



**BASALT TOWN COUNCIL
MEETING MINUTES - MAY 25, 2021**

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.

5:15 PM WORKSESSION with P&Z (Susan Philp)

Mayor Kane opened the worksession at 6:20 PM. Also present were Council Members Glenn Drummond, Elyse Hottel, David Knight and Gary Tennenbaum. Ryan Slack joined shortly after the start of the worksession. P&Z members present were Bill Maron, Gino Rossetti, Cindy Hirschfeld, Michelle Thiebault, Rob Leavitt, Eric Vozick. Bernie Grauer joined via phone during the worksession.

A brief recess was called at 5:58 PM.

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

Mayor Bill Kane called the regular (virtual) meeting to order at 6:04 PM. Also present were Council members David Knight, Ryan Slack, Elyse Hottel, Glenn Drummond and Gary Tennenbaum. Council member Bill Infante was absent.

2. CONSENT AGENDA AND MOTION:

2A. Minutes: May 11, 2021

M/S COUNCILORS HOTTEL AND DRUMMOND THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. THE MOTION CARRIED 6-0.

3. CALL TO THE PUBLIC: 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.

Gerry Terwilliger joined the meeting to update the council on the Community Garden. It is just about full for the first time since its creation. Gerry said that if the garden is full again next year, they would like to come back to request expansion of the garden. There would be some expenses in expanding the fence and moving the water lines. Staff will look into the possibility for the garden land expansion.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Glenn Drummond reported on the May 13 BEMC Meeting:

- Burn restrictions are anticipated to be put in place in June due to low soil moisture.
- Scott Thompson shared a statistic that the Tucson Arizona airport averages 3 inches of rain per year and Garfield County airport received *less than* 3 inches of rain last year.
- There will be extra fire patrols beginning in June to watch for lightning strikes and small fire outbreaks.
- The USGS rain gauges are expected to be on Basalt Mountain by Memorial Day weekend.
- Birch Barron updated that flash floods could be a risk if we experience any heavy rains this summer.
- Flood risk from snowpack is low since snowpack is only at 70% of average; this could lead to preparation for a wildfire season and putting fire restrictions in place.
- COVID vaccinations update: 59.8% of the Eagle County population had been vaccinated with 52,588 does administered. COVID-19 hospitalizations are due to non-vaccinated individuals.
- From the BEMC Basalt Chamber of Commerce report, Glenn noted the Chamber was going to begin shifting their focus back to the business community; their focus had been updating COVID information to the whole community for the past year.
- The Eagle County Vista Project is seeking as much community information as possible and have launched a new website: www.VistaEagleCO.com, www.Facebook.com/VistaEagleCO or on Instagram #VistaVoice or #VistaVoz. Glenn encouraged everyone to visit the site and provide input to Eagle County and get involved in their forward planning process; The Vista Project really wants community input.

Bill Kane reported he had met David Portman, CEO of the of the new First Bank, that will go in the space between Whole Foods and the Element Hotel at Willits. Groundbreaking is scheduled for June 8 and Council will be invited.

Bill Kane said he walked through the new Art Base building and remodel effort which he said was a quite stunning and attractive space. People are invited to stop in and see the gallery space on the ground floor, children's art education on the 2nd floor, and adult education space as well.

Bill Kane reported on the recent RFTA meeting noting they were well in the weeds in terms of budget, compensation packages and housing issues with staff. It looks like this will be a full-service summer. Maroon Bells bus service is back up. RFTA is bracing for a busy summer season, especially with the loosening of COVID restrictions.

5. MANAGER'S REPORT and Capital Needs Committee Update

Town Manager Ryan Mahoney reported that the Capital Needs Committee had met twice since its inception with the first meeting on May 17 being an intro to the process, review of the bylaws, a brief rundown of the facility needs study, and a review a list of the 13 projects in the master plan. Last night's meeting made good process with the group starting to put the master plan projects in various buckets of affordable housing, transportation, sustainability, etc. Some of these have already been started with the Town making an investment in greenhouse gas reductions; the Firewise mitigation project and Parcel 2E, the Willits day care facility. Also, a sneak preview from the facility needs study indicates that looking into the future, a town hall and

police facility are needed. The recommendation to add those facilities came from the Committee itself.

The mural project is underway with new murals being added to the exterior of the town hall building, back of the stage and the planning building.

6. PRESENTATIONS:

6A. Basalt Elementary 4th Grade Class Presentation Regarding Composting (Ryan Mahoney)

Town Manager Ryan Mahoney introduced the item asking the students and their teacher to introduce themselves. Theo Mahoney, Johan Argueta-Portillo and Kevin Moreno introduced themselves and said they wanted to share their ideas about composting with the Town Council. They talked about the benefits and drawbacks of composting, the program of composting at Basalt Elementary School, and their desire to collaborate with the Town toward community composting. Their presentation to the Council was made in both English and Spanish. Teacher Kathryn Meldrum introduced herself and said the students had a few ideas for a public outreach poster campaign about composting where they would like to collaborate with the Town. She thanked Council for the opportunity for the students to share their ideas and said other students would be back in the future with more ideas for collaboration.

7. COUNCIL ACTIONS:

7A. Council Acknowledgement of Town Manager's Approval of Two Rivers Road Contract (James Lindt/Ryan Mahoney)

Assistant Planning Director James Lindt explained this was an item for consideration to authorize the Town Manager to approve the Town Rivers road improvements contract, even though the contract is slightly over the estimates previously reviewed by Council. Resolution 17, 2021 approved the agreement with the Basalt River Park developer to make the road improvements. It authorized the Town Manager to approve the contract if the bid was at or under the cost estimate. As the bid came in over the cost estimate, the contract is being back before Council. James explained the contractor's guaranteed contract price ended up being about \$8,500 over the estimated amount. There were also some project add-ons including adding fiber to the project, as well as testing of the concrete and asphalt by the engineers to be sure they were sufficient. Staff felt the add-ons were appropriate, and staff was happy with the overall price.

Christy Chicoine identified the total overall overages of \$247,694 that would need to be part of supplemental budget at some point this year.

Developer representative Andrew Light said he and Tim Belinski were pleased with the numbers; that their contractor FCI had worked with them to get to the best pricing possible.

MOTION THAT THE TOWN COUNCIL APPROVE THE AUTHORIZATION FOR THE TOWN MANAGER TO APPROVE THE TWO RIVERS ROAD CONSTRUCTION CONTRACT. THE MOTION CARRIED 6-0.

7B. Public Hearing and Second Reading of Ordinance No. 05, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving a License Agreement for the Encroachment of a Berm and Landscaping in the Town's Right-of-Way for the Property Located at 10 River Oaks (James Lindt)

Assistant Planning Director James Lindt introduced the application for construction of a berm along Willits Lane on a portion of the Town's Right-of-Way. The applicant is 10 River Oaks, LLC. James described the project to construct a berm for visual and sound mitigation. James Lindt introduced applicant representatives Flynn Stewart-Severy, Ben Niefeld and Patrick Westfeldt. Ben Niefeld explained the reason for the berm and noted the HOA endorsed the application. Flynn Stewart-Severy felt this application was a better upgrade than the original architectural wall idea.

Mayor Kane opened the Public Hearing at 6:55 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS DRUMMOND AND HOTTEL THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 05, SERIES OF 2021 ON SECOND READING. THE MOTION CARRIED 5-1 WITH COUNCIL MEMBER TENNENBAUM OPPOSED.

7C. Public Hearing and Second Reading of Ordinance No. 06, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving Water Rate Charges Pursuant to Section 13-47 of the Town Code (Christy Chicoine/Jeff Conklin)

Town Manager Ryan Mahoney opened this discussion by noting that the Town's Auditors had discovered a water rate discrepancy between what was adopted in the Town ordinances and what was being billed in the Town's water billing software program (Caselle). There had been a rate increase along the way that was not included in an ordinance. The majority of water uses have been charged the correct rates and their rates will not change. However, there are approximately 20 out-of-town households whose rates will increase about \$8.53 per month. Letters have been sent to all of the out-of-town users notifying them of the change. Staff has also indicated they plan to go forward with another water rate study later this year.

Mayor Kane opened the public hearing at 7:05 PM. There were no public comments and the hearing was closed.

M//S COUNCILORS KNIGHT AND TENNENBAUM THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 06, SERIES OF 2021 ON SECOND READING. THE MOTION CARRIED 6-0.

7D. Resolution No. 20, Series of 2021: A Resolution of the Town Council of the Town of Basalt, Colorado, Approving the Swinging Bridge Lane Water Line Replacement Project and Authorizing Staff to Enter into a Contract with Johnson Construction, Inc. (Ryan Mahoney/Boyd Bierbaum)

Town Manager Ryan Mahoney noted that the Town had received 2 bids on this project: one for \$662,000 and another for \$1.169 million. The low bidder is a qualified firm and staff would make a recommendation to accept this bid and approve the contract with Johnson Construction, Inc.

Staff and Holy Cross Energy had been discussing the possibility of adding conduit into the ground, since it was going to be open, for the fiber build this summer, or for redundancy. At this time, the engineer's estimate for inclusion of conduit is \$90,000; Holy Cross was not interested in participating at that cost. The Town did include a placeholder allowance of \$60,000 for conduit as in the resolution, but have not yet discussed it with the contractor. The fiber portion of this project would be paid out of the fiber build project funds.

M/S COUNCILORS KNIGHT AND TENNENBAUM THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 20, SERIES OF 2021 AS PRESENTED. THE MOTION CARRIED 6-0

7E. Resolution No. 21, Series of 2021: A Resolution of the Town Council of Basalt, Colorado, Approving the 2021 Road Maintenance – Asphalt Mill and Overlay Project and Authorizing Staff to Enter into Contract with Frontier Paving (Ryan Mahoney/Boyd Bierbaum)

Town Manager Ryan Mahoney noted that Frontier Paving came in as the lowest bidder on this project at \$264,428.50. Ryan said they expect this to be a good maintenance season as far as asphalt. There will be some work along East Valley Road later in the summer that will be in front of businesses in Willits. It is the original road in Willits and needs a mill and overlay desperately. The Town will communicate heavily with those businesses. The rest will be along Willits Lane and residential roads.

M/S COUNCILORS DRUMMOND AND TENNENBAUM MOTION THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 21, SERIES OF 2021 AS PRESENTED. THE MOTION CARRIED 6-0.

7F. Resolution No. 22, Series of 2021: A Resolution of the Town Council of Basalt, Colorado, Approving the 2021 Road Maintenance - Crack and Chip Seal Project and Authorizing Staff to Enter in Contract with GMCO, LLC (Ryan Mahoney/Boyd Bierbaum)

Ryan Mahoney said that GMCO, LLC bid came in with the lowest bid of \$114,294.00. Ryan explained this crack and chip seal project extends the life of our roads until a mill and overlay is needed. They are ready to begin next week. Boyd Bierbaum said the chip and seal was set on a rotating basis until major repairs were needed; that's when the mill and overlay would come in. Staff was to provide a list of roads that are in the chip seal repair schedule to Council. Annual maintenance keeps town roads in great shape at a lower cost; Ryan offered kudos to our public works crew for keeping up with it. Boyd also noted that the variable message boards would be set up with information about the work and when it would take place. (Information will also be provided on the Town's website and Facebook pages.)

M/S KNIGHT AND HOTTEL THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 22, SERIES OF 2021 AS PRESENTED. THE MOTION CARRIED 6-0.

7G. Resolution No. 23, Series of 2021: A Resolution of the Basalt Town Council of the Town of Basalt, Colorado, Revoking Public Health Order Regarding Face Coverings (Ryan Mahoney/Jeff Conklin)

Town Manager Ryan Mahoney noted our last update of the face coverings was to be reviewed on June 8th. However, since the last extension of the face coverings resolution, the State has gotten rid of the face mask requirement and Eagle County has done the same. This has caused some confusion for folks about the mask requirements. Pitkin County's face covering requirements remain in effect; they will be revisiting that requirement in the not too distance future. It is up to businesses whether they wish to require masks in their stores, and it is a

personal choice for individuals who may want to continue to wear their masks in the grocery store or elsewhere. For now it looks like Basalt would be a split town where face masks would be required in Pitkin County, but not required in Eagle County. We have left the public health decisions to the public health experts during COVID and we are seeing them go by way of face coverings being optional, at least in Eagle County where the majority of our businesses are located.

Jeff Conklin said this Resolution would revoke the public health order requiring face coverings in businesses when you are unable to maintain social distancing. If revoked, County health orders would apply.

Greg Knott said the challenge right now is that there is confusion throughout town between the CDC, the State and the counties changing their orders. Greg said this felt to be the next logical step – to follow the County and State lead and move forward from there.

Elyse Hottel asked various questions about the potential revocation of the mask mandate, and how it might affect the schools. The mandate remains in effect for schools per the school district; school ends next week. Glenn Drummond thought the State was working toward having children vaccinated before fall classes. Mayor Kane felt it would add to the confusion in town if we were to continue the mask mandate. Elyse Hottel voiced her support of this resolution and encouraged people to respect individual decisions to wear a mask for whatever reasons. David Knight thought it was time for individuals, businesses and families to make the choice, and echoed Elyse’s comments to be kind to one another and respectful of the decisions other people make.

Ryan Mahoney said it was not our intent to enforce Pitkin County’s face coverings requirement; that would be referred to Pitkin County Health or to the Sheriff’s Office for enforcement.

Bill Kane thought this would be a joyous day, but it felt more solemn and respectful; he appreciated everyone’s thought and deliberation on this item.

Jeff Conklin clarified that if passed, this revocation of the mask requirements would be effective immediately.

M/S COUNCILORS KNIGHT AND DRUMMOND THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 23, SERIES OF 2021 AS PRESENTED. THE MOTION CARRIED 6-0.

Bill Kane reminded everyone this was the last formal Zoom meeting. The next meeting, on June 8, would be face to face, but also a hybrid with a Zoom option.

8. INFORMATION AND CORRESPONDENCE:

- 8A.** Accounts Payable
- 8B.** Advanced Agendas
- 8C.** April Sales Tax Report
- 8D.** Correspondence to the Town

9. ADJOURNMENT

The meeting adjourned at 7:47 PM.

The minutes of the May 25, 2021 meeting were read and approved this 8th day of June, 2021.

BASALT TOWN COUNCIL:

By: 
William G. Kane, Mayor

ATTEST:


Pamela Schilling, Town Clerk



This meeting may be viewed in its entirety on the Town of Basalt YouTube channel, or at www.GrassrootsTV.org, or here:

<https://townofbasalt.ompnetwork.org/sessions/180685?embedInPoint=1&embedOutPoint=9495&shareMethod=link>