



**BASALT TOWN COUNCIL
MEETING MINUTES – JUNE 8, 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.

1. CALL TO ORDER AND ROLL CALL

Mayor Bill Kane called the regular meeting to order at 6:02 PM. Council members present were David Knight, Glenn Drummond, Ryan Slack, Elyse Hottel and Bill Infante. Council member Gary Tennenbaum was absent. This was the first in-person meeting since the shut down 14 months ago from COVID-19. The public and some presenters joined the meeting via Zoom.

2. CONSENT AGENDA:

2A. Minutes: May 25, 2021

M/S COUNCIL MEMBERS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA ITEM 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.

Aimee White Beazley, a Parks, Open Space and Trails (POST) member, submitted a letter to the Council this afternoon and joined the meeting via Zoom to read the letter into the record. Amy expressed her concern with the Electronic Participation Policy that would be presented later this evening – agenda item 7F - Resolution No. 25, Series of 2021. The Resolution proposed that all the boards and committees of the Town would meet in person once again, unless determined otherwise by the Town Manager, or if certain conditions existed.

4. MAYOR AND COUNCIL REPORTS/COMMENTS

Council member Elyse Hottel said she and Staff Planner Sara Nadolny had attended the first half of the Colorado Communities for Climate Action (CC4CA) board retreat. The meeting focused on the policy statement which will be presented to Council for their support at a future meeting.

Elyse said there was great language in there about solid waste and other environmental fields we have been wanting to expand in the Town's strategic framework.

Bill Kane reported that the RFTA Board of Directors had a significant retreat coming up on July 8 with an ambitious agenda. They will talk about first and last mile options, ride pricing, social equity, budgeting. It will be a meaningful meeting. Council members were encouraged to alert Bill to any items that should be brought to RFTA's attention; he would do his best to be heard.

Bill Kane said Town Manager Ryan Mahoney and he had attended the groundbreaking for the First Bank building that will be filling the last open lot in Willits. The bank will be located between Whole Foods and the Element Hotel. This signals 100% build-out of Willits.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney updated the Council on the following items:

Free Recycling Event: June 26, the Town will host a free community recycling event at the Basalt High School. The Town has been working with Eagle County to host this event for all residents in the mid-valley - Basalt, and El Jebel areas. Hard to recycle items such as electronics, tv's, computers, stereos, household cleaners, latex paint, tires batteries, yard waste and food for composting. There will also be a paper shredding truck available. Passenger tires will be accepted, but no commercial tires will be accepted. Prescription medications are collected at the Basalt PD year 'round, so they won't be collected at this event.

Wildfire Mitigation at Ponderosa Park: The Swift Crew came in and helped the Town with wildfire mitigation. They opened the overstory of the park, so it will look at little bare until it the sun hits the understory and it begins to grow back in. This work improves the overall health of the area. Also, the Roaring Fork Outdoor Volunteers (RFOV) will be coming in this Saturday to finish out some trail work at Ponderosa Park. Volunteers are needed.

Wildfire Smoke: Most people who signed up for Pitkin Alerts got notifications about the smoke outside today. It is coming from New Mexico and Arizona fires. A good reminder to be careful with fire.

Paving: The chip and seal portion of the project is nearing completion. The contractor did the fog coat along the road in Willits today and will be working in the hill district for the rest of this week.

6. PRESENTATIONS:

6A. Proclamation: Mt. Elbert Challenge

Elyse Hottel read the proclamation. Assaf Dory and Steve Fotion were present and thanked Council for their support.

6B. 2020 Audit Presentation via Zoom

Finance Director Christy Chicoine introduced Paul Backes and Mike Sherven who were present via Zoom to present the audit. Paul gave Council a thorough description of what happens in an audit review and how the audit is conducted. Particular highlights were noted including the

Independent Auditor's Report; the Management Discussion and Analysis; the Income Statement; and Footnotes.

Paul said he was pleased with the Town's financial reporting and answered questions regarding the audit and audit process.

Finance Director Christy Chicoine noted they were going to try for the Excellence in Reporting this year, in hopes of receiving the Excellence Award.

M/S COUNCILORS DRUMMOND AND SLACK THAT THE TOWN COUNCIL ACCEPT THE 2020 AUDIT. THE MOTION CARRIED 6-0.

6C. Facility and Space Needs Study Presentation

Ryan Mahoney introduced Laura Dougherty of Cushing Terrell who was present to update the Council on the higher level findings from the Facility and Space Needs Study Draft Report. Wayne Freeman of Cushing Terrell also attended via Zoom.

Laura Dougherty discussed the big take-aways from the Facility and Space Needs study, the shortfalls in the current operating space and what will be needed in the future including the need for meeting space, collaboration space and flexible use spaces.

Laura reported on the difficulty of expanding the existing town hall and police department spaces and discussed recommendations for potential projects to meet the space needs. Costs of the potential projects at today's dollars were also noted. Alternates to the potential projects were reviewed as well. Energy and sustainability projects, some of which have been in the works, were identified, along with some deficiency repairs for some Town properties.

Council asked questions of the consultants concerning a project manager, costs and predictability stability, inclusion of state-of-the-art buildings and technology.

Ryan wrapped up the presentation reminding Council that the Capital Needs Committee would meet tomorrow night. This report and items from the 2020 Master Plan would be discussed for more input from that Committee. That information would ultimately be distilled down to more manageable projects and taken to the community for input via a survey process.

7. COUNCIL ACTIONS:

7A. Public Hearing and First Reading of Ordinance No. 07, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Site Plan Approval, Amendment to the Final Development Plan, and Amendment to Final Subdivision Plat, for the Development of a Basalt Public Works Facility on Lot 4 of the Mid Valley Center PUD, Basalt, Colorado

Town Engineer Catherine Christoff noted this application would permit the development of a new public works facility on Lot 4 of the Mid Valley Center PUD, and is being brought forth as a three phase project. The first phase includes the access improvements off of Highway 82. There will also be utility connections for both sewer and water, construction of a new pole barn and relocation of the trailer on the site, and development of new storage space. The second

phase will remove the trailer and incorporate a garage space of up to 4000 square feet with office space incorporated to become the base of operations for the Public Works department. Phase III would occur only if Widget Street were to be extended into the development. The staff has received feedback from the referral agencies and neighbors - all generally positive about the project. P&Z reviewed the project in May and recommended approval with conditions. The draft ordinance presented this evening incorporated those conditions.

Council questions and discussion followed related to the work that will probably begin in September. Also, there is a bandit trail behind the existing facility; there will be some work needed to make that a legal trail.

Mayor Kane opened the public hearing at 7:30 PM. There were no public comments and the hearing was closed.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 07, SERIES OF 2021 ON FIRST READING AND CONTINUE AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 22, 2021. THE MOTION CARRIED 5-0-1 WITH COUNCIL MEMBER BILL INFANTE ABSTAINING.

7B. First Reading of Ordinance No. 08, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Amending the Municipal Code to Repeal Chapter 11, Article VIII, Skateboard Park and Adopt a New Chapter 11, Article VIII, Use of Town Parks and Other Town Property, Adopting Rules for Certain Town Park, and Amending the Penalty and Fee Schedule

Town Attorney Jeff Conklin explained the regulations in the code related to Town parks was being reviewed. There was an interest in developing more specific rules for the use of Town parks. This Ordinance would amend the Town Code to set out general use restrictions on all Town parks and other Code provisions related to Town parks, and it create a mechanism and procedure for the Town to adopt specific rules for each park that wouldn't live within the Code. The rules created would be posted at each park, and would apply specifically to that park. This Ordinance would amend the Code to create general restrictions and institute this process, set forth rules staff would like to see adopted with respect to the parks, and to set up some penalty provisions for violations of those rules.

Planning Director Susan Philp said one of the goals was to make it easier for our PD to enforce the activities on our parks. Also, this was an effort to let our citizens know what the rules are for each park. Staff looked at other jurisdictions and worked with Jeff Conklin to establish a legal framework for the rule creation. This was not a Parks, Open Space and Trails (POST) project, but they did review and suggest some amendments.

Jeff Conklin also explained the civil vs. criminal aspect of the violations. The procedure for rulemaking would be on a staff level, and through the Town Manager who would formulate rules which would then be adopted by ordinance, posted and noticed. They would not live in the Town Code, however. Violations of these rules would be considered a non-criminal park infraction and would be subject to an escalating scale of fines vs the penalty provisions of the Town Code. Town Code penalties could result in fines of up to \$1000 or more, and up to a year in jail.

M/S COUNCILORS KNIGHT AND SLACK THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 08, SERIES OF 2021 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING ON JUNE 22, 2021.

7C. First Reading of Ordinance No. 09, Series of 2021: An Ordinance of the Town Council of Basalt, Colorado, Creating a Special Fund Account Related to Ownership of Units at Riverside Plaza Lot BC

Finance Director Christy Chicoine explained the auditor's requirement to separate these condo ownership funds from the Town's general operations. The funds related to the Riverside BC condo units have been allocated and restricted, but this Ordinance would amend that to formally create a restricted fund based on Auditor and GASB (Governmental Accounting Standards Board) requirements.

M/S COUNCILORS SLACK AND KNIGHT THAT TOWN COUNCIL APPROVE ORDINANCE NO. 09, SERIES OF 2021 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING ON JUNE 22, 2021. THE MOTION CARRIED 6-0.

7D. First Reading of Ordinance No. 10, Series of 2021: An Ordinance of the Town Council of the Town of Basalt, Colorado, Adopting Amendments to Livability Requirements for Community Housing Units in the Basalt Community Housing Guidelines

Assistant Planning Director James Lindt presented this item to Council. This Ordinance would approve amendments to the livability guidelines in the Town's Community Housing Guidelines proposed by the Basalt Affordable Community Housing (BACH). James Lindt explained these livability guidelines were originally developed by BACH in 2015. It was on BACH's work program to update these guidelines this year. With help from staff and input from property managers of various affordable housing complexes, these amendments to the livability guidelines proposed for adoption.

James reviewed the proposed amendments that, among other things, allow for smaller appliances for space efficiency, allow for required bathtubs to be mini-tubs in studio units, required double layered honey-combed blinds for energy efficiency, improvements to storage requirements and enclosed bike storage. These items were identified as important by the property managers of the affordable housing complexes.

Council discussion and questions followed.

M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 10, SERIES OF 2021 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JUNE 22, 2021. THE MOTION CARRIED 6-0.

7E. Resolution No. 24, Series of 2021: Authorizing Town Staff to Enter into a Construction Services Agreement with G.M. Johnson Construction to Fabricate and Install the Basalt East Entrance Sign at the Eastern Two Rivers Road/Highway 82 Intersection

(At the meeting, this item was actually reviewed after item 7F as Council was ahead of schedule and members of the Sign Committee had not yet joined the meeting.)

Assistant Planner James Lindt introduced the Resolution that would authorize staff to enter into

a contract with GM Johnson to fabricate and install a sign at the east entrance to Basalt. The Sign Committee had created a plan for Basalt marker and monument signs. The original sign proposal attracted a single excessively high bid. Council authorized the Sign Committee and staff to put a revised sign out to bid. One bid was received by local company GM Johnson for fabrication and installation with similar to the costs for fabrication and installation of the Southside sign of two years ago.

Sign Committee members Lynne Mace, Bennett Bramson and Kris Mattera were present and supported the contract, indicated the sign design and costs were consistent with what they had seen, and hoped to move forward as expeditiously as possible.

M/S COUNCILORS HOTTEL AND SLACK THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 24, SERIES OF 2021, AS PRESENTED. THE MOTION CARRIED 6-0.

7F. Resolution No. 25, Series of 2021: A Resolution of the Town Council of the Town of Basalt, Colorado, Adopting an Electronic Participation Policy

Town Manager Ryan Mahoney and Town Attorney Jeff Conklin presented an Electronic Participation Policy that outlines the expectations for council and other town committees to gather, unless there is a legitimate concern for public health or a personal issue, at the discretion of the Town Manager. Ryan reminded Council they had heard from one member of a citizen board tonight on the convenience and efficiency of meeting electronically.

Jeff Conklin explained the existing policy only applies in the event of an emergency declaration. This new policy is designed for the long haul. It sets forth that public participation can occur either remotely or in person, but otherwise requires all town bodies meet in person unless there is some legitimate personal or health concern. It contains requirements to ensure that the remote and electronic participation is meaningful and effective – everyone can be heard, good connectivity, and many of the things that are in the temporary policy for emergencies.

Council discussion followed. David Knight said we were in the hybrid model for the long haul and suggested we revisit this on an on-going basis. With volunteer boards, there should be more relaxed standards and greater opportunities for participation.

Bill Infante agreed electronic participation increased participation. He wondered what a legitimate personal reason would be, and would prior approval be required to allow one to participate remotely.

All agreed that the Council and P&Z members should meet in person; other town boards could determine for themselves what would work.

Council discussion followed with various options being discussed for remote participation, whether a council member could participate to complete a quorum in the event of a critical matter; the arbiter who would determine whether remote participation was allowable, the notice required for remote participation; remote participation was discussed as being a privilege as opposed to a right; abuse of the privilege, etc.

The Town Attorney identified areas of amendments to the Resolution:

- Removing non Town Council and non Planning Commission groups to be here in person and allowing the ability for them to convene their meetings through electronic participation as determined by that town body;
- Allow for remote participation of Town Council and Planning Commission members for legitimate health and personal reasons, with some specified time for notice to the town clerk in advance of the meeting;
- Add a provision that the use of electronic participation is a privilege not a right; determine some form of action for abuse of that privilege.

M/S COUNCILORS SLACK AND HOTTEL THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 25, SERIES OF 2021 WITH THE AMENDMENTS ARTICULATED BY THE TOWN ATTORNEY AND IN A FORM TO BE APPROVED BY THE TOWN ATTORNEY. THE MOTION CARRIED 5-1 WITH COUNCIL MEMBER DRUMMOND OPPOSED.

7G. Resolution No. 26, Series of 2021: A Resolution of the Town Council of the Town of Basalt, Colorado, Terminating the Declaration of a Local Disaster Emergency Related to COVID-19

Town Attorney Jeff Conklin said the Town had adopted an emergency declaration that recognized certain emergency powers of the Town during the COVID-19 pandemic. The emergency declaration is no longer needed based on what we're hearing from public health officials. This Resolution would revoke that Declaration and return us to normal town status.

M/S COUNCILORS DRUMMOND AND KNIGHT THAT THE TOWN COUNCIL ADOPT RESOLUTION NO. 26, SERIES OF 2021, AS PRESENTED. THE MOTION CARRIED 6-0.

Additional thoughts:

Bill Kane stated that he and Bill Infante had attended the grand opening of the Art Base. It was a great event, and they were proud to have the Art Base located on Midland Avenue in the heart of downtown; it will serve as a catalytic force for vitality.

Elyse Hottel asked if staff could include the ability for drawings and photos to have a higher resolution for more clarity in the packet, or otherwise allow a process for enlarging maps and files.

Council was reminded their next Council Coffee with the Council would be June 15 at 4:00 PM at Starbuck's; July 6 would follow at 8:00 AM at CC's Café. This prompted a brief discussion of ground rules and ex-parte communications and a reminder that Council decisions need to be based on information provided at the hearing. Comments from people on the street or opinions on an application should be directed to the public comment portion of the appropriate public meeting.

Jeff Conklin will prepare a set of ground rules for circulation to Council. Two applications out there that Council should refrain from discussing are the Sopris Meadows 5 and the Basalt Center Circle application by Tim Belinski.

At the next Council meeting, June 22, Sam Light from CIRSA will be present at the worksession to talk about ex-parte communications, etc.

8. INFORMATION AND CORRESPONDENCE:

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

9. ADJOURNMENT

There being no further items to discuss, the Council meeting adjourned at 8:37 PM.

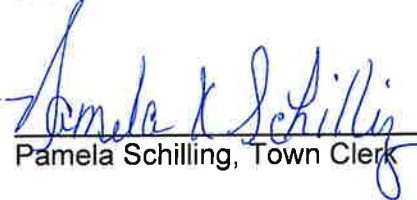
The minutes of the June 8, 2021 meeting were read and approved this 22nd day of June, 2021.

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/182495?embedInPoint=1&embedOutPoint=10196&shareMethod=link>