



**BASALT TOWN COUNCIL
MEETING MINUTES – SEPTEMBER 22, 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.

Planning Director Susan Philp acknowledged the council members present for the worksessions: David Knight, Elyse Hottel, Bill Infante and Glenn Drummond. Mayor Bill Kane joined shortly after this start. Also present for the Parks, Open Space and Trails Committee were POST Chair Cindy Bruce, Vice-Chair Julie Kolar, Carol Hawk and Jason Groves. Member Paul Hiltz was unable to join the meeting this evening.

Worksession A: POST Committee

This worksession was an opportunity for POST members to discuss their 2020 work accomplishments and their 2021 work program with Council.

Worksession B: BPAC Committee (Watkins Fulk Gray)

Senior Planner Watkins Fulk Gray introduced the current members of the Basalt Public Arts Commission (BPAC): Chairman Jeff Osrulak, Vice Chair Karyn Andrade, members Liz Bell, Summers Moore, Jeanette Bullock and Abbey Gierke. BPAC members discussed their projects and funding request for 2021.

Items which came up for discussion were the “Motio” pieces which have been displayed throughout Basalt for a few years now; adding art to the underpasses of Basalt, and interest in becoming a Colorado Creative District.

Council Break

A short recess was called before the Council meeting.

1. CALL TO ORDER AND ROLL CALL

Mayor Bill Kane opened the Council meeting at 6:06 PM. Council members present were Bill Infante, Elyse Hottel, Glenn Drummond, David Knight and Gary Tennenbaum. Ryan Slack joined later in the meeting.

2. CONSENT AGENDA:

2A. Minutes: September 8, 2020

2B. Resolution No. 36, Series of 2020: A Resolution of the Town Council of the Town of Basalt, Colorado, Approving Agreements with American Fidelity Insurance for the Town’s supplemental Insurance coverage and Section 125 Plan Administration (Christy Chicoine)

2C. Special Event Activity Permit: To Close Town streets for the Annual AVSC Ski Swap (Watkins Fulk-Gray)

M/S COUNCILORS HOTTEL AND KNIGHT THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. AFTER A ROLL CALL VOTE, THE MOTION CARRIED 6-0.

6:05 3. CALL TO THE PUBLIC:

3A. Positive Comments and Gratitudes about Basalt

3B. 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.

There were no citizen comments presented this evening.

6:10 4. MAYOR AND COUNCIL REPORTS/COMMENTS

Glenn Drummond, Council representative to the BEMC, recapped the 09/10/2020 BEMC meeting:

- The Eagle County risk meter has pretty much been adopted by the State and is being used with some additional stages added to it.
- The Lake Christine burn scar, is being re-evaluated as to status; they are also looking at funding the rain gauges through 2021.
- A new ladder truck is to be delivered to the station in Basalt.
- BEMC member Mike Bosley is retiring from the Eagle County Sheriff’s Office on October 2.
- The Grizzly Creek fire is 92% contained and they have changed from a Type 3 to a Type 1 incident; the cost of that fire is about \$32 million.
- In COVID news, public health order violations are still occurring, but most of the time when Chief Knott speaks to them, there is compliance.

Elyse Hottel, Council representative to CORE, attended a board meeting last week. In addition to energy efficiency, CORE is looking into air circulation products; things that will help with indoor air circulation and indoor air quality in these times of COVID.

David Knight thanked Maurine Fitzpatrick for the youth soccer and T-ball and the youth soccer season. Maurine even arranged for parents to participate in a soccer scrimmage and play t-ball at the end of the season.

Mayor Bill Kane said he and Ryan Mahoney had toured the TACAW building which is coming together really rapidly. The 10,000 square foot building will host a 240 seat auditorium. Council members were encouraged to tour the site.

Bill Kane said there had been a productive face-to-face meeting with the P&Z last week in which Council and P&Z worked through a series of action items under the strategic plan.

Glenn Drummond thought it was important in this age for Council to encourage the public and show to the public the positive things the Town is doing.

Elyse Hottel added that she had filmed a council report video that should be available on the Town's website tomorrow.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney reported that he would follow up on the TACAW visit; it was an exciting new building and he was anxious to get more eyes on it.

A notice has been posted for the public to join Council next Tuesday for the Council Coffee from 8 to 9 AM at CC Café. Staff will continue to post Council Coffee for the 1st and 3rd Tuesdays of each month (off-council meeting Tuesdays).

Ryan noted that the Sheriff's office of both Pitkin and Eagle counties moved the fire restrictions from Stage 2 to Stage 1. People should understand that means no fires unless at an established campground and established fire rings. The public still needs to remain safe and aware; things are still very dry out there.

6. PRESENTATIONS: 6A. BACH Presentation of Rental Assistance Framework (James Lindt/Sara Nadolny)

Mayor Kane noted that in a previous meeting with BACH (Basalt Affordable Community Housing) and a discussion of emergency rental assistance, the Council made a decision to advance \$15,000 to help assist people struggling with rent in Town supported affordable housing programs. BACH comes back tonight to present and discuss a methodology, structure and process for that rental assistance. Assistant Planning Director James Lindt, Staff Planner Sara Nadolny, BACH Chair Cathy Click and member Doug MacDonald spoke to this issue.

M/S COUNCILORS KNIGHT AND DRUMMOND THAT THE TOWN COUNCIL APPROVE THE SHORT-TERM EMERGENCY RENTAL ASSISTANCE FRAMEWORK PRESENTED BY BACH THIS EVENING, SUBJECT TO ANY FINAL AMENDMENTS AT THE TOWN MANAGER'S DISCRETION. BY VOICE VOTE THE MOTION CARRIED 6-0.

6B. Sales Tax Report and 2020 Financial Update (Christy Chicoine)

Finance Director Christy Chicoine discussed the current sales tax report showing an 11.6% increase over August of 2019; most sectors are trending upward. The overall year to date increase is 14.4% with on-line sales, retail sales, liquor and retail food being the drivers there.

6C. 2021 Budget Revenue Estimate (Ryan Mahoney/Christy Chicoine)

Finance Director Christy Chicoine presented an updated 2021 Budget Revenue Estimate for Council in preparation for upcoming budget discussions with Council.

7. COUNCIL ACTIONS:

7A. Public Hearing and First Reading of Ordinance No. 18, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado to Reinstate and Amend the Approvals Associated with Ordinance No. 06, Series of 2018, Granting Site Plan and Special Review Approvals for the Property at 11 Duroux Lane, Basalt (Sara Nadolny)

Staff Planner Sara Nadolny discussed this item with Council. Sara introduced applicant Red Cunningham and offered background on the project for the addition of increased commercial space as well as residential units. Staff support for the project and P&Z's review and approval were discussed.

In addition to parking spaces, the pedestrian pathway, water use for the pocket park, the issue of restricting small children from the residential units (as was required in the 2018 approvals) were discussed. Council discussion followed.

Mayor Kane opened the public hearing at 7:23 PM. There were no public comments and the hearing was closed at 7:25 PM.

M/S COUNCILORS TENNENBAUM AND DRUMMOND THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 18, SERIES OF 2020 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR TUESDAY, OCTOBER 13, 2020, WITH THE AMENDMENT TO REVIEW THE AGE RESTRICTION ON THE UNITS AT SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7B. First Reading of Ordinance No. 19, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, approving a Contract to Buy and Sell Real Estate with Shelton Properties, LLC for the Purchase of Lot 4, Mid Valley Center PUD, Basalt, Colorado (Ryan Mahoney/Jeff Conklin)

Town Manager Ryan Mahoney and Town Attorney Jeff Conklin presented this item to Council. Ryan noted the need for additional public works space citing the increased population of the town, the loss of space for equipment storage, and the ability to have centrally located equipment for efficiency. Ryan reviewed the initial attempt to purchase the property followed by COVID shutdowns and a newly elected council. Given the economic uncertainty at the time, Council did not proceed with the purchase of the property. Now that the updated reserve policy has been set, and the local economy is looking good, staff has brought this item back to Council for additional review and a recommendation to approve on first reading.

Council discussion followed.

Council member Bill Infante expressed reservations about the purchase of the property being a sole source procurement and non-competitive expenditure. Bill said it was troubling since this was not publicized and no real estate professionals had been recruited. He said the original parcel purchase was envisioned to be a significantly larger parcel and wondered if this parcel would be sufficient for the long haul. Bill Infante thought it was an extraordinarily high price for a parcel that was less desirable than what was previously discussed. Bill said the Town had options to spend this \$2.3 million that

could be spent on other things such as a new town hall, or co-locating the police with Town administration.

Gary Tennenbaum asked Ryan Mahoney and Boyd Bierbaum to explain the need for this property. Gary said that the Town didn't need a real estate agent to help with the property search or purchase. Gary noted this has been an ongoing need for the 15 years he has been involved on the board.

Ryan Mahoney and Boyd Bierbaum explained the due diligence taken when investigating this property, and discussed the elements on the property that would be useful for a public works facility. Public Works will operate out of both their existing location and this new centrally located facility giving them adequate space for some time to come. There were few other viable spaces available in the area, each had their own unique challenges.

Glenn Drummond and David Knight offered support for the purchase and the opportunity to meet some long-term goals of the master plan. Elyse Hottel asked if this was the price originally offered when council first considered the purchase of the site prior to COVID. She also noted the public choice made on the CIP (Capital Improvements Plan) ideas which indicated a desire for a new public works/police facility combined with workforce housing on the site. Elyse wanted to be explicit that we are not planning to do workforce housing on such a small property.

Mayor Kane said there was an argument to be made that this facility would help service constituents in the west end. Bill Kane said he had confidence in Ryan and Jeff to follow through on the contract and was very comfortable with it; it was a great improvement and step toward the strategic plan.

Town Attorney Jeff Conklin noted that purchase of real property is not subject to the Town's procurement parcel and under the Town Charter, the Council has the authority to purchase real property without the need for an election.

M/S COUNCILORS DRUMMOND AND SLACK THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 19, SERIES OF 2020 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR OCTOBER 13, 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-1 WITH COUNCIL MEMBER INFANTE OPPOSED CITING HIS PREVIOUSLY STATED RESERVATIONS.

7C. Ordinance No. 20, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending the 2020 Budget (Ryan Mahoney/Jeff Conklin/Christy Chicoine)

Town Manager Ryan Mahoney explained this was an amendment to the budget to allow for the purchase of the public works facility, Item 7B, just discussed, Ordinance 19, Series of 2020.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 20, SERIES OF 2020 ON FIRST READING, AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR OCTOBER 13, 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-1 WITH COUNCIL MEMBER INFANTE OPPOSED CITING HIS PREVIOUSLY STATED RESERVATIONS DURING DISCUSSION OF ORDINANCE 19, SERIES OF 2020.

7D. Resolution No. 33, Series of 2020: A Resolution of the Town Council of Basalt, Colorado, Authorizing and Directing Payment to The Arts Campus at Willits (TACAW) of Certain Amounts Under the Amended and Restated Development and Vested Right Agreement for Willits Town Center Planned Unit Development (Susan Philp/Ryan Mahoney)

Planning Director Susan Philp gave background on this item that originally required the Willits Developer to build a park on the Town Arts Park Parcel; the Arts Center (TACAW) is now being built on this parcel. When amendments were approved several years ago, the Town and Developer entered into this Amended and Restated Development and Vested Right Agreement. Instead of requiring the Developer to build the park, the Town and Developer agreed to cost estimates of what building that park would be and that the Developer would pay those fees to the Town of Basalt. There was language that said the Town could use those funds for park improvements within Willits Town Center including improvements to adjacent sidewalks and rights of way. Immediately after entering into that agreement, TACAW looked to the Town to turn those funds over to them. It was mutually agreed the Developer would pay the Town \$250,000. Rather than having the Developer pay the Town, and then having the Town pay TACAW, it was more efficient for the Developer to turn the funds over directly to TACAW; that is what this Resolution does.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 33, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7E. Resolution No. 34, Series of 2020: A Resolution of the Town Council of Basalt, Colorado, Supporting the Passage of Statewide Amendment B Regarding Gallagher Repeal and Eagle County Ballot Issue Regarding Gallagher Stabilization (Ryan Mahoney/Christy Chicoine)

Town Manager Ryan Mahoney reminded Council of a discussion a couple of months ago where the repeal of the Gallagher Amendment that is to appear on the November ballot was discussed. The Northwest Colorado Council of Governments (NWCCOG) has been working on a support resolution and CML has been working on more information regarding the repeal issue. Ryan explained the Gallagher Amendment and how a repeal would affect property tax rates. Eagle County is also seeking support of their measure on the November ballot to allow them to adjust their mil levy to maintain prior year revenues.

Council discussion followed concerning precedent for Council support of this type.

M/S COUNCILORS TENNENBAUM AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 34, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7F. Resolution No. 35, Series of 2020: A Resolution of the Town Council of Basalt, Colorado, Approving an Intergovernmental Agreement between the City and Town Councils of the City of Aspen, Town of Snowmass Village, Town of Basalt, and the Town of Carbondale Regarding the Provision of Mutual Coverage for Inspection Services between the Municipalities (Ryan Mahoney)

Town Manager Ryan Mahoney explained the Resolution authorized a cooperative agreement for building inspection services between the building departments of Aspen, Snowmass Village, Basalt and Carbondale. This will allow each community to lean on their partners at other

agencies to help assist with inspections and other building department services when a vacation or other leave comes up.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 35, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7G. Discuss Survey Results and Approval of Final Direction on CARES Act Funding
(Ryan Mahoney/Christy Chicoine)

Ryan Mahoney and Christy Chicoine discussed the business surveys which had been sent out to 105 businesses in town; 35 responded to the questions asking what might be the best use of the Coronavirus Relief Funds. Ryan reviewed the respondents, their responses concerning the impacts of COVID on their business, and what the Town could do to help. Rent and mortgage relief was the largest suggestion, PPE (Personal Protective Equipment), and employee retention were important, Basalt Bucks and individual marketing and outdoor dining grants also mentioned.

Staff suggested creating an application for a quick grant cycle for businesses, setting up a review process and getting funds out to them relatively quickly. Staff suggested offering grants of up to \$2500 each on a first come, first served basis.

Council discussion followed.

M/S COUNCILORS HOTTEL AND DRUMMOND THAT THE TOWN COUNCIL APPROVE THE ESTIMATED CORONAVIRUS RELIEF FUNDING PLAN SET FORTH IN THE COUNCIL PACKET. BY VOICE VOTE THE MOTION CARRIED 7-0.

7H. CDC Update (Ryan Mahoney/Jeff Conklin)

Town Manager Ryan Mahoney and Jeff Conklin addressed this item with Council. The LOMR (Letter of Map Revision) was approved. There is a waiting period, once approved, for an appeal on the LOMR, but we do not expect one to come forth. On the purchase front, all the documents are lining up. Jeff Conklin noted staff had been working through some issues with the developer who, in turn, has been working on issues with the current owner to move toward the closing. Planning staff and Jeff have been working on finalizing the plat to address a couple of easement issues, preparing approval documents, and existing sewer taps and transfer thereof. Jeff noted that under the approval documents on the Basalt River Park, it authorized the Town to purchase the Park Parcel and to purchase the Art Parcel in the event the Art Base was unable to move forward on a purchase at that time. The Town is in contact with the Art Base as to whether or not they are interested in development on this site, or how that might play out. We should be at the closing table in the next couple of weeks.

8. INFORMATION AND CORRESPONDENCE:

- 8A.** Accounts Payable
- 8B.** Advanced Agendas
- 8C.** Correspondence to the Town

9. ADJOURNMENT

The Mayor adjourned the meeting at 8:44 PM.

The minutes of this September 22, 2020 meeting were read and approved this 13th day of July, 2020.



BASALT TOWN COUNCIL:

ATTEST:

By: 
William G. Kane, Mayor


Pamela Schilling, Town Clerk

This meeting may be viewed on the in its entirety on the Town of Basalt's YouTube Channel, or on Grassroots TV link here:

<https://townofbasalt.ompnetwork.org/sessions/155897?embedInPoint=1&embedOutPoint=13100&shareMethod=link>