



**BASALT TOWN COUNCIL
MEETING MINUTES – MAY 12, 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.

REGULAR COUNCIL MEETING

1. CALL TO ORDER AND ROLL CALL (Executive Session)

The Executive Session of the Basalt Town Council was called to order at 5:15 PM by Mayor Bill Kane. Council members present were Gary Tennenbaum, Bill Infante, Ryan Slack, David Knight, Elyse Hottel and Glenn Drummond.

1. EXECUTIVE SESSION

M/S COUNCILORS KNIGHT AND DRUMMOND THAT THE TOWN COUNCIL ENTER EXECUTIVE SESSION FOR 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); FOR THE PURCHASE, ACQUISITION, LEASE, TRANSFER OR SALE OF PROPERTY INTERESTS IN ACCORDANCE WITH C.R.S. 24-6-402(4)(A), MORE SPECIFICALLY TO DISCUSS THE LOT 4 MID-VALLEY CENTER PROPERTY PURCHASE; AND TO DISCUSS CASE NO. 2016CV30322 – THEODORE GUY V. TOWN OF BASALT. THE MOTION CARRIED 7-0.

2. CALL TO ORDER AND ROLL CALL (Council Meeting)

The Regular Meeting of the Basalt Town Council was called to order at 6:00 PM by Mayor Bill Kane. Council members present were Bill Infante, David Knight, Glenn Drummond, Elyse Hottel, Ryan Slack and Gary Tennenbaum.

3. CONSENT AGENDA

3A. Minutes: April 28, 2020

3B. Resolution No. 15, Series of 2020: A Resolution of the Town Council of Basalt, Colorado, Approving Completed Project Assurances for NRCS Grant Related to Mitigation Work from the Lake Christine Fire and Ratifying Related Actions (Christy Hamrick/Jeff Conklin)

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL APPROVE THE ORDINANCE ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR MAY 26, 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

4. CALL TO THE PUBLIC

4A. Positive Comments and Gratitudes about Basalt

4B. 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.

While waiting for the public to notify staff about making a comment, Council Member Ryan Slack stated he had drive around during Monday night's downpour to see how the mitigations were working. Ryan Slack said it looked great. Bill Infante said he had received reports that some mitigation at the top of the street had held out, but residents said they hoped they would see some other work before monsoon season.

Stacey Craft called in and spoke just prior to the Manager's Report. Her comments are noted here.

Stacey Craft, said that she was not opposed to the purchase of the property in question (spoke to the issue of a land purchase being contemplated by the Town for use by Public Works as a town shop. Stacey felt there were several items of issue related to the purchase price, the creation and handling of the documents, lack of a buyer's broker, appraised value not being made public, and use of an attorney over a realtor.

5. MAYOR AND COUNCIL REPORTS/COMMENTS

Glenn Drummond noted the construction companies were happy to be back to work; the consistent complaint from construction crews was carpooling.

David Knight reported on the retail leaders' discussion last night discussing the relief resources which will be running out soon, anticipating the future public health orders coming out at the end of May, some folks hoping we'll get a lot of driving distance tourists and second homeowners to help boost business, and hope there will be some marketing toward that travel market; flying may not be the first choice of travel this summer.

Bill Infante said he wanted to ask if staff could follow up with Colorado Parks and Wildlife (CPW) on the lead testing at Lake Christine. He was interested in treatment of the range during red flag warnings as well.

Bill Infante reported that on the restaurant and bar front, Pitkin County has moved through the Board of Health to request a waiver from the State to permit restaurants and bars to open before the end of the month. Bill noted it was important to have consistency between counties. Governor Polis is waiting for more data before he makes any move to open more. Mesa County obtained a waiver to reopen on April 29. Governor Polis also heard from establishments seeking expansion of outdoor seating areas, and perhaps creation of entertainment districts and common consumption areas.

Elyse Hottel reported on the lodging and wellness salons. The salons are slammed with clients and most were not available to organize a call. Wellness group such as Crossfit, Yoga, Pilates,

gyms, etc. have indicated their main concern is with the mask requirements. Masks can interfere breathing while people are working out.

Elyse said that across the board there was a lot of desire for coordination between both counties and the state. There is a strong desire to have more autonomy as a valley rather than all these other jurisdictions. Specific to lodging, they are struggling with tax payments and the accruing penalties for late payments. They also felt that because we were hit early with COVID 19 cases identified with the Australian visitors, there has been negative publicity about mountain communities. They are looking for marketing to help remove the negative stigma about coming here. They are also looking to engage folks within driving distance as their initial audience.

Bill Kane indicated that Basalt Chamber Director Kris Matera may be looking at funding a coordinator on how to best organize on a regional basis for appropriate valley wide strategies to support these various economic sectors.

Bill Kane asked if council would support directing that staff spend some time thinking through some ideas that have surfaced in last couple of weeks for discussion at the May 26 meeting: A stimulus spending program (Basalt Bucks); advocating for restaurant opening and relaxing of rules regarding serving on sidewalks and public rights of way; pursuing the use of the parking lot at the elementary school to use for overflow downtown parking during the summer months. Other ideas included discussion of summer events and the creation of a shuttle between Willits, downtown Basalt and Southside.

Ryan Slack asked if there could be an investigation of the Town taking over the cost of the \$1 fee of getting from Willits to downtown Basalt. Ryan Mahoney and Susan Philp discussed the funds were discussed, but never actually included in the budget. RFTA is currently free during the COVID 19 time period with passengers limited to only 9 per bus.

6. MANAGER'S REPORT

Ryan Mahoney noted that Stacy Craft had gotten a late call in for citizen comments. Stacey Craft made her comments at this time, but they are reflected under the citizen comments section of these minutes.

Ryan Mahoney said he didn't have anything specific for a manager's report as he would be commenting on items in the agenda throughout the evening.

7. PRESENTATIONS

7A. Eagle County Emergency Manager Birch Barron – COVID-19 Update

Birch Barron, Emergency Manager for Eagle County, presented an update on where the County was with COVID 19 and what we might expect in the coming weeks and months. Statistics and data used in the county's decision making and future plans were presented and explained. The timeline for moving toward the next phase was given, with the hope of beginning that next phase May 25 if the data supports it.

7B. Council Discussion of Roaring Fork Outdoor Volunteers (RFOV) (Bill Infante/Ryan Mahoney)

Bill Infante, RFOV Director Ron Rash and Town Manager Ryan Mahoney addressed this item with Council.

Bill Infante discussed the inception of the idea and the target populations it could assist. Bill Infante spoke to the possibility of creating a project similar to that of the Civilian Conservation Corps (CCC). The training, work, pay, oversight, etc., would be managed by the Roaring Fork Outdoor Volunteers (RFOV). Ron Rash spoke to being intrigued by the project, and spoke to the hurdles that would need to be overcome that would include guaranteed funds for the project, approval by the RFOV Board, what funds would be used, retention of employees for the summer once they are trained, support of the Town Council, etc. Ryan Mahoney is to report back to Council.

7C. Update from the Basalt Public Arts Commission (BPAC) and Approval of Arts Grants
(Watkins Fulk-Gray)

Staff Planner Watkins Fulk Gray and BPAC board member Jeff Orsulak were present to discuss the proposed grant awards this evening. The recommendations for grants were \$20,000 to the Art Base; \$20,000 (to be distributed as \$10,000 in 2020 and \$10,000 in 2021) to Artist Year; \$3,000 to the Hudson Reed Ensemble; and \$19,210 to The Arts Campus At Willits (TACAW).

M/S COUNCILORS KNIGHT AND INFANTE THAT THE TOWN COUNCIL APPROVE BPAC'S RECIPIENTS OF THE ARTS GRANTS PER BPAC'S RECOMMENDATIONS. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

Watkins Fulk Gray and Jeff Orsulak then discussed a new Artist Relief Program that would give small amounts of money to artists with a Basalt residence or studio address and recommended that \$20,000 be the maximum amount used for that program.

M/S COUNCILORS HOTTEL AND KNIGHT THAT THE TOWN COUNCIL APPROVE BPAC'S REQUEST TO REALLOCATE FUNDING WITHIN THE BUDGET FOR BPAC ACTIVITIES AND APPROVE THE BASALT ARTIST RELIEF FUND PROGRAM AS SUMMARIZED IN THE MATERIALS PROVIDED FOR THIS AGENDA ITEM. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7D. Update from the Basalt Affordable Housing Commission (BACH) on COVID Response
(Sara Nadolny and James Lindt)

Assistant Planning Director James Lindt, Staff Planner Sara Nadolny, and BACH member Doug MacDonald were present to update Council on the local rental assistance programs and other COVID-19 assistance resources they identified through their outreach to both Eagle and Pitkin counties.

7E. 2020 Financial Projection/Update (Christy Hamrick)

Finance Director Christy Hamrick offered a comprehensive review of the Town's financial status and future projections.

8. COUNCIL ACTIONS

8A. First Reading of Ordinance No. 10, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Special Review Approval for an Accessory Dwelling Unit (ADU) Located at 112 E. Hillside Drive, Basalt, Colorado (Clasen Application) (James Lindt)

Applicants Laura and Norm Clasen joined the meeting with Assistant Planner James Lindt and Town Attorney Jeff Conklin to discuss this item with Council. This item was before Council as part of an effort to legalize an existing ADU located on the first floor of a residential building at 112 E. Hillside Drive.

Mayor Kane opened the public hearing. Staff announced the public’s access to the meeting for comment. No public comments were made and the hearing was closed.

M/S COUNCILORS SLACK AND INFANTE THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 10, SERIES OF 2020 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR MAY 26, 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8B. Resolution No. 16, Series of 2020: A Resolution Amending the Town’s Electronic Participation Policy for Use in the Event of a Local Emergency Declaration (Jeff Conklin)

Town Attorney Jeff Conklin explained the details of this Resolution to allow traditional voice-votes rather than roll call for procedural and non-substantive matters; and to permit some in-person and some remote participation based on future public health orders and continued protection of at-risk persons.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 16, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8C. Public Hearing and Continued Second Reading of Ordinance No. 09, 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 Property Located at 20522 Highway 82, Basalt, Colorado (For purchase of property for public works facility) (Ryan Mahoney/Jeff Conklin)

Town Manager Ryan Mahoney and Town Attorney Jeff Conklin discussed this item with Council. Mayor Kane noted this item was begun prior to the COVID 19 issue and subsequent budget concerns. Town Attorney Conklin explained the options available to Council.

Mayor Kane opened the public hearing at 9:03 PM. Staff announced the public’s access to the meeting for comment. No public comments were made and the hearing was closed.

A motion was made to continue the public hearing and second reading of Ordinance 09, Series of 2020 to May 26. The motion died for lack of a second.

Staff was asked to request the possibility of a lease buy-out with the seller. There were no objections.

M/S COUNCILORS INFANTE AND SLACK THAT THE TOWN COUNCIL DENY ORDINANCE 09, SERIES OF 2020 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8D. Appointment of Council Members to Committees/Boards (Susan Philp)

Planning Director Susan Philp guided Council through the various Board and Committee appointments noting those which were currently filled and those which were vacant and seeking appointees. Council members voiced their interest and volunteered for various positions.

- Appointments discussed this evening include:
- Gary Tennenbaum to continue as Mayor Pro-tem (as appointed on 04/28/2020);
- Ryan Slack to continue as Ruedi Water and Power Authority;
- Bill Kane appointed to RFTA as representative with Gary Tennenbaum serving as alternate;
- Elyse Hottel appointed to Roaring Fork Conservancy;
- Bill Infante to continue as 1st Alternate and Glenn Drummond as 2nd Alternate to the Board of Zoning Adjustment (BOZA);
- Gary Tennenbaum to continue and David Knight to be appointed to Victims and Witness Assistance and Law Enforcement Board (VALE);
- Glenn Drummond appointed to the Basalt emergency Management Committee (BEMC);
- Gary Tennenbaum and Ryan Slack to continue as representatives to the Basalt Early Childhood Coalition;
- Bill Infante and Watkins Fulk-Gray to continue as the Regular and Alternate respectively, to the Northwest Colorado Council of Governments (NWCCOG);
- Elyse Hottel appointed to the Community Office of Resource Efficiency (CORE);
- Gary Tennenbaum to continue and David Knight to be appointed to the Aspen/Snowmass Nordic Council;
- Ryan Mahoney and Susan Philp to continue their appointments as Regular and Alternate respectively to the Intermountain Regional Planning Commission (IMPTR);
- Elyse Hottel appointed to the Regional Housing Task Force;
- Elyse Hottel appointed to the Colorado Communities for Climate Action (CCCA) working with Staff Planner Sara Nadolny.

M/S COUNCILORS TENNENBAUM AND DRUMMOND THAT THE TOWN COUNCIL MAKE THE BOARD AND COMMITTEE APPOINTMENTS AS DISCUSSED IN THE MEETING THIS EVENING, WITH THE RECOMMENDATION THAT IN THE FUTURE, EACH COMMITTEE MAKE ITS RECOMMENDATIONS FOR APPOINTMENT TO THE COUNCIL WHO WOULD THEN MAKE THE FINAL APPOINTMENT. THE MOTION CARRIED 7-0.

9. INFORMATION AND CORRESPONDENCE

- 9A.** Accounts Payable
- 9B.** Advanced Agendas
- 9C.** Sales Tax Update – April 2020
- 9D.** Correspondence to the Town

M/S COUNCILORS SLACK AND KNIGHT TO ENTER EXECUTIVE SESSION FOR 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 TO DISCUSS CASE NO. 2016CV30322 – THEODORE GUY V. TOWN OF BASALT. THE MOTION CARRIED 7-0.

Town Attorney Jeff Conklin noted this discussion would be limited to stated purpose of the Executive Session; no action would be taken during the Executive Session; the subject matter constitutes attorney client privilege communications and no further record of the Executive Session will be kept. Council entered executive session at approximately 9:35 PM.

10. ADJOURN

At 9:57 PM, the council concluded the Executive Session, and the Mayor adjourned the meeting.

BASALT TOWN COUNCIL:

ATTEST:

By: *William G. Kane*
William G. Kane, Mayor

Pamela K Schilling
Pamela Schilling, Town Clerk

This meeting may be viewed in its entirety here:
<https://townofbasalt.ompnetwork.org/sessions/137773?embedInPoint=1&embedOutPoint=16850&shareMethod=link>

