



**BASALT TOWN COUNCIL
MEETING MINUTES – AUGUST 8, 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 Bill Kane called the regular meeting of the Basalt Council to order at 6:06 PM. Also present were council members Glenn Drummond, Dieter Schindler, Ryan Slack, David Knight and Elyse Hottel. Angela Anderson participated in the meeting remotely via Zoom.

2. CONSENT AGENDA AND MOTION:

2A. Minutes: July 25, 2023

M/S COUNCILORS SCHINDLER AND KNIGHT THAT THE TOWN COUNCIL APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. MOTION CARRIED 7-0.

3. CALL TO THE PUBLIC

There were no public comments presented this evening.

MAYOR AND COUNCIL REPORTS/COMMENTS

David Knight thanked Police Sergeant Nino Santiago, the Police Department and everyone who participated to put on National Night Out; the venue was fantastic despite the rain.

Bill Kane thanked town staff and the community for the successful music nights at the new park. The Sunday Market is just as smooth; people like being out on the new park. School is back in session beginning on the 16th of August.

Ryan Slack said he would have a full report on the invasive mussel species at the next meeting.

5. MANAGER'S REPORT

Town Manager Ryan Mahoney noted the parking survey was out seeking feedback from the community and business on enforced parking. There will be a link on the News Flash of the Town's website and it will be pushed out to subscribers of other town informational pieces.

As far as parking goes, it has been an interesting time not having parking available on the Spur, but we've been having big events on Wednesday with really good turnout. There have been a lot of bikes out there and at the Sunday Market. Ryan said he'd like to think some of the alternate modes of transportation were working or people were using alternate parking locations; lack of parking doesn't seem to be hindering people at the events.

There will be two overnight closures on Wednesday August 16 and Thursday, August 17, each beginning at 6 PM and going through 7 AM the next morning. The intersection from the east end of Spur to the bank will be closed to bring the water line to the bank; it could extend the work to six days if we were to do the work during the day. Striping of the street will occur on the Spur with the opening of that stretch shortly thereafter.

Basalt is hosting the Colorado Association of Ski Towns on the 24th and 25th. Representatives from other ski towns throughout Colorado; if council members were interested in attending, they were invited to let Ryan know so he could register them. It is an opportunity to showcase some of the projects affecting Basalt.

6. PRESENTATIONS

6A. Second Quarter Financial Results (Doug Pattison)

Finance Director Doug Pattison presented the second quarter revenues by category and expenditures by department. Doug compared the 2022 actuals to the 2023 actuals through the second quarter noting two items of minor concern were lower sales tax collections compared to 2022 (relatively flat) and building permits that have slowed. Doug thought the budget would be down overall about 4% for the year. While revenues were lower, they were still 7.7% higher than the 2021 second quarter numbers. Doug indicated he was not particularly concerned about the lower revenues saying the Town was doing well on its monthly \$35 million-plus investment with somewhere between 4.75 and 5% interest. The Town also did well on the issuance of bonds at 1.5 to 2%. Doug said he didn't see any expense categories experiencing any stress. The number to watch is the sales tax, which Doug reviews monthly.

Town Manager Ryan Mahoney noted that budgeting has been conservative over the past years with a surplus of money going to savings. These lower revenue numbers seem to be some normalization of the higher sales tax revenues from 2021 and 2022; nothing to get very worried about.

Council discussion with staff followed with reviews of the various revenue sources, restricted fund revenues and expenditures.

A brief review of the updated sales tax revenues were discussed (Item 8C) noting that some of the categories such as restaurants and lodging, were down only very slightly.

7. COUNCIL ACTIONS:

7A. Interview and Appointment - Planning & Zoning Commission: Interview and Appointment of Prospective Planning & Zoning Commissioner, Mike Horvath (Michelle Thibeault)

Planning Director Michelle Bonfils Thibeault introduced Mike Horvath as a prospective P&Z Commissioner. Michelle offered some background on Mike's work experience as a civil engineer and his community involvement. Mike Horvath gave a brief background on himself, his interest in serving on the P&Z and how his engineering background would serve him in the P&Z position. Council asked questions of the applicant.

M/S COUNCILORS SLACK AND DRUMMOND THAT THE TOWN COUNCIL APPOINT MIKE HORVATH TO THE PLANNING AND ZONING COMMISSION FOR A THREE-YEAR TERM TO END AUGUST 8, 2023. THE MOTION CARRIED 7-0.

7B. Public Hearing for Transfer of Ownership of Marijuana License: RFSCB, LLC dba Roots RX to ST Basalt, LLC dba Sun Theory Retail Marijuana Shop located at 165 Southside Drive (Pam Schilling)

Town Clerk Pamela Schilling introduced applicant representative Connor Oman, attending the meeting via Zoom.

Clerk Schilling reviewed the application with Council highlighting the comments from the various investigating agencies. Council was tasked with reviewing the application by considering the number and type of similar outlets within the community, taking into consideration the comments from the investigating agencies, and finding the applicants to be of good moral character.

Connor Oman discussed the company's background and the plans to maintain the businesses they are in the process of acquiring. He noted that former Roots Rx owner Rob Holmes would remain involved as a minority interest holder and consultant. Connor said they wanted to keep the status quo and would strive to be a positive impact on the community.

Mayor Kane opened the public hearing at 7:00 PM. There were no comments and the hearing was closed.

M/S COUNCILORS SCHINDLER AND SLACK THAT THE TOWN COUNCIL APPROVE THE LICENSE APPLICATION FOR THE TRANSFER OF OWNERSHIP OF THE RETAIL MARIJUANA LICENSE FROM RFSCB, LLC DBA ROOTS RX TO ST BASALT, DBA SUN THEORY LOCATED AT 165 SOUTHSIDE DRIVE CONDITIONED ON THEIR COMPLIANCE WITH THE INVESTIGATING AGENCIES' COMMENTS NOTED IN THE STAFF MEMO DATED AUGUST 8, 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

7C. Resolution No. 29, Series of 2023: Resolution of the Town Council of the Town of Basalt, Colorado Finding the Property Commonly Known as the Jadwin Property Eligible for Annexation (James Lindt)

Elyse Hottel recused herself from this discussion as she is employed by the Landscape Architect on this project.

Planning Consultant Mark Chain and project representatives Coulter and Bridger Smith were present for this item.

Assistant Planning Director James Lindt introduced this resolution was to consider the eligibility of the Jadwin Black Mountain annexation request. The owners of the Jadwin property at 431 Emma Road, Jadwin Park, LLC, are the applicants who have submitted an annexation petition and annexation map and associated development review application for the property. James described the area of the property seeking annexation noting it was within the Town's Urban Growth Boundary. The nine-acre property sits west of the Basalt Post Office and Library, and is on the south side of the Roaring Fork River, partially within Eagle and partially within Pitkin counties.

James explained that the intent for this evening was solely for council to determine if the annexation petition complies with State requirements and is eligible to proceed through the annexation process. James explained the details of eligibility including sufficient signatures of the property owners and the circulator affidavit, annexation map and legal description demonstrating contiguity. The property has been determined to be eligible from the past two annexation actions.

Town Attorney Jeff Conklin reiterated the purpose of the resolution being presented this evening was to find whether this property meets certain criteria and is eligible for annexation. This is not an annexation, simply a finding of eligibility.

Council asked general questions of the applicants. It was noted the referral comments from Pitkin and Eagle counties has been shared with the applicants. Contiguity was achieved through serial annexation. The flood plain is being adjusted by the Colorado Water Conservation Board; this will be a future condition for consideration. The county dividing line was identified for the public. The applicants noted they were anxious to present the full design of the project on the 22nd. The applicant was encouraged to take the referral comments seriously and be able to respond to them at the next meeting.

Mayor Kane opened the public hearing at 7:16 PM. There were no comments and the hearing was closed.

M/S COUNCILORS DRUMMOND AND SCHINDLER THAT THE TOWN COUNCIL APPROVE RESOLUTION NO. 29, SERIES OF 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 6-0.

7D. First Reading - Ordinance No. 18, Series of 2023: An Ordinance of the Town of Basalt, Colorado, Authorizing the Town Manager to Approve a Lease with MSP 1, LLC for the Stott's Mill Daycare Space, Lot 37, Stott's Mill PUD, Basalt, Colorado (James Lindt, Michelle Thibeault)

Elyse Hottel rejoined the meeting.

Assistant Planning Director James Lindt offered background of the project noting this Ordinance would approve a lease for the Town to lease the Stott's Mill core and shell daycare space from the developer, MSP1. James reviewed the requirements of the developer to construct the space, the lease amount, as well as staff and participating agency efforts to obtain funding through a Pitkin County grant to finish the space that would house a pre-K daycare as well as an after school center. James outlined the terms of the lease. Michelle added that they would also be approaching the Board of Pitkin County Commissioners for some of the ARPA (American Rescue Plan Act) funds as well.

Council asked questions of the staff related to fees, the lease and potential capital needs and future assessments of the property, the grant application, the difference between the management fee versus the HOA fee, and timing of the project. It was noted this building includes two affordable housing units on top which contributes to it not being a straightforward transaction between HOA and management fees.

M/S COUNCILORS SLACK AND SCHINDLER THAT THE TOWN COUNCIL APPROVE ORDINANCE NO. 18, SERIES OF 2023 ON FIRST READING AND SET THE PUBLIC HEARING AND SECOND READING FOR AUGUST 22, 2023. A ROLL CALL VOTE WAS HELD. THE MOTION CARRIED 7-0.

8. INFORMATION AND CORRESPONDENCE: 8A. Accounts Payable; 8B. Advanced Agendas; 8C. May 2023 Final Sales Tax Update and June 2023 Draft Sales Tax Update; 8D. Correspondence to the Town

9. ADJOURNMENT

The meeting adjourned at 7:38 PM.

The minutes of the August 8, 2023 meeting were read and approved this 22nd day of August, 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.ompnetwork.org/sessions/275025?embedInPoint=1&embedOutPoint=6030&shareMethod=link>