



**BASALT TOWN COUNCIL  
MEETING MINUTES – MAY 24, 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.**

**5:00 PM SITE VISIT TO SOPRIS MEADOWS PARCEL 5** (meet at Rugby Field parking lot) (James Lindt)

**6:00 PM 1. CALL TO ORDER AND ROLL CALL**

Mayor Bill Kane called the regular meeting of the Basalt Town Council to order at 6:08 PM. Also present were Council members Glenn Drummond, David Knight, Elyse Hottel, Ryan Slack, Angela Anderson and Dieter Schindler.

**2. CONSENT AGENDA AND MOTION:**

**2A. Minutes:** May 10, 2022;

**2B. VALE Board:** Council Ratify Tobacco Tax Grant Awards

**M/S COUNCILORS SLACK AND DRUMMOND TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. THE MOTION CARRIED 7-0.**

**3. CALL TO THE PUBLIC**

Rick Stevens, 190 Riverside Drive, was present to thank the Town for their financial and staffing assistance at the Crown Mountain Aspen Shoot Out Lacrosse Tournament. He was grateful for the parking and traffic control assistance of Ryan Wesseling and Sai Landa, and financial assistance from the Ttown. There were 90 teams present. They had a great de-brief with Chief Knott after, and have opportunities for improvement they will pursue for fall-ball and next year.

Rick also thanked the Town for granting \$5000 to CSU and the Mountain Sentinels/Moving Mountains Summit and Basalt Area Gives.

Ryan Mahoney introduced Matt Koenigscknect, Basalt's new Recreation Director. Matt is to start full-time on May 27<sup>th</sup>. Matt said he was thrilled to be here and looked forward to working with everyone here.

#### **4. MAYOR AND COUNCIL REPORTS/COMMENTS**

Bill Kane said he and Town Manager Ryan Mahoney had attended a chilly rain day tour and fishing outing with the school kids through the Roaring Fork Conservancy at Old Pond Park.

Bill Kane said he had attended the Basalt Vista Open House last evening. It was great to meet the folks moving in. He said the neighborhood was buffed out now and looking finished; it was a great event.

Glenn Drummond updated Council on the Basalt Emergency Management Committee (BEMC) meeting held on May 12. The biggest thing on everyone's minds is getting the word out on wildfire season and emergency evacuation especially the Ready-Set-Go program.

Ryan Slack reported for Ruedi Water and Power Authority (RWAPA) and thanked the Town for their support which will help RWAPA continue the mussels inspection program to keep the invasive species out of Ruedi. He said they had a good inspection crew up there again this summer. Ryan Slack said that Ruedi may get up to 80 or 90% capacity this year, but won't fill up.

Elyse Hottel said the Motors on Midland was great fun this year and thanked everyone who was there including Basalt Fire and other emergency services, traffic control, and thanked Basalt Education Foundation for organizing it – everyone did a great job. She thanked all the staff that worked on that event, too.

#### **5. MANAGER'S REPORT**

Ryan Mahoney said he wanted to get the word out on the second survey posted to the Let's Talk Basalt website. Ryan said there would be future opportunities for more input, but he encouraged everyone to take a few minutes and complete the survey on the design options.

Basalt Connect – the on-demand ride van – will start up again June 1 and run 7 days a week for June, July and August; their hours will be from 6AM to 10 PM daily. It will revert back to the old schedule in September.

Ryan Mahoney said that the Council approved the grants for the tobacco tax area nonprofit through the consent agenda motion this evening. Ryan said the VALE Board, along with Angela Anderson and David Knight as Council representatives, two citizen members and Chief Knott, worked through the applications to approve some really nice grants for local non-profits.

Ryan said at the last Council meeting, there was a second reading for the Tobacco Tax expenditures. There is a bit more money this year; Ryan has been speaking with the Basalt High School principal who has submitted an application for some potential academic help. This discussion will be posted to a future Council meeting.

#### **6. PRESENTATIONS: 6A. First Quarter Financial Statements** (Christy Chicoine)

Finance Director Christy Chicoine reviewed the first quarter financial statements. Christy reviewed the year-to-date revenues and expenditures and explained the slightly skewed numbers due to a property purchase.

Christy explained the sales tax, license, permits and fees were running slightly ahead of the anticipated budget and why. Some expenditures were looking slightly lower than anticipated due to capital projects that need to be completed, and due to being short of staff affecting salary numbers.

Investments in ColoTrust balances were reviewed by Christy who explained that they were not high yield investments due to the requirements of municipal governments for low-risk investments.

Restricted funds were a little ahead in the RETA (Real Estate Transfer Assessment), and the Town hasn't done a lot of spending this year yet.

Bond fund, Capital Construction, Water Fund and Conservation Trust Fund are pretty much on budget.

Property tax will probably be right on budget; sales tax and building permit fees are on the positive side. Recreation fees are ahead as well, due to the summer camps registration, though those are pass-through revenues.

## **7. COUNCIL ACTIONS:**

**7A. Public Hearing and Resolution No. 37, Series of 2022:** Resolution of the Town Council of Basalt, Colorado, Granting Subdivision/PUD Preliminary Plan Approval to Construct 155 Dwelling Units on Parcel 5, Sopris Meadows Subdivision/PUD (Possumco, LLC Application) (James Lindt)

Assistant Planning Director James Lindt introduced Michael Lipkin representing the applicant group. James said this was an application for Sopris Meadows Parcel 5 to develop 155 dwelling units, Subdivision and PUD. This meeting was to be treated as an introductory meeting to the project and review of discussion items that are part of the Preliminary review from staff, taking applicant comments, council discussion and public hearing. Staff suggested ultimately continuing the public hearing to June 14.

James shared drawings of the property location between Willits Lane to the west and Willits Lake to the east. There would be 155 dwelling units in nine separate buildings. Seven of those buildings would be free market, and two would be affordable housing containing 46 deed-restricted units. The applicants propose to finish the lake, come up with a better grade in the lake and finish the path around the lake. Access points to the proposed developed connected Lake Avenue to East Valley Road, a connection to Evans Road and a point onto Willits Lane.

This is a three-step PUD process. The applicants received Sketch Plan approval previously, and are currently in the Preliminary Plan Application phase requiring a P&Z recommendation to Council. If the applicant receives a preliminary plan approval, they have to come back through one more round of review with the P&Z and Town Council.

James reviewed the discussion items which were included in the packet along with the P&Z analysis memos. Discussion items included: Consistency with Master Plan; R-4 PUD Compliance; Affordable/Community Housing; Community Benefits; Access/Traffic; Parking;

Completion of Lake; Pedestrian Access; POST Committee Comments; Design and Architecture; First/Last Mile Improvements; Traffic Calming; Playground; Development Impact Fees; Environmental/Green Building/Wildfire Mitigation; and Phasing/Vested Rights.

James discussed the history of density on the parcel, the traffic study and transit plan which included the 155 dwelling units. A Real Estate Transfer Assessment (RETA) was proposed by the applicant that would total 1.75 % RETA on the project. Affordable housing units were discussed with one building to be Category 2 units, and one building proposed to house maximum incomes of up to \$250,000 to \$300,000 – or 250% to 300% of Area Median Income (AMI). Rents to be 30% of an individual's income to be affordable. Basalt Affordable Housing Committee (BACH) has discussed the 'missing middle income' topic but continue review of that topic, though they have approved the physical layout and bedroom mix.

The applicant has proposed three access points being required by emergency services; draft conditions would include the three access points. David Myler, representing 14 homeowners in Park Modern, submitted a letter indicating they do not want to have full vehicular access on the north section adjacent to Evans Road. Staff reviewed that desire with emergency services who reiterated they needed the three full access points for potential evacuation purposes in the future. There is an alternative condition if Council is not in favor of the three access points.

A trip generation traffic analysis, included in the packet, was reviewed by Charlier and Associates, a third party transportation engineer. Traffic projections and a requirement for seasonal traffic counts were noted. Charlier and Associates also recommended the applicant implement transportation demand management strategies – bike share, bus passes for affordable housing tenants and car share infrastructure.

The Parks Open Space and Trails (POST) review was another discussion item. The applicant's proposal to complete the grading of the lake to make it less steep, and completion of the path around the lake were discussed. At Sketch Plan, staff suggested a beach and water entry point. Concerns raised by neighboring HOAs resulted in a recommendation from POST that there not be a beach access point into the lake as it would be too impactful on adjacent residents; P & Z supported that recommendation. POST supported the trail connection completions.

Traffic calming measures were discussed; conditions require a five year monitoring period to determine if traffic calming was necessary.

Green building and wildfire mitigation items were discussed, as were immediate car charging stations and conduit for future car charging stations.

Phasing was proposed to be similar to that of Park Modern at ten years to build out with timing related to the filing of plats and sub plats. There has been a proposal for an automatic extension during a recession. P&Z recommended a draft condition that provides for seven years of vested rights with the ability for Town Council to extend that if needed. Staff has supplied conditions and alternative conditions for the vesting period.

P&Z has recommended approval of the preliminary plan with the conditions in the draft resolution.

Michael Lipkin introduced Jay Ray Barlow and Jeff Orsulak, applicant Lipkin Warner team members.

Michael explained these three ranch properties were assembled in 1988. In 1995, they developed a master plan for the properties with the Town. In 1997, the approvals on the residential portion were approved and construction began. Approvals for the Town Center were then completed in 2001.

A PowerPoint presentation assisted Michael Lipkin in review of the design and layout of the development on this final piece of property in Willits. During the design and discussion of this project, the 'missing middle' income housing issue was discovered resulting in the proposal that includes housing for the missing middle income of \$250,000 to \$300,000.

Mayor Kane opened the public hearing at 7:10 PM.

David Furnitz, 102 Evans Road, asked the applicant what the height difference would be between the Lake Modern and the affordable housing buildings. Michael explained they are both within the limits of the zoning; no difference in heights.

Dave Myler was present on behalf of several owners of the Park Modern units and Willits townhomes. Dave Myler said his clients prefer that Possum Lane not be a thoroughfare and access be restricted; they recognized and took seriously the fire concerns for access. Dave proposed a resolution to the objections that were stated. Dave Myler acknowledged that Michael Lipkin had met and had a positive conversation with members of the Park Modern board yesterday. In addition to opening the Lake Avenue and Willits Lane intersection, Michael agreed to prohibit parking on Possum Lane and install additional landscaping to mitigate those impacts. Dave Myler was present to request that those commitments be included as conditions of approval and properly documented – perhaps in the declaration, plat notes or that sort of thing.

“Removing his hat” as a representative of some Park Modern owners, Dave Myler spoke as a long time proponent of affordable housing in the Roaring Fork Valley. Dave said he greatly appreciated what the applicant was proposing, especially doubling the amount of housing that was being provided, and to provide some opportunity for people who work in Basalt to live in Basalt; an important part of affordable housing strategy. Dave Myler asked for a reconsideration of ownership units in the project, particularly for the RO (Resident Occupied) type product and the employees who have higher incomes; ownership builds community.

Gail Schwartz followed up on comments made by David Myler. Gail said she struggled with the fact that so many of the units being approved were rental; ownership is how we keep people in our community. Gail struggled with the missing middle incomes of \$200,000 to \$300,000. The Basalt Area Median Income (AMI) is approximately \$75,000. Gail suggested the Town raise their AMI to 120% if they needed to increase it. She noted David's solution also sought to include RO units occupied by someone working in the community. Gail felt Basalt Vista should set the standard for this community. It has an HOA, it has a reserve study funded every month by those homeowners, it is a net-zero community; Gail asked that this become the standard here. Gail asked that some small portion of the affordable housing being offered in this project be dedicated for ownership. This is an opportunity to bring on some ownership housing to stabilize the community and workforce.

Christina King, Lakeside Condos, building 700, asked for clarity around the space between the buildings being developed and the Lakeside Condos – to better understand what is happening there, and for potential questions or requests. Christina noted a fence that abuts their parking area and wondered if it would stay; she sought more information on what was happening in that area.

Christina discussed her time in Basalt, moving away and coming back after obtaining an advanced educational degree. In early 2020 she was able to purchase a unit in Basalt. She noted the amount of stress on a person for renting was extremely high, and she didn't know if she would be able to buy a unit today as the units have increased \$300,000. Christina wanted to better understand the income number that would fulfill the affordable housing need; she does not want Basalt to become Aspen. She wanted to figure out what the number would be to support the professionals in this community to keep it alive.

Elyse Hottel asked about the guest parking situation if there were to be no parking along Possum Lane. Michael demonstrated via PowerPoint where the guest parking could go.

Ryan Slack asked if it would be possible to put an underpass there for the Willits Lane bike path, recognizing this was a big ask.

Angela Anderson asked if the affordable housing units would have underground parking. Michael explained the affordable units would have on-street parking; underground parking was not an expense the project could afford. Angela wondered if this was a common practice in these mixed developments of free market and affordable housing to have different amenities? Michael said sure, this was a luxury project.

Glenn Drummond asked about the spacing between the buildings which is 110-ish feet apart from the long faces of each building in the free market units. The affordable housing units are adjacent to one another, but are oriented to the better view of the interior park space. Council interest in the data from the traffic study and interest on the upcoming findings of BACH related to the missing-gap salary area.

David Knight sought more information on the vesting period request of 10 years. Michael Lipkin said Park Modern was seven buildings which took them 10 years. The Park Modern property had been shovel-ready. This new project is nine buildings and there is a good year and a half of site work before they can begin construction. The project is competing with Aspen for workforce. The three-year standard vesting is the same for a bathroom renovation or garage addition as it is for a 12 acre project and 155 units; even with 10 years, that could well be a stretch.

Elyse Hottel felt it was important to have some deed restricted resident-ownership units in Basalt and she would like ask BACH to consider that when they are looking at the missing middle. Elyse noted she lived at the Roaring Fork Apartments, and anecdotally, there are folks being forced out due to the income limits – two nurses, a Roaring Fork Club employee, and a Skico employee. We need to find a way to address that; we need their services.

Bill Kane offered some things for the applicant to think about. He was relieved that there was some resolution to the Possum Road issue. As for vesting, Bill felt seven years was a good term for the vesting. Bill challenged the applicant on the home ownership housing question. Bill said Basalt has enabled construction of 179 units in 36 months of affordable housing:

Roaring Fork Club 41 units, Stott's Mill 64 units, Roaring Fork Apartments 56, Clark's Market site pending application 67, Skico housing 38; that's 266 - all rental units. Bill felt an opportunity to own a 'piece of the rock' was crucial. He also felt the appreciation caps, right of first refusal and limitations we've experienced for 40 some years in the valley, have done their job and it's time to think more creatively about how to create an ownership opportunity. A possible RO arrangement where the only deed restriction is that the owner, upon selling, must sell to a qualified resident/worker of the valley. Bill said everyone was proud of TACAW, and Steadman, and thought Michael could come up with something very clever. Bill thought the applicant should also think creatively about the site plan; maybe think about some attached single family option. Bill also asked them to take a look at the Stott's Mill rental housing and the carports they've done there. The carports are open air, but they keep snow off cars, screens the cars and creates a vast improvement over just surface parking.

Glenn Drummond agreed with the ownership aspect of Bill Kane's comments.

Michael Lipkin shared his perspective raising liability as one threshold issue in selling the units. One of the problems is people can't always afford the repairs and reserve fees that are required. Michael referenced the 'blue roofs' in Aspen; buildings were failing and there was never the kind of money needed to repair them. Then there are owners who've lost their units during the recession between 2008 and 2012; that was problematic. As to appreciation caps, Michael said a 3% appreciation cap in ownership, when the mortgage is higher, doesn't allow anyone to keep up with the appreciation of free-market stuff. Michael understood the request to get creative, and why, but didn't feel he had any good ideas.

Michael referenced the Basalt Vista units and the financial assistance they got from the school district and Pitkin County, as well as the subsidies each unit received.

Jeff Conklin discussed the construction defect liability issue, and indicated if it was council's direction, he could explore in more detail and bring back some information,

**M/S COUNCILOR SLACK AND KNIGHT TO CONTINUE THE PUBLIC HEARING AND RESOLUTION NO. 37, SERIES OF 2022 TO JUNE 14, 2022. THE MOTION CARRIED 7-0.**

**7B. First Reading of Ordinance No. 13, Series of 2022:** An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Amendments to the Phasing for the Stott's Mill Development In Basalt, Colorado (James Lindt)

Assistant Planning Director James Lindt introduced Briston Peterson, project representative, present to request an amendment to the phasing of the Stott's Mill Subdivision PUD for construction of the fourth multi-family building prior to the completion of the day care core and shell and the two parks in the development.

James offered background on the 18 acre development approved for 113 units just north of Basalt High School. The project includes a 4,000 sf daycare core-and-shell building, and an active park and a passive park.

The daycare core and shell were to be developed before the building permit was issued on the 57<sup>th</sup> unit in the development. The applicant's request is to start construction on the fourth building before they complete the daycare core and shell and the two parks. The applicant has indicated they would be willing to discuss buy-down deed restrictions on more of the units

once the Town's financial consultant has completed his analysis for fair value for buy downs. That information should be available prior to second reading of this ordinance. The applicant has also expressed a willingness to offer priority in leasing the free market multi-family units to Basalt employees and employers. Staff has built in a 9-unit buffer for the single family lots in the ordinance, and there is still \$3 million left in security; the applicant is willing to forgo \$800,000 of that until the daycare is completed.

Briston Peterson said this request for a slight variance would set this project up for success. The financing is in place for the multi-family and day care, and the fourth building permit is ready for issuance, but they cannot build until they have these other structures. All but three lots have been sold. The north and south parks will be completed by fall of this year. They plan to build the 4<sup>th</sup> multi-family building concurrently with the day care with the goal of having both of those assets on line by March 2023. This is an opportunity for businesses in Basalt to house employees.

Elyse Hottel asked what guarantees that all of this would happen concurrently? James Lindt explained there is a requirement they would have to finish the CO on the daycare and parks before getting a final CO on that fourth building. Elyse wanted to be sure the Town would get the daycare and parks before the fourth building opens.

Ryan Slack added that Briston had been very communicative with the Child Care Coalition in determining what is required for a childcare facility to be able to occupy this building.

**M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE ORDINANCE 13, SERIES OF 2022, ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 14, 2022. MOTION CARRIED 6-1 WITH ELYSE HOTTEL OPPOSED.**

**7C. Resolution No. 38, Series of 2022:** A Resolution of the Town Council of Basalt, Colorado, Approving an Investment Advisor Agreement with Ehlers Investment Partners, LLC (Christy Chicoine/Jeff Conklin)

Finance Director Christy Chicoine noted the Town had money sitting in ColoTrust earning .15 to .2 % interest with Basalt Forward 2030 funds. Some of this money may be sitting there for up to 2 years. This Resolution would allow us to 'ladder' our investments and be more proactive about the specific investments that the Town would hold, in accordance with our investment policy. Ehlers provided a proposal which was reviewed by the Finance Advisory Board. The investments will be reviewed regularly and reported to Council on the quarterly reports. The benefit to the Town would be additional interest. Christy said she saw no disadvantage to this.

**M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 38, SERIES OF 2022. THE MOTION CARRIED 7-0.**

**7D. Resolution No. 39, Series of 2022:** A Resolution of the Town Council of Basalt, Colorado, Approving a Temporary License Agreement for Encroachment in Sidewalk Adjacent to Midland Avenue for Expanded Restaurant Seating for Huerta, LLC, D/B/A Two Rivers Café (Ryan Mahoney/Jeff Conklin)



Town Manager Ryan Mahoney said that the owner of Two Rivers Café would like to utilize the seating as they have for the past two years during COVID. From a staff perspective, we could not recommend they block the sidewalk and measured the space between the rails and the parking. The owner is fine with 2-tops being set against the building. They have removed the railing for people to maneuver in and out, and it does leave five-feet just under the canopy for pedestrian access. The menu board is constricting some of the space, but staff will follow up with that; staff wants to make it equitable for everyone.

During COVID, there was a temporary State measure to expand the liquor license area. They are not seeking an extension of their liquor license so liquor is prohibited unless they come back to pursue a liquor license modification.

Jeff Conklin noted the applicant is to clean up under that fencing area and maintain as much sidewalk area as possible.

**M/S COUNCILORS SLACK AND ANDERSON THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 39, SERIES OF 2022. THE MOTION CARRIED 7-0.**


**8. INFORMATION AND CORRESPONDENCE:** 8A. Accounts Payable; 8B. Advanced Agendas; 8C. April Sales Tax Report; 8D. VALE Board Minutes – May 16, 2022; 8E. Correspondence to the Town

**ADJOURNMENT**

The meeting adjourned at 8:25 PM.

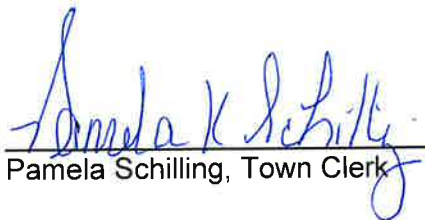
The minutes of the May 24, 2022 meeting were read and approved this 14<sup>th</sup> day of June, 2022.

**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](http://www.GrassrootsTV.org), or by using this link:  
<https://townofbasalt.ompnetwork.org/sessions/247133?embedInPoint=1&embedOutPoint=9566&shareMethod=link>