



**BASALT TOWN COUNCIL
MEETING MINUTES – OCTOBER 27, 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.

5:00 PM WORKSESSION:

The Worksession was called to order at 5:04 PM by Mayor Bill Kane.

A roll call was taken at the start of the worksession. Present were Bill Kane, Gary Tennenbaum, Elyse Hottel, Ryan Slack, Glen Drummond, Bill Infante, David Knight.

Interviews for the Eagle County Housing and Development Authority Advisory Committee (ECHDAAC) were postponed to a future meeting.

Interviews for the Basalt Planning and Zoning (P&Z) Commission were held. Planning Director Susan Philp kicked off the questions. Applicants interviewed were William Kennedy, Cindy Hirschfeld, Michelle Bonfils Thibeault, and Kyle Oberkoetter.

5:50 A short recess was called.

6:00 1. CALL TO ORDER AND ROLL CALL

The regular meeting of the Basalt Town Council was called to order by Mayor Bill Kane on Tuesday, October 27, 2020 at 6:06 PM. Present were Council members Gary Tennenbaum, Elyse Hottel, Ryan Slack, Glen Drummond, Bill Infante and David Knight.

2. CONSENT AGENDA:

2A. Minutes: October 13, 2020

2B. Continue to November 10, 2020: Public Hearing and Second Reading of Ordinance No. 19, Series of 2020: An Ordinance 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 and Jeff Conklin)

2C. Continue to November 10, 2020: Public Hearing and Second Reading of Ordinance No. 20, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending the 2020 Budget and Providing for a Supplemental Appropriation Related to the Purchase of Lot 4, Mid Valley Center PUD, Basalt, Colorado (Ryan Mahoney/Jeff Conklin/Christy Chicoine)

2D. Proclamation: School Choice Week

Staff requested to pull item 2D until they have had a chance to discuss the request for support with the local School District.

MOTION COUNCILORS SLACK AND (UNCLEAR) TO APPROVE THE CONSENT AGENDA ITEMS AS MODIFIED. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0 AS AMENDED.

3. CALL TO THE PUBLIC: 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 brought forth this evening.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Gary Tennenbaum discussed his idea of what the Council Coffee was to be; a chance for the Council to talk among themselves. Gary said it was disappointing that it was co-opted by members of the public and hoped that if the Coffees continued, they would be what Council intended. Gary felt that with COVID continuing and winter coming on, the Council needed to come together to address the needs of our businesses and citizens. He hoped we would move forward to work together and find positive ways to move forward and the negativity over the public works piece was not productive for us or for staff to be chasing down. Gary said that Council works as a majority; it's four votes, four people plus and that's direction to the town manager. Gary said we cannot have the Town running around doing things that are not directed by a majority of this Council; that's the way Council works. Gary hoped we could work together, and work together as a Council. Gary wanted to do the coffees, but set them up where Council could talk and the public could sit and listen in.

Glenn Drummond seconded Gary's comments noting the last Coffee almost delved into a policy discussion which shouldn't happen without minutes being taken. Glenn said Council needed to make sure everything discussed as Council was fully vetted in the public realm, otherwise it ends up being a 'he-said, she-said'. Glenn said that some Council members haven't had a chance to meet the public because they are a new Council and haven't had a chance to be face-to-face with the public. Glenn said it seemed like there had been a distinct agenda to each of the coffees and that wasn't the way it was discussed at the Cap K retreat.

Elyse Hottel said that maybe there were different ideas of what Coffee with Council would be. Elyse said she thought that Council started with an opportunity for Council to talk amongst themselves in a formal posted way that wasn't going against any rules or regulations. The amount of time at council meetings for public discussion was insufficient. Elyse issued an apology to her fellow Council members and to the public for the last Coffee that did not go well. Elyse agreed with Glenn that we shouldn't be getting deep into discussions that are salient to our Council agenda, but we shouldn't end the Coffees or turn people away. Elyse suggested that maybe Council needs to rethink the process and look at other opportunities to meet casually and chit-chat. The more the Council talks, the more they discovered ideas that Elyse wanted to talk to them about – like a Facilities Master Plan, and other things. Elyse also wanted to hear from the public on the kinds of things she would be able to take action on. Elyse didn't think they should give up on Coffee with Council, but should re-think how it is done and whether or not it could entail a 'listening session' with the public and a separate venue for a Council conversation.

Bill Infante echoed what Elyse said and added that outreach to the community is extraordinarily important. Bill said he saw Coffee with Council as an opportunity for the community to speak to Council. Three minutes (on an agenda) every other week just didn't do it.

Bill Infante said he agreed with Gary's concerns for the next three months and thereafter with regard to our economy and businesses and wondered what happened to the COVID sector working groups. He asked Bill Kane about the meeting that was to occur with the Chamber Board of Directors feeling it would be valuable as Council plans strategy going forward.

Bill Infante spoke about the Aspen Chamber Zoom call today and discussed the ways the Aspen Chamber was helping to provide economic support, promote local shopping, and their visitor and resource guides. Aspen is suffering ways that we are not as both their lodging and sales taxes are down. Bill said there were several interventions by the real estate industry which is up two-fold from their best year ever to a little north of about a billion dollars in sales thus far; the prior best year was about 500 million.

Bill Infante asked if Council had received the minutes and conclusions from the retreat at Cap K. Bill said he would be interested in the prognosis from the facilitator.

Bill Infante spoke to a meeting with Michaela from the Aspen Youth Center, himself, Bill Kane with Sheldon Wolitzki the IT entrepreneur living in Missouri Heights who has been interested in investing in a mid-valley rec center.

Bill Infante said he and Elyse had walked the Hoaglund property and though there are many compelling assets, the greatest disadvantage of the site is non-zoning which could take three and four years to get rezoned for the purposes that we want; that is a deal killer. The property does have extensive water rights; if the Town is looking to preserve water quantity for the future, this may be something we want to discuss from the perspective of water quantity protections; and may offer an opportunity to partner with the Roaring Fork Conservancy.

Bill Infante asked about a memo he had asked be circulated on 10/15/2020 with questions related to the Shelton property saying he was still interested in the answers. He also discussed Ted Borchelt who might be able to help with assessment identification of other properties.

Bill Infante reported on the latest meeting of the Northwest Colorado Council of Governments (NWCCOG), saying there was a little discussion about childcare in the valley and in the county. Bill said he and Watkins attended the meeting and Watkins composed the notes and Bill added a few things, but he wanted to bring the child care discussion to the attention of Ryan Slack and Gary Tennenbaum.

Gary Tennenbaum said in his position with Pitkin OST, they looked at the Hoaglund Parcel and the water rights which looked good on paper, but in reality, not that extensive; they could irrigate 4 or 5 acres there, but they were not extensive enough to look at it for future Open Space or other use.

David Knight said he heard a lot of points he agreed with when Coffee with Council was discussed. He thought last Tuesday was not what anybody envisioned, nor was it representative of what Council could do with that venue. David felt it was beneficial to hear what the public has to say outside of this space as it was inclusive, productive and more representative. David said we shouldn't be debating, we can't make decisions, and we need to make sure that we're hearing any media requirements for the sake of transparency. Divisiveness doesn't have any place there. Council does need opportunities to speak as a

Council; that was the intent that was expressed early on, and we need to look at that and figure out a way we can do that as well. Council needed to do this with intent and make sure they were meeting requirements they all agreed to at the retreat.

Elyse Hottel wanted to comment on the latest Chamber report that there were 30 applicants for the mini-grant we set up. Assuming every applicant applied for the full amount, the fund would be \$25,000 over our allocated amount. The number of applications shows a need and demand for help in the valley. Elyse wished we could award everyone the full amount and hoped we could find the extra money if it came to that. She used that as an entry to say she felt it was going to get worse before getting better and we should all have that in the back of our minds to be thinking about what kinds of programs and offerings we can make available to our community.

Bill Kane commented on the Council Coffee and said he would take responsibility for a meeting that was more heat than light last week. Mayor Kane felt it was inappropriate to discuss an agenda topic that was pending before the Town Council ; that it was not a good use of anybody's time. Council should be talking about what the big issues in the community are, how we're going to get through the winter, what are the restaurants going to do, what's the employment outlook, how are we doing on sales tax, do businesses have money set aside. Those are the kind of things Bill thought were warmer, fuzzier topics and should be what Council should use the Coffee time for. Bill thought there should be ground rules set to say that unless there is an extraordinary circumstance, Council can't have a discussion on an item that is pending before a first and second reading of an ordinance; that's supplanting the public hearing process. Bill said he would also be quick to apologize for the acrimony that surfaced there. Bill said he was very defensive of town staff who have worked hard on this and unearthed a number of due diligence items that are going to be met before this Council's would support going forward with this project. Bill thought if the agenda could be managed and used for visioning conversations about our community and how we can support one another, how we go forward, that would be a good use of time.

Bill Kane also reported that he attended a small ceremony for two officers who went beyond the call and showed not only courage but unbelievable smarts in saving a couple of lives. On behalf of all the Council, I know we're really proud of our department.

There was a technology glitch and a time-out was needed to re-boot the Grassroots television live-broadcast system.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney updated council on the re-seeding project of some of the flood mitigation structures created after the Lake Christine fire. These were the piles and basins built last year that needed seeding. The Roaring Fork Outdoor Volunteers led the charge that day with seed donated by the Carbondale Co-Op and burritos to feed the volunteers from El Korita.

Tomorrow the Mayor will be filming a public health update along with the health directors from each of Eagle and Pitkin counties. There will be some messaging about the uptick in COVID.

Ryan Mahoney gave a shout-out to Boyd and his crew for dealing with the first wet and heavy snow we received.

Ryan noted that with regard to any questions that Council has forwarded to staff for the Shelton property, staff was working on those answers and intend on providing those back to Council at

the next meeting. Some of the documents, title policy and schematics, staff would be happy to provide in advance.

Ryan Mahoney added that Bill Infante had asked about the minutes and conclusions from the Cap K retreat. Ryan said that staff had been working to complete Council Guiding Principles Document from those notes that will come to Council for review.

6. PRESENTATIONS: 6A. Presentation and Resolution No. 38, Series of 2020:

Approving and Intergovernmental Agreement for the Ruedi Water and Power Authority (Jeff Conklin and April Long)

April Long explained the organization history and creation of RWAPA, activities, representation, stream management plans, funding, watershed protections, partnerships, and more through a PowerPoint presentation to Council. Town Attorney Jeff Conklin offered a brief history and review of the IGA with RWAPA before Council this evening.

M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 38, SERIES OF 2020, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE RUEDI WATER AND POWER AUTHORITY. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

6B. Third Quarter Financial Report (Christy Chicoine)

Finance Director Christy Chicoine presented the Third Quarter financials to the Council. There was no Council action required.

7. COUNCIL ACTIONS:

7A. Public Hearing and Second Reading of Ordinance No. 22, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting an Extension of Vested Rights for the Stott's Mill Development in Basalt, Colorado (James Lindt and Jeff Conklin)

Assistant Planning Director James Lindt outlined the history of the project and actions leading to the request for an extension of the vested rights. There have been no changes to the Ordinance since first reading. The construction schedule requested by the Council at the last meeting was included in the agenda packet. Applicant representatives Briston Peterson and Mark Chain were present and updated Council on their discussions with the ditch company.

Mayor Kane opened the public hearing at 7:29 PM. Citizens making comments this evening were:

Mark Bell, 429 Meadowview Lane who felt the Stott's Mill project posed a serious threat to the fundamental character of the neighborhood which include children playing in the parks and riding around on the streets. Mr. Bell cited concerns about project density, increased residential and construction traffic, and that the residential streets will become a traffic short cut.

Chris Halsey, a Southside resident for about 5 years, feeling the neighborhood was a safe and quiet neighborhood to raise kids, expressed concern with the traffic patterns as well. Chris said his opinion was that the Southside area was becoming maxed out with new commercial and residential building. He cited dramatic increase in construction traffic and real estate growth in

the past 5 years, more traffic, traffic traveling faster, difficulty finding parking spaces. Chris felt Stott's Mill would limit the open space feel of the area as well.

Mike Steiner, Southside Basalt resident, opposed moving forward with Stott's Mill stating his chief concern was for the existing infrastructure with increased construction vehicles. The neighborhood has a lot of families with young children and the planned construction at Basalt Vista upcoming phases and this project would create a never ending construction and traffic issue in Basalt.

There were no further comments and the hearing was closed at 7:39 PM.

Mayor Bill Kane thanked the citizens for their comments, and noted the project has been approved some time ago. The matters of community character, traffic generation and parks were vetted over a period of time; these were not the questions before Council tonight. Tonight, the Council was tasked with determining whether the applicant has been able to begin the project in an appropriate amount of time. This is not a voice against the public comments, but to clarify that Council is faced with a much narrower context tonight.

Council discussion followed.

Staff explained the traffic study conducted and the improvements identified and constructed in the area, and those improvements planned and not yet constructed. Staff also discussed the possibility of restricting the residential streets to local traffic only, at least during construction.

A motion was made that the Town Council adopt Ordinance No 22, Series of 2020 on second reading.

Council discussion followed with a request to amend the motion to include the restriction on the secondary streets to local traffic only. Mayor Kane and Glenn Drummond agreed to the amendment.

M/S MAYOR KANE AND COUNCILOR DRUMMOND THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 22, SERIES OF 2020 ON SECOND READING, WITH THE AMENDMENT TO RESTRICT THE SECONDARY STREETS TO LOCAL TRAFFIC ONLY. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7B. Public Hearing and Second Reading of Ordinance No. 21, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Amendments to the Municipal Code of the Town of Basalt, Colorado, Amending Table 1 in Town Code Section 16-31, R-4 MD Zone District to Add a Maximum Size for Two Bedroom, Two Level Units in 100% Deed Restricted Projects (James Lindt)

Assistant Planning Director James Lindt discussed the history of the request by applicant Habitat for Humanity, to reduce the number of units and price points for some of the units at Basalt Vista. Applicant representatives Gail Schwartz, Jake Ezratty, and Bo Blodgett were present to answer questions as well.

Mayor Bill Kane opened the public hearing at 8:07 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS DRUMMOND AND HOTTEL THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 21, SERIES OF SERIES OF 2020 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7C. Public Hearing and First Reading: Ordinance No. 24, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting an Extension of Vested Rights for the Basalt Mini-Storage Expansion Project in Basalt, Colorado

Assistant Planning Director James Lindt reported on the history and request for the extension of the vested rights at the Basalt Mini-Storage Expansion Project. Also present to speak for the extension request and answer questions were applicant representatives Clay Crossland and J. Ray Barlow.

Mayor Bill Kane opened the public hearing at 8:27 PM. There were no public comments and the public hearing was closed.

Council members discussed their concerns regarding light pollution and mitigation from the clerestory windows and how long the dirt piles might exist on site which some neighbors feel are unsightly.

M/S COUNCILORS TENNENBAUM AND SLACK THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 24, SERIES OF 2020 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR NOVEMBER 10, 2020, WITH THE ADDITION OF A REQUIREMENT FOR LIGHT MITIGATION USING FILM COVERINGS ON THE UPPER WINDOWS FOR ALL THE BUILDINGS. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-1 WITH COUNCILOR GLENN DRUMMOND OPPOSED.

7D. Public Hearing and Second Reading of Ordinance No. 23, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending the Basalt Municipal Code to Repeal and Replace Article X – Fire Restrictions under Chapter 7 – Health, Sanitation and Animals

Police Chief Greg Knott offered a brief background on this Ordinance, and noted there had been no changes since first reading.

Mayor Bill Kane opened the public hearing at 8:33 PM. There were no comments and the public hearing was closed.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 23, SERIES OF 2020, ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7E. Resolution No. 37, Series of 2020: A Resolution of the Town Council of the Town of Basalt, Colorado, Adopting an Amended Public Health Order Regarding Face Coverings (Ryan Mahoney and Jeff Conklin)

Town Manager Ryan Mahoney explained the reasoning behind the continuation of the Resolution regarding face coverings. Staff proposed an extension of the Face Coverings Ordinance through January 27, 2021 at which point it would come back to Council.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 37, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8A. EXECUTIVE SESSION

Town Attorney Jeff Conklin discussed with Council that said that conversations about appointments to the Town’s committees needed to be held in a public forum and not in Executive Session. The Executive Session scheduled for this evening was cancelled and the appointments were to be added to the next agenda.

9. INFORMATION AND CORRESPONDENCE:


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

10. ADJOURNMENT


The meeting was adjourned by Mayor Kane at 8:56 PM.

The minutes of this October 27, 2020 meeting were read and approved this 10th day of November, 2020.

BASALT TOWN COUNCIL:

By: 
William G. Kane, Mayor

ATTEST:


Pamela Schilling, Town Clerk

This meeting can be viewed in its entirety at GrassrootsTV.org:
<https://townofbasalt.ompnetwork.org/sessions/156898?embedInPoint=1&embedOutPoint=12604&shareMethod=link>