



**BASALT TOWN COUNCIL
MINUTES – JULY 14, 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.

This was a virtual meeting conducted via Zoom.

5:00 PM 1. WORKSESSION: Colorado Parks and Wildlife (CPW) Updates (Matt Yamashita)

Matt Yamashita, Area Wildlife Manager, spent time with Council updating them on items such as the new regulation requiring a hunting or fishing license for anyone accessing State Wildlife Areas and State Trust Lands and an overview of the improvements at the shooting range after the Lake Christine fire focused on fire prevention, safety, and noise abatement/reduction.

2. P&Z Interviews for Reappointment: Bill Maron and Joan Keefe (Susan Philp)

P&Z Chair Bill Maron and member Joan Keefe were present to answer questions and discuss their desire to remain on the P&Z Commission. It was determined their appointments could be made at a future meeting on the Consent Agenda.

3. CALL TO ORDER AND ROLL CALL

Mayor Bill Kane called the regular meeting of the Town Council to order at 6:05 pm on Tuesday, July 14, 2020. Present were Council Members Elyse Hottel, Gary Tennenbaum, Ryan Slack, Glenn Drummond and David Knight. Council member Bill Infante was absent.

4. CONSENT AGENDA

4A. Minutes: June 23, 2020

Town Clerk Schilling noted a correction to be made to the minutes of June 23, 2020, item 8E. The motion should reflect a vote of 5-0 (not 6-0) as Council member Hottel had recused herself and was not present for the discussion or vote.

M/S COUNCILORS DRUMMOND AND SLACK THAT THE TOWN COUNCIL APPROVE THE MINUTES OF THE JUNE 23, 2020 MEETING AS AMENDED. THE MOTION CARRIED 6-0.

5. CALL TO THE PUBLIC

Toni Kronberg said that she wanted to talk about the pool and confirmed that she could speak on that item at this time. Toni reported her concerns with the taking of public comment surrounding the pool project. Toni said that the Resolution was to go back to POST so public comment could be taken, but the meeting was not held on a regularly schedule date. Toni said she felt this pool was being built one room at a time. She presented some slides with language taken from the 2020 Master Plan as it related to the swimming pool upgrades and POST Planning Principles. Toni spoke to her efforts toward pool improvements to fulfil Basalt Planning and POST master plans.

Toni stated her name and listed her address 27933 Highway 82 in Old Snowmass within the Urban Growth Boundary.

As Toni has used her 3 minutes of comment time, Mayor Kane closed her comments.

Note: There were technical sound issues during Toni's comment period.

Lynne Mace had indicated she had comments to make this evening, but attempts to reach her were unsuccessful.

Susan Philp added that the Town had received 3 letters in support of the pool project from Stephanie Scavullo, Sarah McMahan and Susan Paas.

6. MAYOR AND COUNCIL REPORTS/COMMENTS

Elyse Hottel spoke to Council about Mountain Pact – an organization representing small mountain communities. They are drafting a letter to Representative Scott Tipton and asking individual municipalities to support the Great America Outdoors Act. This Act will take money from offshore oil drilling and use it as a permanent commitment to fund the Land and Water Conservation Fund (LWCS). This is significant to Basalt as that money will go toward rehabilitation of infrastructure of national parks. It is to be administered through CPW (Colorado Parks and Wildlife); there will be grants available for parks, trails and other outdoor activities. The LWCS funds were used to buy North Star Nature Preserve in Aspen. General consensus was in favor of adding the Town Council names in support of the letters.

David Knight reported on the Roaring Fork Conservancy Board meeting:

- The River Center is still closed.
- We continue to experience drought conditions.
- The Conservancy is identifying are hotspots for trout given the warm temperatures and low waters. They are seeking volunteers to take daily temperature readings. Interested persons can visit the RF Conservancy website for information and to volunteer.
- The 'Wednesday Night Live' (buskers) are high quality and have been a lot of fun.
- David offered a shout out to public works for the swinging bridge trail work - Salvador Alonda, Ryan Wesseling, Tim Vogel and Matt Wagner of Basalt Public Works, along with Roaring fork Outdoor Volunteers and community members led by Rick Stevens.
- The Mira Bus (Eagle County Health) was at Bowlski's providing food resource information and COVID screenings. Jacque Whitsitt organized a bunch of folks to volunteer
- Jacque Whitsitt got a bunch of people to volunteer. David said he was proud to see us do it efficiently with the Mira Bus leading it.

- Glenn Drummond, Bill Kane and David Knight attended the RF Outdoor Volunteers walk of the Lake Christine burn scar this weekend. It was a great event partnered by RF Outdoor Volunteers, Roaring Fork Conservancy, Colorado Parks & Wildlife, Colorado Wild Public Lands, and Aspen Center for Environmental Studies.
- David noted the fence at the river park is torn and should be addressed; this was an opportunity to do something that would make it look nice.

Glenn Drummond reported on the Basalt Emergency Management Committee that met on July 9; their first meeting since January. The fire danger is a major issue, as is COVID. Both emergency managers from Pitkin and Eagle County were asking why we hadn't gotten better support for COVID testing from the national level; our counts continue to rise.

Ryan Slack updated Council on the Aquatic Nuisance Species program at Ruedi Reservoir. The inspection program has been catching and decontaminating boats; 11 have been fully decontaminated and the team continues to catch others that don't require full decontaminations. Ryan said it was a great operation up there and offered kudos to that team for continuing their work to keep the reservoir free of nuisance species.

Mayor Bill Kane reported on his attendance at the RFTA Board meeting last Thursday. Bill noted that RFTA was solvent despite their incredible challenges and lack of collecting fares since early March. Fare collection has begun again. The bus system is striving to meet demands which are growing radically. The agency is sticking to their plan with 40 passenger buses only allowing 15 riders due to social distancing. Spray curtains have been installed to protect the drivers and the riders. RFTA continues to study ways to meet the demand and to try to return to more normal operations. With the current reports on COVID increases in Garfield, Pitkin and Eagle counties, it may be a while before the system returns to normal. The Maroon Bells bus system has been more successful than anyone would have guessed. Ticket prices to the Bells were increased to \$15.95 per passenger which still shows up as quite a bargain in the area related to other attractions.

Bill congratulated the crew that completed the Swinging Bridge Trail improvements noting it was a good cooperative project between the Roaring Fork Outdoor Volunteers, Town of Basalt, Rick Stevens and Basalt Gives.

Bill said that Stage 1 fire restrictions were in place with Stage 2 just around the corner unless we get our seasonal monsoonal rains.

Bill reported that the Buskers evenings were great and working well as was the Basalt Bucks program.

As for COVID, Basalt seems to be holding its own. There are increasing cases in the Vail Valley and Garfield County, and to a lesser degree in Pitkin County. The mask requirement is an important one, and social distancing is critical.

Bill Kane said he and David Knight had a long talk about asking Rob Stein, RE-1 School Superintendent, to come speak with Council about the upcoming school year. People are concerned, and it will be a difficult decision no matter what.

7. MANAGER'S REPORT

Town Manager Ryan Mahoney reported he had recently gotten in touch with Rob Stein who indicated his willingness to come and give an update to Council on the school district's plans.

There is quite a bit of work ahead on the budget and Council will need to plan some time in worksessions to address the strategic side of the budgeting to be sure we are meeting Council's expectations.

Ryan reported on the uptick of COVID cases in Eagle, Garfield and Pitkin counties. The State is looking to those counties with variances to provide mitigation plans to the State. It appears there are more than 100 new cases per 100,000 people throughout the 3 counties. Most of the cases are coming out of private gatherings that are happening behind closed doors and spreading to the community. We continue to work on education and enforcement. The 5 commitments to containment are important. COVID tests continue to be an issue with 8 to 10 day delays in obtaining results; 48 hour turnaround is needed. Regionally, Pitkin, Eagle, Snowmass and Aspen are appealing to the State to come up with a statewide strategy for testing. Tests are being sent to State and private labs for results.

The Town's road contractor will be out painting bars and crosswalks to complete the recent road improvements.

Thanks to Susan Philp and BPAC (Basalt Public Arts Council) we will be getting the concrete blocks painted that are being used to expand outdoor seating at restaurants.

Basalt is not out of the risk for mud and flood season with the potential for monsoon rains, particularly in the hill district and other sloped neighborhoods. We have completed mitigation, but that doesn't mean it will be 100% foolproof. Sandbags and sand are available at the Eagle County shop in El Jebel; it is self serve. People can certainly protect their structures, but should be cognizant that they cannot push water onto another's property.

The Basalt Bucks are beginning to come back in with 181 returned so far. We had a couple of starts where vendors were not providing the receipts with the Bucks; we want to continue to encourage receipts for data purposes; that will really help us better understand the impacts of the program.

8. PRESENTATIONS

Items 8A and 8B were reversed and combined for presentation to the Council.

8A.1 2020 Financial Projection and Expenditures Update (Christy Chicoine)

8A.2 Financial Update – June 2020 Sales Tax Report (Christy Chicoine)

Christy Chicoine updated Council on the June 2020 Sales taxes collected and on the 2020 expenditures and updated financial projections. No Council action was required.

9. COUNCIL ACTIONS

6:35 9A. Public Hearing and Second Reading of Ordinance No. 13, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Granting Site Plan Approval, Southside Floodplain Reach II ESA Review Approval, Community Housing Review Approval and a License Agreement for an Automated Carwash Located at 115 Southside Drive, Lot 1, of the Basalt Business Center West Subdivision, Basalt, Colorado (James Lindt)

James Lindt introduced applicant representative John Belkin for the Von Rooyen Group who are applying to install a single bay automated car wash at 115 Southside Drive. James reviewed the application with Council and noted the conditions and discussions from first reading.

Mayor Kane opened the public hearing at 7:25 pm. There were no public comments and the hearing was closed.

Council asked questions of the applicant and commented on the proposal.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 13, SERIES OF 2020 ON SECOND READING WITH OPTION A1 TO CHARGE \$350 FOR EACH OF THE 7 SPOTS SO WE CAN RECOUP MOST OF THE MONEY FOR THE RIGHT OF WAY, AND AS REVISED BY THE CONDITION ADJUSTMENTS E-MAILED OUT TO COUNCIL EARLIER TODAY.

Council discussion followed with concerns expressed for the leasing of the parking spaces to the neighboring businesses.

Attorney Jeff Conklin clarified that the motion was to approve the Ordinance with the Alternative A as that language was presented to council today (via email), with direction to pursue a lease amount of \$350 per parking space (rather than \$250.00). Council members general consensus was that this was correct.

A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 5-1 WITH DAVID KNIGHT OPPOSED.

9B. Public Hearing and Second Reading of Ordinance No. 14, Series of 2020: An Ordinance of the Town Council of the Town of Basalt, Colorado, Approving an Amendment to the Lease Agreement with The Arts Campus at Willits (TACAW) (Jeff Conklin)

Town Attorney Jeff Conklin discussed this item with Council.

Mayor Bill Kane opened the public hearing at 8:12 pm.

Applicant Ryan Honey commented as staff waited for public comments. Ryan invited Council and staff to stop by for tours during construction. He expressed his thanks for the on-going efforts of the Town.

There were no public comments and the hearing was closed.

M/S COUNCILORS KNIGHT AND SLACK/HOTTEL THAT THE TOWN COUNCIL ADOPT ORDINANCE NO. 14, SERIES OF 2020 ON SECOND READING. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

9C. Resolution No. 23, Series of 2020: A Resolution of the Town Council of the Town of Basalt, Colorado, Approving the Arbaney Park Pool Project Initial Phasing Plan and Directing Town Staff to Request Bids for Construction (Susan Philp)

Council member Elyse Hottel recused herself from this agenda item and left the meeting.

Planning Director Susan Philp introduced members of POST - Cindy Bruce, Jason Groves, Paul Hiltz, and staff members Brian Passenti and Boyd Bierbaum, who were present for discussion of this item. Susan added that Gyles Thorney of Connect One Design was also present. Susan reviewed the proposed pool improvements project with Council.

M/S COUNCILORS DRUMMOND AND SLACK THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 23, SERIES OF 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 5-0.

9D. First Reading of Ordinance No. 15, Series of 2020: An Ordinance of the Town of Basalt, Colorado, Approving an Easement Agreement with the Roaring Fork School District No. RE-1 (Jeff Conklin/Susan Philp)

Town Attorney Jeff Conklin and Planning Director Susan Philp explained this item to Council. Public Works Director Boyd Bierbaum was also present for the discussion to explain the size of the line proposed for installation. Jeff Conklin added that the School district has approved the agreement substantially in this form.

M/S COUNCILORS SLACK AND KNIGHT THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 15, SERIES OF 2020 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR JULY 28, 2020. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

10. 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) – MORE SPECIFICALLY TO DISCUSS CASE NO. 2016CV30322 – THEODORE GUY V. TOWN OF BASALT. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

Council entered Executive Session at 8:41 pm.

At the end of the Executive Session, Town Attorney Conklin noted that the Council returned to open meeting at 9:18 pm. There was no action to be taken after the Executive Session.

11. INFORMATION AND CORRESPONDENCE

- 11A.** Accounts Payable
- 11B.** Advanced Agendas
- 11C.** Correspondence to the Town

12. ADJOURN

The meeting was adjourned at 9:19 pm.

The minutes of this July 14, 2020 meeting were read and approved this 28th day of July, 2020.

BASALT TOWN COUNCIL:

ATTEST:

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

Pamela Schilling
Pamela Schilling, Town Clerk

This meeting may be viewed in its entirety here:

<https://townofbasalt.ompnetwork.org/sessions/149863?embedInPoint=1&embedOutPoint=14085&shareMethod=link>

