Tennenbaum and Bill Kane

### **4. CONSENT AGENDA:**

**4A. Minutes:** July 14, 2020;

**4B. P&Z Appointments:** Reappoint William C. Maron and Joan Keefe to 3-year terms

Town Clerk Pam Schilling noted an oversight in the minutes which had been reported by Toni Kronberg. Clerk Schilling had amended the minutes to add Toni's comments under Public Comment and correct that oversight.

**M/S COUNCILORS SLACK AND DRUMMONG THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA WITH THE MINUTES AS AMENDED. THE MOTION CARRIED 7-0.**

### **5. CALL TO THE PUBLIC:**

Toni Kronberg called in to offer kudos for the summer at the pool. She thanked the Town for the cleanliness and clarity of the water, and the temperature. She asked how she could submit a request to keep the pool open longer – maybe through September and October or November.

Toni said she had some questions regarding the legal process and had emailed the town attorney with no response. She wondered if there was someone else she should direct her questions to.

Toni spoke about Steamboat Springs and how their sales tax revenues had come back up to near last year's levels. She said there were a large number of second homeowners using the swimming pool and the Swinging Bridge Trail. Toni said the outdoor dining on Midland and at Willits was wonderful. Toni offered kudos to everyone for those amenities.

Ryan Mahoney addressed Toni Kronberg's comment regarding emailing the Town Attorney for information. Ryan noted that the Town Attorney cannot provide legal advice; his role is to work for Council. Ryan noted that if staff could answer her question, they would certainly do that.

### **6. MAYOR AND COUNCIL REPORTS/COMMENTS:** (Discussion of Gallagher Amendment on November Ballot (Bill Infante/Bill Kane))

Bill Infante said the Hudson Reed folks who had planned to present Shakespeare in the Park, have now pivoted and are filming MacBeth for the public. Bill said this was a super expression of arts and culture in the town. Bill Infante also offered kudos to Ryan Wesseling of the Public Works Department PW team who was doing double-time on the middle school connector trail to downtown.

Bill Infante said he had circulated an email to Bill Kane and the Town Clerk, a glossy magazine called Paper city out of Texas that has rated Basalt #1 in its "...Definitive Ranking of Colorado's Mountain Towns – Summer Edition

Ryan Slack echoed Bill Infante's comments on the middle school/elementary school trail noting it was an awesome addition to the town.

Ryan noted the the recent Aspen Times article on that spoke to the boat inspections which are taking place at Ruedi Reservoir to help keep the waters clear of the nuisance aquatic species. Thirteen boats have been decontaminated this year.

David Knight reported on his recent attendance at the VALE board meeting. He noted that VALE funded about half of the applications they received. On a side note, David reminded everyone to lock their cars to help prevent crimes of opportunity.

David spoke about the recent RE-1 School District announcement about postponing school reopening. David said the facts seem to support the decision, though it did knock the wind out of him and his wife. David said he explained to his son that he would be back at home for school and that his son was okay with that, but he wanted to see his friends. David felt this was an opportunity to work with other organizations to make the school year as successful as possible. David asked what we can do to support the School District and see what could be done to make the best of a crummy situation at this point.

Gary Tennenbaum said he would echo some of David's comments about the school situation. Gary said he hoped as a town we could stay united and not try to get divided as about the decisions as might be happening in other communities. Gary hoped as a town we could find ways to create some interaction; knowing Brian Passenti of the Recreation Department has been talking to Jeff Gatlin of the School District, and hoping there could be some socially distanced outdoor activities.

Gary Tennenbaum said he wanted to continue to have Ryan Mahoney follow up with Eagle County on the Frying Pan Road. Gary said the number of people going up the Frying Pan has been enormous and it is not safe for bikes. Eagle County had said in the past they were going to do things to help mitigate speeds, amount of use, etc. Gary said if the Council agreed, they could ask Ryan to follow up with Eagle County for additional signage, additional sheriff patrols, etc. Gary said he saw a lot of crazy passing up the road this weekend. Pitkin County is seeing an increase in trail use between 35 and 55%. Arbaney Kittle Trail use is up 40% as is the Ruedi Trail. Gary felt it was great that everyone was using the trails, but it was a lot people, a lot of cars; biking should be something we should prioritize.

Bill Kane thought Eagle County has initiated a feasibility study up the Frying Pan and wondered if it had gone anywhere. Gary Tennenbaum said the Hagerman Pass road was not an alternative bike road, and Eagle County was not interested in pursuing the old stage road that was going to be for mountain bikes and hiking. Gary thought that project was still on the the Mid Valley Trails group list. The old stage road would be a great asset, but not an alternative to the Frying Pan Road. Gary reiterated more signage, more patrol and better education of the drivers was needed.

Elyse Hottel gave a shout out to TACAW for their latest drive in movie - Monterey Pop - which was fun even if it was rainy. She also sat at Tempranillo and listened to the Buskers on a Wednesday night. Elyse said that she would like to have the latest policy update from the CC4CA (Colorado Communities 4 Climate Action) on the August 11 agenda for Council review and support.

Elyse said that she attended the annual retreat for CORE (Colorado Office for Resource Efficiency). CORE has historically been funded by REMP (Renewable Energy Mitigation Program) in Aspen, but the Pitkin County Attorneys have been reviewing the agreements and determined that all those monies need to be spent in Pitkin County. Consequently, the CORE rebates and grants are limited until another funding source can be found. The Town has also had the pleasure of having Marty Treadway from CORE as a member of the Basalt Green Team; we may need to find a way to fund him or he may need to step away in favor of other obligations.

Bill Kane kicked off a discussion of the Gallagher Amendment adopted by a constitutional amendment in the 70's which capped property tax in Colorado. The portion derivable from residential properties was 45%. The Amendment has generated multiple complications requiring us to change our assessment rate many times. We were at a 20% assessment in the 70's and are now down to 7%. We are running out of room to generate a fair tax base from residential properties. The State Legislature has referred the question of repeal of the Amendment to the voters on the November ballot. There has been a request from NWCCOG (Northwest Colorado Council of Governments) to Colorado communities to support some kind of advocacy to encourage the public to vote for the repeal of Gallagher.

Bill Infante said he had spoken with John Stavney, Executive Director of NWCCOG who will advocate they will make a lobbying agenda and will use it to inform and educate the public if their members request them to do that. The request is for Council to signal its support for the repeal of Gallagher and invite NWCCOG to educate and inform the public on this. There is a coalition known as Building a Better Colorado that is recruiting public input on Gallagher. Somewhere between 60 and 70% of the public is in favor of repealing Gallagher because it is fundamentally disenfranchising many rural towns and municipalities who are seeing their revenues decline due to the formula Bill Kane described and is hostile to business and commerce which is a disincentive to building a business in Colorado. NWCCOG is willing to advocate and educate. It was also suggested we could adopt a Resolution supporting repeal, and to invite the Chamber to take this up and lobby its members to vote for repeal.

Jeff Conklin described the different directions Council could take; asking NWCCOG to do some lobbying; or if Council wants to adopt a resolution encouraging voters to repeal Gallagher, that is something that could come back to Council. The interplay of Gallagher and TABOR have an effect on special districts that rely on residential tax base. With the two of them combined, there is a reduced assessment ratio that results in a ratchet down effect over time. Ryan Mahoney said staff hasn't had an opportunity to look at the implications from a budget perspective but would be happy to look at that and bring it back to Council at a future meeting.

Mayor Kane suggested staff bring back information on the impacts of Gallagher and consider a Resolution for Bill Infante to communicate to NWCCOG. Ryan said he would also check in with CM on potential community actions.

## **7. MANAGER'S REPORT**

Ryan Mahoney reported some good news and acknowledge the Planning Department for their work in rounding up artists to paint the blocks that created the new dining spaces. Those contracts are being signed now and the artists should begin in earnest on their projects. The blocks may be removed for winter when outdoor dining is impractical and stored for next year.

The Town has installed a solar street light on the corner of Cottonwood and Two Rivers Road.

There was a wildfire kicked off today just on the west side of what would be the Arbaney Kittle trail. Thanks to the fire responders who got on top of it and contained it right away. It was believed to have started by sparking from the power lines.

### **8C. RE-1 Schools Superintendent Rob Stein:**

(This item was moved out of its original order of the agenda and discussed here under the Town Manager's Report).

Town Manager Ryan Mahoney introduced RE-1 School Superintendent Rob Stein who presented information on the upcoming school year. The hope was to transition to in-person training based on guidance from their public health partners. August 22 was set as the school start date for remote classes with September 21 for in-person and classroom instruction.

Everyone has been dissatisfied with the distance learning. For the upcoming school year, the notion of 'co-horting' is being investigated as a possible way to move forward. Co-horting is a model that would keep students together to try and narrow their exposure to COVID 19. It doesn't take into account after school recreation programs which would mean a whole other cohort that students would be subject to. The District is also challenged by having to deal with multi county jurisdictions. There is a strong effort to establish a common set of performance indicators.

Council questions and discussion followed concerning organized sports, what could the Town do to help; offering support for current operations running in the school district such as Camp-Chip-A-Tooth; supporting use of the schools outdoor facilities possibly in conjunction with Town recreation programs, and how much help are schools receiving from the federal level.

Ryan Mahoney said the Town had a good thing working with the schools and we had accomplished a lot with them. Ryan felt we were starting from a place of strength and problem solving

### **8. PRESENTATIONS:**

#### **8A. Restricted Funding to be Transferred to new Town of Basalt Bank Account for TACAW** (Ryan Mahoney/Christy Chicoine)

Finance Director Christy Chicoine, Town Manager Ryan Mahoney and TACAW Director Ryan Honey discussed this item with Council updating them on the RETA balance and to give an update and notice to Council on the TACAW funds and what the Town plans to do. Once more is known about the contribution to come from the developer, Council can circle back and proceed with additional discussions.

#### **8B. Financial Update – 2nd Quarter 2020 Financial Report** (Christy Chicoine)

Finance Director Christy Chicoine updated Council on the latest revenues which currently remain robust for the Town relative to other communities in Colorado during this COVID time. Christy also reviewed the budget expenditures of the general fund and reviewed the restricted funding sources. Christy answered questions related to lodging tax, among others.

**9. COUNCIL ACTIONS:**

**9A. Public Hearing and Second Reading of Ordinance No. 15, Series of 2020:** An Ordinance of the Town of Basalt, Colorado, Approving an Easement Agreement with the Roaring Fork School District No. RE-1 (Jeff Conklin/Susan Philp)  
Planning Director Susan Philp noted this was a second reading and public hearing approving an easement agreement with the RE-1 School District for the installation of a ¾ inch water line for restrooms and pool at Arbaney Park.

Mayor Kane opened the public hearing at 7:58 PM. There were no comments and the public hearing was closed.

**M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 15, SERIES OF 2020 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.**

**9B. Resolution No. 27, Series of 2020:** Resolution of the Town Council of Basalt, Colorado, Authorizing Town Staff to Enter into a Contract with Gould construction to Install a New Water Service Line to Arbaney Park (James Lindt)

Assistant Planning Director James Lindt noted that the Town's engineering firm, SGM, put the project out to bid per the procurement policy. Five bids were received with Gould Construction offering the low bid.

**M/S COUNCILORS DRUMMOND AND HOTTEL THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 27, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.**

**9C. Resolution No. 28, Series of 2020:** A Resolution of the Town Council of the Town of Basalt, Colorado, Adopting an Amended Public Health Order Regarding Face Coverings

Town Manager Ryan Mahoney discussed the evolution of the face coverings resolutions in Basalt. This Resolution would be Basalt's third continuation of the original face covering order. Rather than extending for only 30 days, it was suggested the order be continued for 90 days, given the health data showing that masks do provide some protection.

**M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL APPROVE RESOLUTION 28, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.**

**10. INFORMATION AND CORRESPONDENCE:**

- 10A. Accounts Payable
- 10B. Advanced Agendas
- 10C. VALE Board Meeting July 20, 2020 Minutes
- 10D. Correspondence to the Town

**11. ADJOURNMENT**


Mayor Kane Adjourned the meeting at 8:18 pm.

The minutes of this July 14, 2020 meeting were read and approved this 28th day of July, 2020.

**BASALT TOWN COUNCIL:**

**ATTEST:**

By:  \_\_\_\_\_  
William G. Kane, Mayor

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Pamela Schilling, Town Clerk

This meeting may be viewed in its entirety here:  
<https://townofbasalt.ompnetwork.org/sessions/150720?embedInPoint=1&embedOutPoint=12906&shareMethod=link>

