



**BASALT TOWN COUNCIL
MEETING MINUTES – MAY 23, 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.

1. CALL TO ORDER AND ROLL CALL

Mayor Pro-tem David Knight called the regular meeting of the Basalt Town Council to order at 6:00 PM on Tuesday, May 24, 2023. Also present were Dieter Schindler, Elyse Hottel, Angela Anderson, Ryan Slack and Glenn Drummond. Mayor Bill Kane was absent.

2. CONSENT AGENDA AND MOTION:

2A. Minutes: May 9, 2023

2B. Special Event Activity Permit: For Food Truck at Cather's Home Furnishings (Alec Sloan)

2C. Special Event Activity Permit: For Parking Closure (Backroads Bike Tours) (Sara Nadolny)

2D. Approve Town's Tobacco Tax Grant Recommendations: Submitted by VALE Board (Ryan Mahoney, Greg Knott)

Elyse Hottel sought some clarification about the Special Event Activity Permit for a Parking Closure which were addressed by Town staff and Keaton Doyle of Backroads Tours, who joined the meeting via Zoom. Staff Planner Sara Nadolny explained that the group had offered bike tours from Aspen that ended in Lions Park last year; they were being asked to formalize their bike tours and picnic location with the Town which would end at the Basalt River Park this year.

3. CALL TO THE PUBLIC

Ted Guy, 167 Swinging Bridge Lane, presented the Town with 271 signatures on petitions asking the Council to delay construction to the fall and to preserve diagonal parking. Ted said they had also asked for comments which some people submitted on line; Ted asked that the comments, which amounted to just under a page and a half, be distributed to Council.

Ted said they found that everybody believed Mitzi when she said 'we're listening, but we're not going to make any changes'. That's what people believe – that the decisions are made and the Town isn't interested in what people have to say and you're going to go full-speed forward even though it might mean disaster for the businesses on Midland Avenue.

There were no further public comments.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

There were no Mayor or Council comments this evening.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney spoke to Ted Guy's comment regarding Mitzi saying that 'we are listening, but we are not changing the design'. That public open house was not a design meeting; the design process had already taken place and closed, and we had a design. The intent of that meeting was to talk about the construction impacts, what the final design looked like, what the phasing would look like and those kinds of things. Ryan wanted the public to know that when the public comes to these meetings, we do hear them, but the intent at that meeting was to discuss impacts during construction.

Motors at Willits was held this last weekend. It was a nice event, lots of people attended.

Lastly, you're starting to see the River Park take shape with the water feature. They did a concrete pour this morning, so it should start to be more clear to people what those rock formations are ultimately going to be used for. There will likely be a ribbon cutting, perhaps at a concert.

6. PRESENTATIONS

6A. E-Bike Rebate Program and Event (Sara Nadolny, Michelle Thibeault)

Senior Planner Sara Nadolny led discussion of this agenda item. She reviewed the proposal which was a Green Team Work Plan item previously approved by Council in March to encourage electric bike use as a sustainable travel alternative to vehicle use. The e-bike rebate program being launched in June will be called Bike Basalt: Everyone, Everywhere, Emissions Free! It is open to full-time residents of Basalt and would rebate \$250 to the first 250 qualified applicants.

Sara offered the program overview that will take place on June 17 from 10 to 1 at the Basalt High School. Sara discussed participation by local businesses Basalt Bike and Ski and Nox Cycles that will introduce citizens to e-bike safety, bike etiquette, basic troubleshooting and maintenance, pathways and trails to get around on an e-bike. Aspen Valley Hospital's Trauma Center has also agreed to donate helmets for the event. Staff continues to work with other area businesses toward their participation in the event. The event will be advertised in both English and Spanish to ensure success of the program.

6B. Midland Avenue Streetscape Update (Catherine Christoff, Michelle Thibeault)

Town Engineer Catherine Christoff and Dave Detwiler, Owner's rep for the Midland Avenue Streetscape Project, were present to offer an update. Dave Detwiler reviewed the construction progress, discussed risks, change orders and budget adjustments, and the accounting of the major bills as well as project savings that were accounted for. The Milestone Schedule was also included in the presentation. The team is surveying everything to provide better information in the future.

These updates are to occur once a month by the Owner's Representative to regularly update Council.

7. COUNCIL ACTIONS

7A. Resolution No. 22, Series of 2023: Resolution No. 22, Series of 2023, Approving a Contract Change Order No. 1 for Dry Utility Construction of Phase I of Midland Avenue Streetscape Project. (Catherine Christoff, Jeff Conklin)

Elyse Hottel recused herself for items 7A and 7B.

Town Engineer Catherine Christoff explained the need for the Resolution approving a Change Order which was actually more of a contract amendment to expand the scope of work to include the fiber infrastructure, conduit for future EV charging, street lighting and to provide general power for better and easier ways to access power on site for events like the Sunday Market. The contingency was reviewed and noted that adding the \$200,000 contingency would allow the Town to avoid a change order fee of 15%. The Town is waiting to hear on the Department of Local Affairs (DOLA) Grant awards that could pay for 50% of the fiber costs. Additionally, there have been savings in the water and sewer installations as funds were budgeted to dewater the trenches, but it was not needed. Staff continues to seek additional cost saving opportunities.

M/S COUNCILORS DRUMMOND AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 22, SERIES OF 2023. THE MOTION CARRIED 5-0.

7B. Resolution No. 23, Series of 2023: Resolution of the Town Council of Basalt, Colorado, Approving a Contract with Ferguson Waterworks, DBA Grand Junction Pipe and Supply, for the Purchase of Water Infrastructure Materials for the Construction of Phase 2 of Midland Avenue Streetscape Project (Catherine Christoff, Jeff Conklin)

Town Engineer Catherine Christoff said this Resolution would allow for the purchase of the water infrastructure for Phase Two of the Midland Avenue Streetscape Project. Catherine explained these items had been ordered earlier in the year by Stutsman Gerbaz, to avoid budgetary and supply chain issues. However, these materials are now available through Grand Junction Pipe and Supply. If the Town purchases them directly through GJ Pipe, it will avoid contractor mark-up on the materials.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 23, SERIES OF 2023 AS PRESENTED. THE MOTION CARRIED 5-0.

Elyse Hottel returned to the meeting.

7C. Special Event Activity Permit: For Town Wednesday Night Concert Series (Alec Sloan, Michelle Thibeault)

Planning Analyst Alec Sloan introduced the series of 10 planned concerts that will be held this summer; two at Triangle Park at Willits and eight at the Basalt River Park. The concerts will benefit various non-profits of the valley. The non-profits will provide the volunteers to serve the beverages, non and alcoholic. Alec reviewed the proposed layout and conditions of the events. Michelle Thibeault added that Alec had been phenomenal in organizing details of the events including trash and security. There will be a local opening band at 5:30 followed by the headliner at 7:00 PM. There are some great corporate sponsors participating as well.

Council questions were raised and answered by staff related to liquor licensing, control over costs of the beverages, ending liquor sales at 8 PM prior to the scheduled 8:30 PM concert end time. There will be at least two certified servers at each event.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPROVE THE SPECIAL EVENT ACTIVITY PERMIT FOR THE 2023 WEDNESDAY NIGHT CONCERT SERIES. THE MOTION CARRIED 6-0.

7D. Public Hearing and First Reading Ordinance No. 09, Series of 2023: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Special Review, Minor PUD Amendments, Site Plan Review, Community Housing Review, Environmentally Sensitive Area Review, and Associated Development Reviews for the Construction of a Domestic Abuse Shelter at 325 E. Cody Lane, Lot H, Basalt Business Center East PUD, Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt introduced the application and proposal for a domestic abuse shelter, 2,000 square feet of office space, seven client rooms, and one affordable housing space, and 17 off-street parking spaces to be located at 325 E. Cody Lane in Southside. Approval for this special use was granted by Council last year. The applicant is back tonight with a design proposal and site plan review. James outlined items for Council discussion.

Applicant representatives were introduced: Chris Benden and Erin Wackerly of Benden and Adams, and Shannon Meyer Executive Director of Response.

Shannon Meyer offered background on Response and explained how this project came to be.

Eric Wackerly gave some detail about the project's background, floodplain grading and drainage plan, traffic impacts, site plan and green energy design, fencing, open space on the property, floor plan, materials and design of the proposed building and height adjustment request.

Mayor Pro tem David Knight opened the public hearing at 7:26 PM.

Adjacent property owner John Cerise stated his concerns related to a ditch that is to be piped through the property. John asked that the pipe be oversized so that debris won't plug it. Another concern was an aged fence and they would like to continue the chain link fence from those other businesses to continue on down to the highway for security purposes. Another concern was the large trees, cottonwoods, that are growing up. With a building going on that lot, those trees need to be trimmed, probably on both the applicant's side and the Cerise side.

There were no further comments and the public hearing was closed.

Council discussion followed concerning a decreased work hours request for residents to qualify for the employee housing unit onsite; a request to see the fencing plan at second reading; the roundabout impact fee and trigger for construction of same; the oversizing of the culvert to be flood compliant, and trees management.

M/S COUNCILORS SLACK AND ANDERSON THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 09, SERIES OF 2023 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 27, 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

7E. Public Hearing and First Reading Ordinance No. 10, Series of 2023: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting A PUD Amendment to Permit a Single-Family Residence with a Home Daycare at 400 Alexander Lane, Lot 1 of the Southside PUD- Phase IV, Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt offered background on the proposed PUD amendment submitted by daycare applicant representative Miss Mare (Mary Wolfer) for NJS Kinder Cottage, LLC. James offered background on the proposed project that requests to convert the NJS Kinder Cottage to a family home and amending from a commercial day care center to a home daycare program. James Lindt identified nine items for council discussion related to this PUD Amendment.

Ms. Mare offered background on the NJS Kinder Cottage and Hobby Farm, their need to downsize the program due to post COVID costs and lack of teachers, and the support from the Southside HOA, and the Planning and Zoning Commission for this amendment.

Mayor Pro tem David Knight opened the public hearing at 7:38 PM. There were no public comments and the hearing was closed.

Various council members thanked Miss Mare for the exceptional childcare opportunities their families had participated in, and lamented the loss of kid spaces, noting that loss felt like things were moving in the wrong direction. Miss Mare was also thanked for transitioning the kids through the program in a planned way.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 10, SERIES OF 2023 ON FIRST READING, AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING TO JUNE 27, 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

7F. Public Hearing and First Reading Ordinance No. 11, Series of 2023: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving a Revocable License and Use Agreement for the Basalt Center Association to Use Parking Spaces in the Town's Midland Avenue Right-of-Way and for Approval of an Easement Agreement to Allow the Town to Solidify Emergency Access through Basalt Center Circle and for Public Access for Three (3) Public Events Per Year (Jeff Conklin)

Town Attorney Jeff Conklin explained this item was to approve two agreements related to the use of the Basalt Center Parking areas. This is really to preserve the status quo. A portion of the parking area that is paved, that is part of the Town's right-of-way acquired by the Town from CDOT, and spaces within that area belong to the Town of Basalt but have historically been used as part of the Basalt Center Circle Association parking. There is a desire to formalize that use through a license agreement and to grant permission for the Association to manage the spots the same as the rest of the parking lot spaces. In exchange for that, there is another agreement that allows traffic to be routed through the area when Midland Avenue is closed for special events and for use as emergency access if Midland Avenue is shut down for an emergency.

Mayor Pro tem David Knight opened the public hearing at 7:46 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS SLACK AND ANDERSON THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 11, SERIES OF 2023 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 13, 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

7G. Public Hearing and Second Reading Ordinance No. 08, Series of 2023: Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Holy Cross Energy’s Installation of Underground Electrical Lines and Equipment on Open Space Tract 5 and the Public Parking Tract of Willits Town Center PUD, Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt explained the Open Space Tract 5 as the sliver between the single family residential and the Element Hotel, and the public parking tract which is the Element Hotel’s parking site that is owned by the Town. The underground installation is to provide resiliency to the electrical service to the Tree Farm area as well as properties adjacent to the Tree Farm. A franchise agreement with Holy Cross would typically cover installation of electric utilities within the right of way, but this is not a right of way. Because it is an open space tract and public parking tract, the agreement requires Council to approve the installation. The draft ordinance includes a requirement for shadow conduit to be installed per the Town’s shadow conduit ordinance, and provides indemnification of the Town for Holy Cross’ use of those properties. There were no changes from first reading.

Mayor Pro tem David Knight opened the public hearing at 7:49 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 08, SERIES OF 2023 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

8. INFORMATION AND CORRESPONDENCE: 8A. Accounts Payable; 8B. Advanced Agendas; 8C. VALE Board Meeting Minutes of May 17, 2023; 8D. Correspondence to the Town

9. ADJOURNMENT

The meeting adjourned at 7:50 PM.

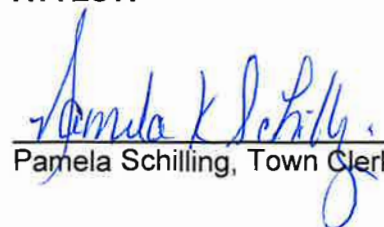
The minutes of the April 25, 2023 meeting were read and approved this 9th day of May, 2023.

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.ompnetwo rk.org/sessions/267750?embedInPoint=1&embedOutPoint=5406&shareMethod=link>