



**BASALT TOWN COUNCIL
MEETING MINUTES – JANUARY 11, 2022**

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.

4:00 PM **Site Visit/Tour – Habitat Housing:** Basalt Affordable Community Housing (BACH) and Planning & Zoning Commission members were invited to attend.

5:00 PM **Worksession – Affordable Housing Discussion:** BACH members were invited to attend.

Present were Mayor Bill Kane, Council members Gary Tennenbaum, Ryan Slack, Elyse Hottel, David Knight, Glenn Drummond and Bill Infante. Also present were Town Manager Ryan Mahoney, Planning Director Susan Philp, Town Attorney Jeff Conklin, Finance Director Christy Chicoine, Assistant Planning Director James Lindt, Contract Project Manager Phil Vaughan, and BACH members Doug MacDonald, Mike Kosdrosky and Anne Baker.

Town Manager Ryan Mahoney introduced Kathryn Grosscup and Margie Joy from the Colorado Housing and Finance Authority (CHFA) to provide an overview of the work they do as well as some of the funding sources they have available. A local example in Basalt is the Roaring Fork Apartments that had benefitted from CHFA funding. Also present was Gail Schwartz, President of the Roaring Fork Valley Habitat for Humanity, and Carolyn Meadowcroft, Habitat's Director of Homeowner Services & Community Outreach, with some detail from the Basalt Vista project. Ryan said they wanted to outline to begin to review affordable housing options, and along with BACH, come up with a game plan on how to move forward on work force housing/community housing here in Basalt.

1. CALL TO ORDER AND ROLL CALL

Mayor Bill Kane called the meeting to order at 6:10 PM. The meeting was held virtually via Zoom. Councilmembers in attendance were Gary Tennenbaum, Bill Infante, Ryan Slack, Elyse Hottel, David Knight and Glenn Drummond.

2. CONSENT AGENDA

2A. Minutes: December 14, 2021

2B. NWCCOG Appointments: Bill Infante and Sara Nadolny (Sara Nadolny)

2C. Resolution No. 01, Series of 2022: A Resolution of the Town Council of Basalt, Colorado, Designating the Places for Posting of Public Meeting Notices (Jeff Conklin)

2D. Continue to January 25, 2022: Public Hearing and Second Reading of Ordinance No. 15, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving

a Site-Specific Development Plan and Amendment to the Approval Documents to Permit a Twelve (12) Unit Residential Apartment Project on Lot J, of the Basalt Commercial Park Subdivision/PUD, Basalt, Colorado (James Lindt)

M/S COUNCILORS NIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. THE MOTION CARRIED 7-0.

3. CALL TO THE PUBLIC

Member of the public speaking this evening were:

Klaus Obermeyer, owner of the Brick Pony building in downtown Basalt. Klaus joined the meeting to thank Council for the work they do and express his love for Basalt. He said that during COVID, the restaurant utilized parking spaces for outdoor dining and said they wanted to voice his support for continuing that outdoor space for the citizens of Basalt and the energy it brings to the downtown area.

Greg Jurgenson, owner of the Brick Pony restaurant, indicated he had started a petition to continue the outdoor seating and had obtained 100 signatures in a couple of days. He noted during COVID it was a lifesaver for his business and keeps the Brick Pony viable.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Elyse Hottel let Council know that there would be an updated MOU coming their way regarding the Roaring Fork Housing Coalition. The original was signed several years ago. Changes have been made subsequent to that MOU and everyone will need to resign.

The Eagle County Climate Action Collaborative is refocusing efforts in a few areas. Elyse said it was too soon yet to say what that would look like, but would bring it back to the next meeting.

Gary Tennenbaum thanked staff for meeting remotely noting that COVID was going crazy. He knows more people with COVID now, including his family, than in all the pandemic combined. He appreciated staff efforts for putting it all back together.

Bill Kane thanked the Public Works crew for their hard work on clearing snow from the recent storms. Many of the staff gave up holiday time in order to clear the roads for safe travel.

Bill Kane said he did send a note of thanks to Sheldon Wolitsky for his donation to the skating facility at Crown Mountain Park; this was an enormous contribution to the community and the valley.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney reiterated thanks to public works over the Christmas break as some staff worked over 120 hours trying to keep the roads clear. The good news is there were lots of storms, but they come with some inconveniences. Everyone stayed safe in the process; thanks to Boyd and crew for their hard work.

Ryan said that the Basalt Forward 2030 funds were now in the Town's accounts. We are fortunate to have received good rates on the bonds with a 1.82% rate for taxable and a 2.08% rate on the non-taxable bonds.

Staff has received a few bids back from the public works pole barn and fencing which staff will review. The two bids we received were favorable.

Staff updated the numbers from the contributions from the Town to the Basalt Vista project which totalled about \$608,000. Three hundred thousand dollars were contributed in the form of water taps and about \$230,000 fees were waived for park dedication, about \$41,000 for some other special improvement fees on the Southside. Thirty-thousand dollars for the electrification and \$7,000 to a play structure.

6. COUNCIL ACTIONS

6A. Resolution No. 02, Series of 2022: A Resolution of the Town Council of the Town of Basalt, Colorado, Ratifying, Continuing and Declaring a Local Disaster Emergency Related to COVID-19 (2022)

Town Attorney Jeff Conklin explained the history of the Emergency Participating Policy adopted at the start of the pandemic. As we moved into more normal type settings, we adopted an Electronic Participation Policy for use in emergency situations. As we find ourselves in a surge of Omicron variant, the Council has moved back to on-line meetings. Town Manager Ryan Mahoney adopted an emergency declaration which the Council will ratify this evening; it also gives the Town Manager the authority to revoke the emergency declaration when necessary.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 02, SERIES OF 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

M/S COUNCILORS DRUMMOND AND HOTTEL THAT THE TOWN COUNCIL CONVENE AS THE LOCAL LIQUOR AUTHORITY. THE MOTION CARRIED 7-0.

6B. Continued Public Hearing: New York Pizza New H&R Liquor License

Town Clerk Pam Schilling introduced Kevin Jones who was present this evening representing the application. Clerk Schilling reviewed the comments and conditions of the investigating agencies, as well as the findings which the Local Liquor Authority could make this evening pursuant to this new liquor license. The applicant currently holds a Beer and Wine liquor license. He indicated he wanted to change to a Hotel and Restaurant liquor license because the State had waived its fees during 2021 due to COVID, and he felt it was in their best interest to do that in case they wanted to run a special. A change to a Hotel and Restaurant liquor license would allow service of spirituous liquors. Kevin said he thought their service would still be 99% just beer and wine.

Mayor Kane opened the public hearing at 6:37 PM. There were none and the hearing was closed.

M/S COUNCILORS SLACK AND KNIGHT THAT THE LOCAL LIQUOR AUTHORITY APPROVE A NEW HOTEL AND RESTAURANT LIQUOR LICENSE FOR K&E PIZZA COMPANY, LLC, DBA NEW YORK PIZZA LOCATED AT 400 EAST VALLEY ROAD, SUITE D, UPON SATISFACTORY COMPLIANCE WITH THE AGENCIES' CONDITIONS AND COMMENTS IDENTIFIED IN THE STAFF MEMO DATED JANUARY 11, 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

Kevin Jones noted a safety issue that he felt existed at the breezeway between the liquor store and the adjacent building that leads to a bike path behind the row of stores. Kevin said he had previously requested the Fire Department put up a stop sign there due to numerous close calls. Kevin said he realized it was private property and had to do with City Market. Bill Kane said the Town Manager would take note of this good observation.

6C. Continued Public Hearing: Willits General Store New Fermented Malt Beverage (FMB) Liquor License

Town Clerk Schilling noted this was a continued public hearing from the December 14 Council meeting at which Council requested the applicant return with additional evidence as to the needs and desires of the neighborhood. Clerk Schilling noted that there were no clear definitions on what constitutes a 'neighborhood', nor any specific number of signatures required on a petitions; petitions were not required, but were the most commonly used method to indicate needs and desires.

Town Attorney Jeff Conklin noted that the applicant had submitted additional materials including petitions had been sent to council or added to the packet on line. Some members opposing the application also submitted some materials late today for Council consideration that were emailed to Council just prior to the meeting.

Jeff Conklin discussed the legislative changes that had occurred in the recent past requiring 3,000 ft between liquor stores. The two existing liquor stores encompass the entire Willits area. There is a spacing requirement of only 500 feet for FMB licenses. There are 2 other FMB licenses in town – one at the Basalt Store next to Alpine Liquor and the Basalt 7-11 Store.

Edwin Piper presented this was a fermented malt beverage license not a liquor license. Edwin said they had been asked to prove additional need and subsequently submitted over 300 signatures showing that location would benefit from a malt beverage license and sales. Edwin explained their customer base was different than those might seek out Four Dogs. or El JeBeverage. Many of the Willits General Store customers wouldn't try to go through the parking lots near El JeBeverage or Four Dogs due to the lack of parking for their vehicles and the trailers, boats, etc. Edwin said he didn't see Four Dogs as competition, but noted the competition came from other convenience stores along the Highway 82 corridor from Thunder River Market up to the Woody Creek Station.

Glenn Drummond clarified his opposition to the license noting there were plenty of opportunities in this town to get booze; Basalt didn't need another one.

Elyse Hottel noted she was on the fence about this and wanted to have a conversation or set stricter criteria for all the liquor license applications. Elyse didn't feel there was necessarily a need, but also saw there was probably a different clientele at the Willits General Store than what would be found at Four Dogs.

Glenn Drummond added that his comments had zero to do with Four Dogs; it was simply there were enough liquor stores in that area to serve the community.

Clerk Schilling noted that a letter from Scott Lindsay was received after 5 pm today, written in support of the FMB liquor license.

Mayor Kane opened the public hearing at 6:51 PM.

Robbie Bella-Smuts, speaking for Four Dogs, said the petition they submitted contained only 44 +/- signatures, but they were quality signatures from pivotal business owners, manager and employees who operate in the Willits and El Jebel area. Robbi said every one of these signatures is from an individual who would be directly affected on a daily basis by the potential of an additional malt beverage license in this already saturated market; he wanted the Authority to consider this while voting on this completely unnecessary malt beverage license tonight.

There were no further comments and the hearing was closed.

David Knight said he felt the applicant had met their legal burden here and he didn't want to second guess their business since they had met their legal burden.

Elyse Hottel reiterated her request for Council review of the definitions and requirements for the issuance of liquor licenses.

M/S COUNCILORS KNIGHT AND INFANTE THAT THE LOCAL LIQUOR AUTHORITY APPROVE A NEW FERMENTED MALT BEVERAGE LICENSE FOR WILLITS GENERAL STORE, LLC, DBA WILLITS GENERAL STORE, LOCATED AT 701 E. VALLEY ROAD, UNIT 1 CONTINGENT ON THE APPLICANT FULFILLING THE CONDITIONS OF THE STAFF RECOMMENDATION AND INVESTIGATING AGENCIES AS NOTED IN THE STAFF MEMO DATED DECEMBER 14, 2021, OR WHICH MAY APPEAR AS A RESULT FROM ADDITIONAL REVIEW OR INSPECTIONS RELATED TO THIS LICENSING ACTION. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 5-2 WITH COUNCILORS DRUMMOND AND TENNENBAUM OPPOSED.

M/S COUNCILORS SLACK AND DRUMMOND TO ADJOURN THE LOCAL LIQUOR AUTHORITY AND RECONVENE THE TOWN COUNCIL. THE MOTION CARRIED 7-0.

6D. Public Hearing and 1st Reading of Ordinance No. 01, Series of 2022: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Special Review Approval for an Accessory Dwelling Unit Located at 117 E. Homestead Drive, Basalt, Colorado

Assistant Planning Director James Lindt introduced applicants Simi Hamilton and Sophie Caldwell who were present for the review. James discussed the proposed development of a single family residence which dates back to the late 1800's, resides within the R-3TN Zone District. The applicant has obtained the building permits and slope review approvals to expand the residence which is currently being remodeled to add a one-bedroom ADU of 450 sf with a separate entrance. James reviewed the conditions of approval including that one of the 2 units be resident occupied. Discussion items included consistency with the Master Plan, dimensional requirements in compliance with the R3TN Zone district; the addition of a garage and parking and vehicular access were discussed, and any lease of the ADU had to limit the vehicle allowance to one.

The applicants spoke of their love for the valley and were excited to be moving back. They wanted to provide housing for the community and felt an ADU would best do that and help supplement their mortgage payments. Council identified their concern that the ADU didn't appear to include a kitchen; Simi clarified that it was probably an outdated drawing and the ADU would include a induction cooktop, a small oven, full size refrigerator, and kitchen countertops. There was also a question about the ADU being used as a short term rental. Simi clarified the intent was to provide long term rental housing as required by the zone district.

Mayor Kane opened the public hearing at 7:06 PM. There were no comments and the hearing was closed.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 01, SERIES OF 2022 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR JANUARY 25, 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

6E. Public Hearing and 1st Reading of Ordinance No. 02, Series of 2022: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting a Minor PUD Amendment and Minor Subdivision to Combine Lot 1 and 2 of the Pinon Hills PUD and to Expand the Building Envelope on Lot 1 for a Future Garage, 800 Pinon Drive, Basalt, Colorado

Assistant Planning Director James Lindt introduced applicant Doug MacDonald who was present this evening for this application discussion. James Lindt showed a plat and a map of the area depicting the application plan to combine two adjacent lots and expand an existing building envelope to add a garage. The applicants have proposed to extinguish the rights to develop a single family home on lot 2 as well as all access easements and utility easements, and propose to establish a larger building envelope to develop a garage in the future. James reviewed the comments from the reporting agencies as well as stated conditions from agencies and staff.

Doug MacDonald noted the support from the neighboring Basberg property. Doug noted he and his wife had owned both properties for almost 20 years. The properties are divided by a boundary that could make access and ownership of the second lot very awkward.

Mayor Kane opened the public hearing at 7:17 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 02, SERIES OF 2022 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR JANUARY 25, 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

6F. Update and Resolution No. 03, Series of 2022: Resolution of the Town Council of Basalt, Colorado, Approving an Amended Intergovernmental Agreement for the Ruedi Water and Power Authority

Executive Director April Long summarized the memo included in the Council packets that identified items for clean up and updates to the IGA to correct the name of the Ruedi Water and Power Authority and to add the role of RWAPA in managing the invasive species program. The invasive species management began in 2008 after the original IGA had been signed. All the participating agencies’ attorneys have reviewed the amendments and it is going before the elected officials for approval.

M/S COUNCILORS HOTTEL AND KNIGHT THAT TOWN COUNCIL APPROVE RESOLUTION NO. 03, SERIES OF 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

Bill Kane asked about the original plan for Ruedi Reservoir – if it was to be a pump storage scheme to generate power during peak power times. April said she wasn’t sure if it was a pump storage or a planned hydro power plant near the Town of Basalt, but it was something our communities decided they needed to control and pre-empt, which is what led to the establishment of the RWAPA.

6G. Resolution No. 04, Series of 2022: Resolution of the Town Council of Basalt, Colorado, Approving an Agreement with Invoice Cloud for Electronic Invoice and Payment Technology Services (Christy Chicoine/Jenny Aragon)

Senior Accounting Technician Jenny Aragon explained that staff had been investigating on-line bill payment portals for our customers, mostly focused on utilities, but there are also other payments that could benefit such as court, business licensing and other miscellaneous payments. Jenny explained the existing payment options through the Town and the key features that were being sought for an online pay program. Invoice Cloud appears to offer the desired features along with an easy to use online portal for autopay, or single use payments. This software also allows for easy past-due payment reminders. It handles the required Payment Card Industry (PCI) security standards, and it has a good back-end administration portal. Invoice Cloud has recently partnered with Caselle, which is the Town's accounting program. Even though not fully integrated, staff will be able to pull the miscellaneous payments (court, business licenses, etc.) into our accounting program. This will cut down on the entry staff currently has. Invoice Cloud anticipates a 30% sign up use the first year, staff anticipates 50%; on-line payment is the number one request of many of our customers. Staff hopes to have it up and running by the second quarter utility billing. Convenience fees will be split with the Town for utility payments to encourage participation in the program. Convenience fees to pay court fines and fees and will be borne strictly by the payee. This on-line payment program is an added option which individuals can choose to use; they still have the option to avoid the convenience fees and pay by check or cash. There is also a cap on the transaction amount that can be sent through this portal. The Town runs about 900 utility accounts, so reducing the number of paper checks that come in would go a long way toward office efficiency.

Council offered questions and comments.

M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 04, SERIES OF 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

6H. Resolution No. 05, Series of 2022: Resolution of the Town Council of Basalt, Colorado, Approving an Agreement with Aspen Downtowner Group, LLC for Microtransit Services

Town Manager Ryan Mahoney said this noted this Resolution would approve the Town's agreement with the Downtowner for the pilot microtransit program throughout Basalt. There was one modification that needed to be made – the service will actually start in February 2022, not January. This is due to the ADA lifts that need to be outfitted on the van; there was a supply chain issue with the lifts. The decal package has been ordered for the program to be known as Basalt Connect. There will be a media release on the program as well – radio spots, and social media. Mayor Kane thought a big newspaper spread showing where and how the service would work would be beneficial.

Elyse Hottel said one of her fellow CORE Board members suggested the Town use some Green Team money toward providing electric vehicles so they are truly environmentally sound in addition to transporting people and encouraging mass transit. Elyse explained that although this was an introductory program, she thought it would be good to plant the seed for electric vehicles in the event the Town signs a long-term contract in the future. In addition to an availability issue with electric vehicles, there is also the charging infrastructure to consider.

M/S COUNCILOR KNIGHT AND SLACK THA THE TOWN COUNCIL APPROVE RESOLUTION NO. 05, SERIES OF 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

6I. Resolution No. 06, Series of 2022: Resolution of the Town Council of Basalt, Colorado, Approving a Pilot Program Agreement for Basalt Microtransit Service Between the Town of Basalt and the Roaring Fork Transportation Authority

Town Manager Ryan Mahoney explained this Resolution approves the agreement with RFTA for a one-year grant of \$190,000.00, which is 50% of the cost of the microtransit pilot program for one year.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE RESOLUTION NO 06, SERIES OF 2022. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7. EXECUTIVE SESSION:

A MOTION WAS MADE BY COUNCILOR KNIGHT THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION: 7A. THE PURCHASE, ACQUISITION, LEASE, TRANSFER OR SALE OF PROPERTY INTERESTS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(A), MORE SPECIFICALLY RELATED TO THE POLICE DEPARTMENT PROPERTY; AND 7B. A CONFERENCE WITH OUR ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(B), MORE SPECIFICALLY REGARDING COMPLAINTS RELATED TO THE RIVER OAKS ESA. THE MOTION CARRIED 7-0.

Council entered Executive Session at 7:44 PM.

8. INFORMATION AND CORRESPONDENCE

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

9. ADJOURNMENT

Council adjourned the Executive Session at approximately 9:08 PM to reconvene the Council meeting. Town Attorney Jeff Conklin stated the Council had just concluded the Executive Session for the purposes stated in the agenda. Council provided direction to staff related to those purposes that staff will pursue.

The meeting adjourned at 9:09 PM.


The minutes of the January 11, 2022 meeting were read and approved this 2th day of January, 2022.

BASALT TOWN COUNCIL:

By: 
William G. Kane, Mayor



ATTEST:


Pamela Schilling, Town Clerk

This meeting can be viewed in its entirety on the Town of Basalt YouTube channel, or at www.GrassrootsTV.org, or by using this link: <https://townofbasalt.ompnetwork.org/sessions/235563?embedInPoint=1&embedOutPoint=14731&shareMethod=link>