



**BASALT TOWN COUNCIL
MEETING MINUTES – MARCH 14, 2023**

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 EXECUTIVE SESSION:

M/S COUNCILORS HOTTLE AND KNIGHT THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR DETERMINING POSITIONS RELATIVE TO MATTERS THAT ARE OR MAY BECOME SUBJECT TO NEGOTIATIONS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(E), MORE SPECIFICALLY TO DISCUSS AFFORDABLE HOUSING MATTERS. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0 (WITH COUNCIL MEMBER GLENN DRUMMOND ATTENDING VIA ZOOM).

Council adjourned to the Planning Department conference room at 5:10 PM for the Executive Session. Council members Glenn Drummond and Angela Anderson joined the Executive Session via Zoom. Council returned at approximately 6:10 PM to begin their regular meeting.

1. CALL TO ORDER AND ROLL CALL

Mayor Bill Kane called the regular meeting of the Basalt Town Council to order at 6:10 PM. Also present via Zoom were Council members Glenn Drummond and Angela Anderson. Present in person were council members David Knight, Dieter Schindler, Elyse Hottel and Ryan Slack.

2. CONSENT AGENDA AND MOTION: **2A. Minutes:** February 28, 2023; **2B. Resolution No. 06 Series of 2023:** Resolution of the Town Council of Basalt, Colorado, Granting Approval for a Community Garden on the Grace-Shehi Open Space Parcel that is Jointly Owned by the Town of Basalt and Pitkin County for the 2023 Growing Season; **2C. Proclamation:** Proclaiming April 2023 as National Donate Life Month in the Town of Basalt, Colorado; **2D. Continue to April 11, 2023: Public Hearing and First Reading Ordinance No. 2, Series of 2023:** An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Section 16-23 of the Basalt Municipal Code related the Sustainable Building Regulations. (Michelle Thibeault); **2E. Resolution No. 11, Series of 2023:** Resolution of the Town Council of Basalt, Colorado, Approving the 2023 Mowing and Garden Maintenance Contract
Town Manager Ryan Mahoney noted two minor changes to Resolution No. 11, Series of 2023 – the Mowing and Maintenance Contract – related to the service start date of two gardens in the Willits service area and the subsequent reduction in contract amount from \$252,191 to \$249,911.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA ITEMS WITH THE AMENDMENTS TO THE CONTRACT. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

3. CALL TO THE PUBLIC

Laura Maine, Tempranillo Restaurant, here for 17 years, spoke about the lack of parking as the one thing she consistently heard from visitors and customers. She expressed concern for the loss of parking in Basalt due to the Basalt Center redevelopment fearing lack of adequate parking for that project and loss of overflow parking used by Midland Avenue businesses. Laura said with the new downtown improvement project most of the parking will be moved from in front of the businesses; her clientele is high-end clientele who want to drive and want to park in front of the business they are patronizing. Laura said she believed in encouraging people to use other methods and thought we were moving in a good direction there, but to take what is already sorely under-supplied away, was a mistake. Laura asked that the Town's two-hour parking ordinance be enforced. Laura said the ballot initiative, to her, was very vague. It was not specific about taking our parking, timing of the project, scope of the project. Laura said for her, she thought it was about putting in sidewalks and putting in some lighting, not re-doing the whole downtown. Laura said she had been working with staff but that staff had been really inflexible about changing the timing of this project from June, July and August. Laura said the only thing they asked was to not do the project during the summer when they make their money. we asked is please don't do it during our summer; that's when we make our money. Laura said she had a petition with over 30 signatures from local businesses who were panicked about their ability to survive if Midland Avenue was under construction this summer. One person said she would have to close her business, another man was in tears when Laura brought it up. Laura said they did not have enough year-round business to get through without the summer. She noted the 2018 fire, followed by COVID, and a looming recession. Laura said she really encouraged council to figure out the timing. She didn't believe the project needed to be done as soon as possible; she thought if construction could be spread out in the spring and the fall, they would be more on board with it.

Bill Kane asked Town Manager Ryan Mahoney to briefly summarize the Worksession scheduled for March 22 where all the specifics can be drilled down on. Ryan Mahoney explained the point of the Worksession is to be an opportunity to share information and get feedback from the businesses. There is a morning session and an afternoon session to try to accommodate the businesses different work schedules.

Ryan Slack added that this project is not only about the sidewalks, the lighting, it's also about the deep infrastructure on Midland Avenue. If there was a failure of this infrastructure, it would cause a way-bigger issue for businesses to do an emergency project than to do a timed project. Ryan noted the town had been talking about this for multiple months. Ryan said he does understand the concerns, but construction costs were not going down and the timing of construction was also difficult.

Rene Lujan, 166 Midland Avenue, Heather's, said he thought the concern was the timing. Rene said he'd be first to admit they've known about this, but it recently hit home. Rene was concerned they wouldn't be able to do the business they normally would with all the construction going on. He wondered why the project couldn't stop in June and continue at the end of August, and not deal with the prime time. Basalt core was a summer destination; people would not here to come to a construction site; no one would sit on the patios for lunch. Rene said he would attend the planned Wednesday meeting as he has quite a few ideas about everything and

wanted to express his concern about trying to focus on the timing. Rene said he knows the project needs to be done because he smells the sewer all the time.

Ted Guy, 167 Swinging Bridge Lane, said parking in Basalt is a disaster and you guys are only making it worse. Ted said we had the monstrosity over here, the industrial buildings on steroids, they don't have enough parking. Originally they were going to park underground. Ted said it was easily done, it just costs money, but they chose profits over saving us problems. Ted said he thought the first thing Council should do this summer is create additional parking at the bottom of Midland and Midland extension, no summer construction, and preserve the business community. If a disaster happens, a disaster happens; but if you intentionally build during the summer and kill all these restaurants, it'll be on your shoulders. Ted thought the Lightning Bolt project had been a disaster (Basalt Sanitation District project). Ted asked Council to delay signing the contract with Stutsman Gerbaz until after the meeting on March 22, because hopefully, they would listen to all the very, very upset people in this community before they come down here with flaming torches and feathers and tar.

Dre, Craft Coffee Shop, says she knows this is something that needs to be done. She said can also smell the sewer. Dre thought why she loved being in Basalt, especially in the summertime, people come here for that. And for her business, Tempranillo, Heathers, Ward, all the people that are here, Dre thought there could be a little more agility if we offered not in the peak season. Dre said for her, she wouldn't want to show up to work every day with construction. Dre said she has a coffee shop but also loved to have people driving up the Frying Pan and seeing the beautiful historic place that we have; we're like a hidden gem. Dre said she loved this town and wanted to encourage that maybe there could be a little bit more ability with the time frame. Dre said she's all on board on this project, but wished for it not to happen during the busiest time, and shy she lives here. She closed 'appreciate you all'.

Warwick Mobray, Aspenalt, Frying Pan River Lodge, Frying Pan Anglers, said when the consultant originally spoke with him, they were proposing April and May and doing double shifts to have everything done before the season started. He thought that was a far smarter way of doing it rather than butchering all these businesses in the middle of the season. Warwick said his second comment was that it was interesting that you're deciding this time line and now you're saying you're having a working meeting; he wondered if that meant they hadn't decided what to do or you've decided and now, as a response to the public outcry, you're now going to change. Or is it already set in stone. Warwick said it seemed to him everybody's been shocked by this – the suddenness of it. Maybe it's the Samuel Johnson thing that people only concentrate when they've got an impending execution. Warwick said it seemed to him that it's a little bit mixed up if you're going to have a working meeting and there you're doing to decide your timeline. Warwick thought council ought to think seriously if they could double time in the off season to get the job done rather than butchering all these people in the middle of the season.

Laura Reigel 235 Riverside Drive, said summer here was the best. She expressed concern for the Sunday Market and what would happen to the Market. Not only was main street being torn apart, but parking was being lost. Laura said her concern was for all those additional people who come here and count on the Market as a means of income. Laura suggested this construction be shifted to the fall.

Javier Bringas, owner of Tempranillo, said having a business in this town is pretty difficult. They opened in 2006, it was incredible. But in 2007, 2008, the whole thing went to hell and they survived; it took seven years to recover. Javier said now you're going to kill us again. We had

the fire, and nobody would sit outside for lunch, we lost business. People from Aspen didn't come; the bicycle riders that come on bicycles from Aspen to here, they did not come. Then the Corona (virus) - they closed the business. To close for June, July, that is the only time this is alive; this is a dead town. The only time they float is June, July, August and September. Javier pointed to the Lightning Bolt project as evidence that work could be done in the winter. He said if the Town closed businesses in June, there would be a lot of lawsuits. Javier said the work could be done perfectly in October, November, maybe until December 15. Then open and do it again until February, March or whatever. He said the line has been in for how many years, and it has to be done now?

Town Manager Ryan Mahoney sought to clarify a few items.

- The design on the project is complete, but there will be more information on the construction schedule at the March 22 meeting. This will also be an opportunity to gather feedback on strategies that can help alleviate issues with business.
- We close construction every day at 5 PM. The contractor is a tidy contractor, so the street will be cleaned up and there will be access to the businesses.
- The Sunday Market is to go forward this summer.
- An item on the agenda later this evening contracts the work on the Midland Spur to create parking that can be utilized by people coming to downtown businesses when the parking is not available downtown. We've also heard from businesses that the Sunday Market is important to their businesses and the community. To get community members out to walk and patronize businesses along Midland Avenue, we want to be sure we have that.
- Construction can be done in the winter, however this will be a full year-long plus project, not just three months. Having a contractor stop, pull off the project then having them restart a contract, and paying them to remobilize, isn't efficient.
- What we are trying to figure out is how do we keep your businesses afloat; what can the Town do to help you during this challenging time? We look forward to what will be a 40-year asset for the town where people will want to come; we believe they will want to come this summer, too. We do look forward to the 22nd where we can hear some more input and share more information. It is our aim to make it as least disruptive to your businesses as it relates to construction.

Laura Maine, Javier Bringas and Ted Guy said they did not feel the Town was watching out for the businesses. Laura Maine said she didn't feel heard and that this was a done deal. Ryan Mahoney said the meeting on the 22nd was an opportunity to brainstorm and think outside the box to accommodate what is going to be a tough schedule.

Mayor Kane closed the public comment period at 6:36 PM.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Bill Kane reported on the recent RFTA Board meeting he had attended. RFTA is making headway on staffing and on getting their ridership back. Bill said RFTA was well behind on their peak pre-pandemic numbers and were starting to wind down for the season. RFTA has an ambitious housing program underway and are expecting to be back up to full staff next year. They are also talking about full-season ability for Basalt Connect.

Elyse Hottel said there was a feature article in the Aspen Daily news about the West Mountain Regional Housing Coalition; it was an introduction to the valley of the new group. It was suggested everyone take a look at the article.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney reported that the Basalt Citizens' Police Academy was coming up; there were 30 spots available.

The Lightning Bolt project has reopened the intersection at Midland and Two Rivers Road. They did an overnight closure of Two Rivers Road between Basalt Avenue and Homestead. There was a water line and sewer line crossing installed during this time. Though not yet completed with the full project, they are out of the roadway.

6. PRESENTATIONS

6A. Stott's Mill Daycare Building Discussion (James Lindt, Michelle Thibeault)

Michelle Thibeault offered a brief update of the Stott's Mill Daycare Building noting that an RFP had been put out for a day care and youth services operator for the Stott's Mill building. Planning has received at least half a dozen direct requests for the RFP, so people are working on some kind of submittal. The deadline for submissions is April 10 at 4 PM. An addendum to the RFP was also recently issued thanks to some assistance from Pitkin County with funding options and sources for the proposers to build their business proposals. Once this goes through the selection process, staff will be back in May with an update. There will be a committee assembled to review the proposals. The committee will be a balanced selection of day care providing professionals, youth service providing professionals and general services. It was suggested that it would be great to have someone on the committee who has kids in school, and someone with a financial background as well.

6B. E-Bike Rebate Program Introduction (Sara Nadolny, Michelle Thibeault)

Sara Nadolny updated the Council on the E-bike Rebate Program, which has been a priority of the Green Team in their 2023 work plan. They are trying to get at transportation which is the second largest source of carbon emissions in Basalt since 2014. The intent of the program is to incentivize residents to commute by transportation other than motor vehicles. Goals of the rebate program are to reduce vehicular congestion, emissions from ground transportation, provide an alternative to vehicle trips that require parking, and reduce traffic around Basalt. The program is anticipated to launch in April. It will provide \$250 to each of 250 Basalt residents. The Town has partnered with a couple of e-bike retailers who have the inventory and interest to participate in this event, as well as a desire to participate in promotional events. The events would provide information on e-bike rider safety, general maintenance, bike etiquette, bike ride demonstrations. Recipients of the funds would be asked to commit to a commuter oath to replace at least three vehicle trips per week with an e-bike trip. There has been some initial interest from Eagle and Pitkin counties in participating as well. A grant has also been submitted to Aspen Ski Company Foundation for funding that would be used to provide additional financial incentive to income qualified applicants. Staff has reached out to Aspen Valley Hospital, and are seeking other potential partners for things such as water bottles, bike helmets, etc. Once the program has been formalized, it will be promoted in English and Spanish through social media, websites, etc. with information on how to apply and qualify for the funding, etc.

7. COUNCIL ACTIONS: 7A. Interview and Appointment – Prospective BACH Members (Michelle Thibeault)

Planning Director Michelle Thibeault introduced Perry Kleespies, and David Portman, applicants for positions on BACH. Council interviewed each of the applicants.

Perry Kleespies, a Basalt resident, explained his interest in participating on BACH, and his past experience and knowledge in construction and project development that would enhance his participation on the committee.

Dave Portman, a Basalt area resident, joined the meeting via Zoom. Dave described his interest in participating, along with his experience as a community banker and understanding of mortgage lending practices, which he would bring to BACH.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL APPOINT DAVID PORTMAN, AND PERRY KLEESPIES TO THE BASALT AFFORDABLE COMMUNITY HOUSING, EACH FOR A THREE-YEAR TERM, ENDING MARCH 14, 2026. THE MOTION CARRIED 7-0.

7B. Interview and Appointment – Prospective BPAC Member (Sara Nadolny, Michelle Thibeault)

Senior Planner Sara Nadolny introduced Coleen Irvin to the Council. Colleen was interviewed by Council. Ms. Irvin said she was interested in participating on the Basalt Public Arts Committee. As a Basalt resident for over 20 years, and as an artist, Colleen said she wanted to be a part of the Basalt Arts program.

M/S COUNCILORS KNIGHT AND HOTTEL THAT THE TOWN COUNCIL APPOINT COLLEEN IRVIN TO THE BASALT PUBLIC ARTS COMMISSION FOR A THREE-YEAR TERM ENDING MARCH 14, 2026. THE MOTION CARRIED 7-0.

Ryan Slack thanked Michelle Thibeault for pursuing and recruiting people to the boards and committees; filling up the empty slots.

7C. Resolution No. 07, Series of 2023: Resolution of the Town Council of Basalt, Colorado, Authorizing the Engagement of Stutsman-Gerbaz, Inc. for the Construction of Phase I of Midland Avenue Streetscape Project (Catherine Christoff, Michelle Thibeault)

Council member Elyse Hottel recused herself from this item.

Town Engineer Catherine Christoff described this Phase 1 of the Midland Avenue Streetscape Project that would include deep utility work on Midland Spur as well as grading, paving, sidewalks, curb and gutter and a retaining wall. Drawings depicting the project scope were included in the packet and displayed via PowerPoint. This portion of the project will cover most of the deep utility work including 44% of the water main, 64% of the storm water system, all the improvements intended on the sanitary sewer system, the retaining wall which will increase parking from a current 61 spaces to a total of 96 spaces. Creating these expanded parking spaces first will allow people to more easily access the downtown restaurants, businesses and River Park programs planned for this summer, as well as allow for the Sunday Market to continue as it has historically in the Midland Spur. The design team and contractor will refine the scope of the remaining portion of the Midland Streetscape project over the next 30 days.

Catherine introduced the design team and contractor members present this evening to answer any questions Council might have: Heather Henry of Connect One Design, Elise Wolf also of Connect One, Michael White – lead engineering designer from Cushing Terrel, Dave Detwiler

owners' rep for the Town, Stephanie Helfenbein of Sopris Engineering, and from the Stutsman-Gerbaz contractor team Eddie Aragon, Wyly Button and Jenah Fuechsel.

At council's request, Catherine reviewed the project schedule timeline and total contract construction budget.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 07, SERIES OF 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

Elyse Hottel rejoined the council meeting.

7D. Resolution No. 08, Series of 2023: Resolution of the Town Council of Basalt, Colorado, Approving the 2023 Streets Maintenance Crack and Chip Seal Project and Authorizing Staff to Enter into Contract with GMCO, LLC. (Matt Wagner, Boyd Bierbaum)

Public Works Director Boyd Bierbaum and Assistant Public Works Director Matt Wagner were present to discuss this item with Council. This is part of the routine annual maintenance program to extend the life of Basalt's roads. Staff anticipates the contractor coming to the Basalt area in June. The focus this year will be on Elk Run, Sopris Drive and Ridge Road.

M/S COUNCILORS SCHINDLER AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 08, SERIES OF 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

Elyse Hottel recused herself for the next two agenda items – 7E and 7F.

7E. Resolution No. 09, Series of 2023: Resolution of the Town Council of Basalt, Colorado, Authorizing Engagement of Ground Engineering for Materials Testing and Special Inspection Services for Midland Avenue Streetscape Project (Catherine Christoff, Michelle Thibeault)

Town Engineer Catherine Christoff explained the contract proposal for materials testing and special inspections. Ground Engineering has worked on the slope investigation of the retaining wall along Midland Spur and they also did the retaining wall design there. Moving into this next phase, they will be asked to do materials testing of concrete for proper densities and compaction, etc.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 09, SERIES OF 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

7F. Resolution No. 10, Series of 2023: Resolution of the Town Council of Basalt, Colorado, Approving Construction Administration Contract with Connect One Design (Catherine Christoff, Michelle Thibeault)

Town Engineer Catherine Christoff explained this contract would have Connect One Design serve as the liaison between the design team and the construction team, answering questions, performing proper inspections, participating in the weekly design team meetings, etc.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 10, SERIES OF 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

Elyse Hottel returned to the council meeting.

7G. Public Hearing and Second Reading Ordinance No. 03, Series of 2023: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 6, Article V of the Basalt Municipal Code to Update Statutory References in the Article, to Change Application Requirements, and to Change Public Hearing Procedure for Licensing Renewal (Jeff Conklin)

Town Attorney Jeff Conklin explained this item was the second reading of an ordinance to amend the Town's marijuana code. It makes four changes to the code: various clean up changes; gives administrative authority to the Town Clerk for renewal of marijuana licenses (unless good cause); adds Triangle Park to the list of parks for which there must be proper spacing requirements met; and changes the requirement that at least a portion of an entity holding a marijuana license be a local owner, and changes that to allow for a local manager instead.

Mayor Kane opened the public hearing at 7:22 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 03, SERIES OF 2022 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7H. Public Hearing and Second Reading Ordinance No. 04, Series of 2023: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending Chapter 6, Article II of the Basalt Municipal Code to Update Statutory References in the Article and Authorize the Local Licensing Authority to Issue Alcohol Beverage Festival Permits (Jeff Conklin)

Town Attorney Jeff Conklin explained this item was the second reading of an ordinance to amend the Town's liquor code to make two changes. The first set of changes are clean up changes, and second are to create a local festival permit to allow the Town some local control over those permits.

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

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 04, SERIES OF 2023 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8. INFORMATION AND CORRESPONDENCE:

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

9. ADJOURNMENT

The meeting adjourned at 7:26 PM.

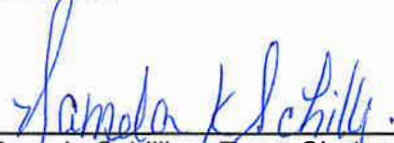
The minutes of the March 14, 2023 meeting were read and approved this 28th day of March, 2023.

BASALT TOWN COUNCIL:

By: 
William G. Kahe, 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/264066?embedInPoint=1&embedOutPoint=9096&shareMethod=link>