

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 14, 2018**

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on August 14, 2018, at 6:00 p.m. in the Town Hall meeting room.

ROLL CALL:

The following members were present for roll call:

Mayor	Dan Richardson
Trustees	Marty Silverstein
	Erica Sparhawk
	Lani Kitching
	Luis Yllanes
	Heather Henry
	Ben Bohmfalk

Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Town Attorney	Mark Hamilton
Finance Director	Renae Gustine
Building Official	John Plano

CONSENT AGENDA

- Accounts Payable totaling \$510,986.61
- BOT 7/17/18 Work Session Minutes
- BOT 7/24/18 Regular Meeting Minutes
- Liquor License Renewal Application- Carbondale Beer Works
- Liquor License Renewal Application – White House Pizza
- Art Gallery Renewal Application – Carbondale Arts
- Single Track Red Hill Trails Contract

Trustee Bohmfalk made a motion to approve the Consent Agenda. Trustee Kitching seconded the motion and it passed with:

7 yes votes: Silverstein, Sparhawk, Richardson, Kitching, Bohmfalk, Henry, Yllanes

PERSONS PRESENT NOT ON THE AGENDA

Jennifer Fulton, an Aspen realtor, stated that she is trying to sell a house in Keator Grove but has been unable to do so because of the deed restrictions. The owner has had four offers but all of the buyers were unable to obtain financing. Jay explained that the problem is not the deed restriction; the Aspen Skiing Company owns the majority of the units and the financial institutions require a larger down payment. Jay said that the Ski Company needs to divide up the properties and put them in Limited Liability Corporations. Staff will resume talks with the Skiing Company on this topic.

Katie Cooper, owner of the Keator Grove property for sale, stated that she bought the unit in 2008. She believed in community housing but the Skiing Company is renting six of their eight units. Not being able to sell her house has become a financial burden.

TRUSTEE COMMENTS

Trustee Sparhawk stated that she attended the Creative District meeting. They have created a map/guide of creative districts in western Colorado.

Trustee Sparhawk announced that on September 19th the Carbondale Chamber will be holding their annual business conference.

Trustee Sparhawk attended the Third Street Center Board meeting. The current president is stepping down so they elected a new president. They are currently looking for Board members.

Trustee Kitching attended the Ruedi Water and Power Authority Reclamation annual meeting. They are tracking how water is dispensed (matching water rights).

Trustee Kitching attended the Senior Matters Board meeting. A new Carbondale resident is requesting that an organized senior council be formed. They also talked about Main Street parking. Some of the seniors are complaining that the dining platforms and bike racks are taking up the parking spaces closest to stores/restaurants.

Trustee Kitching stated that Solar Rollers has applied for a Revolving Loan.

Trustee Kitching stated that the Crystal to Crested Butte Trail survey is complete. The findings are: recreation is secondary to conservation, people wish to support the character of the area, and respect for wildlife and the environment is extremely important.

Trustee Silverstein stated that Mountain Fair was a huge success.

Trustee Silverstein told the Board that the third Summer Sunday concert was held. They are changing the hours of the September concert to 3:00 pm – 7:00 pm. Their fundraising has been extremely successful this summer so they are donating \$1,000 to Potato Day to help pay for the band.

Trustee Silverstein stated that the seniors are not the only ones complaining about the loss of parking spaces to the dining platforms and bike racks. Parking is an issue in town and people are frustrated with the platforms and bike racks. There is a perception that the Town is giving away parking spaces.

Trustee Henry noted that the Environmental Board minutes (in the packet) summarize the EBoard's recommendations on trash hauling. Let Trustee Henry know if you have any questions.

Trustee Yllanes stated that last month the Parks and Recreation Commission did not have a quorum but a small group of them listened to the Horse Council's stance on allowing only horses and hikers on the Sutey Ranch.

Trustee Yllanes told the Board that there was a big increase in pool usage this summer.

Trustee Yllanes commented that there were a lot of DUI's the weekend of Mountain Fair. Jay noted that there have been a lot of DUI's in the past several weeks and the message being sent is don't drink and drive in Carbondale.

Trustee Bohmfalk stated that the Snowmass Drive sidewalk looks great. He did not receive one complaint about the street closure. Jay noted that the landscaping will not occur until the water restrictions are lifted.

Mayor Richardson stated that he attended the Garfield County Mayor's meeting. The main topic was housing. They discussed the possibility of removing the Real Estate Transfer Assessment limitations from TABOR. Jay responded that changing TABOR requires a constitutional amendment. The Mayors agreed that they would like to change the AMI percentages for deed restricted housing.

Mayor Richardson stated that he attended the RE-1 Affordable Housing Open House. The housing is beautiful and there is already a waiting list.

Mayor Richardson stated that he attended the Start-Up Colorado work session. The takeaway was to grow the Town's Revolving Loan Fund.

Mayor Richardson attended the RFTA Board meeting. The Board agreed to ask the voters for a 2.65 mill levy increase in November. He said that due to a recent court case RFTA has discovered that they have condemnation authority.

Mayor Richardson stated that the Horse Council has asked him to have the Bike/Pedestrian/Trails Commission consider what the Horse Council presented to the Trustees. Trustee Silverstein noted that there is not much horse ridership in town and he noted that the Sutey Ranch is not in town.

Mayor Richardson stated that the Town received a letter from Xcel Energy asking the Town to write a letter supporting their Colorado Energy Plan. The Board agreed there is not sufficient time to write the letter.

Mayor Richardson thanked everyone involved with Mountain Fair; it was a great event.

Mayor Richardson stated that the Town is making good headway with water conservation.

PROCLAMATION – COMPASSIONATE CARBONDALE WEEK

Mayor Richardson read a proclamation honoring Compassionate Carbondale Week.

ATTORNEY'S COMMENTS

The attorney did not have any comments.

SPECIAL EVENT LIQUOR LICENSE –CARBONDALE CLAY CENTER

The Carbondale Clay Center has applied for a Special Event Liquor License and street closure for the event. All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

Trustee Sparhawk made a motion to approve Carbondale Clay Center's Special Event License Application and street closure. Trustee Yllanes seconded the motion and it passed with:

7 yes votes: Kitching, Silverstein, Sparhawk, Richardson, Bohmfalk, Yllanes, Henry

SPECIAL EVENT LIQUOR LICENSE – NO MAN'S LAND FILM FESTIVAL

No Man's Land Film Festival has applied for a Special Event Liquor License for their annual film festival. All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

Trustee Bohmfalk made a motion to approve No Man's Land Film Festival's Special Event Liquor License. Trustee Kitching seconded the motion and it passed with:

7 yes votes: Silverstein, Bohmfalk, Sparhawk, Richardson, Kitching, Yllanes, Henry

APRIL LONG, EXECUTIVE DIRECTOR, RUEDI WAER AND POWER AUTHORITY (RWAPA)

Mark Fuller out-going RWAPA executive director, introduced the Board to the in-coming Executive Director April Long.

Mark told the Board that the Mussel Invasive Species program is going smoothly. They have done over 1,600 inspections and they intercepted two boats carrying mussels. The threat of the invasive species is increasing. They have received funding from the State for infrastructure improvements. They have also received support from the Bureau of Reclamation and will do site improvements.

Mark stated that this has been a very difficult water year given the drought. They are juggling to keep reasonable river flows which have resulted in unusual water releases. They are trying to reduce the water temperature. If the drought continues next year they are going to have to make tough decisions as to who gets water when.

April Long said RWAPA is working with the Roaring Fork Conservancy to update the Watershed Plan. There are 200 action items. They are looking at the progress that has been made and they are setting priorities for the next few years. Mayor Richardson asked if this summers' events have changed the Plan. April responded yes, they are looking at projects to increase water flows – it is a major priority.

PERMISSION FOR RFTA GOATS TO GRAZE IN TOWN

Brett Meredith, RFTA Trails and Corridor Manager, is asking the Board for a variance/waiver of Section 7-6-10 (prohibiting goats in town) of the Municipal Code.

This is the third year the goats will be in town to help eliminate noxious weed and to rebuild the ecosystem and soil health. There will be two herds with 225 goats per herd.

Trustee Bohmfalk asked Brett if the goats have been effective. Brett responded yes, but it takes time to get rid of the weeds. Trustee Bohmfalk noted that the corridor improvements have been well received.

Trustee Bohmfalk made a motion to allow the goats to graze in the town's limits. Trustee Silverstein seconded the motion and it passed with:

7 yes votes: Sparhawk, Henry, Yllanes, Richardson, Kitching, Silverstein, Bohmfalk

COLORADO COMMUNITIES FOR CLIMATE ACTION (CC4CA) LEGISLATIVE POLICIES

Trustee Sparhawk stated that the CC4CA Policy Committee and Steering Committee have created a policy agenda with 21 policy positions which will guide the work of the CC4CA staff for the coming legislative session.

Trustee Sparhawk went over each of the 21 policy positions. The Board did not have any concerns.

Trustee Sparhawk made a motion to adopt the CC4CA Policy Positions as presented. Trustee Silverstein seconded the motion and it passed with:

7 yes votes: Silverstein, Richardson, Henry, Bohmfalk, Kitching, Yllanes, Sparhawk

Trustee Sparhawk explained the CC4CA is pursuing a strategy on fuel standards with the Air Quality Commission. The Board approved of CC4CA's work on this issue.

ORDINANCE NO. 14, SERIES OF 2018 – ADOPTING THE 2015 ENERGY CODE

John Plano explained that one change needs to be made to the ordinance. The ordinance erroneously lists the Town in Climate Zone 5; we are in Climate Zone 6.

John explained that the Town is currently using the 2009 International Codes. Staff is considering adopting the 2015 International Codes. However, in order to help comply with the energy goals of the Town, staff recommends accelerating the adoption of the 2015 International Energy Conservation Code. The next step would be to update the Residential Efficient Building Program to be more compatible with this new energy code.

John noted that the 2015 Energy Code is already being used in Glenwood Springs, Basalt, Aspen and Pitkin County so many of the architects and contractors are familiar with the Code.

The Board did not have any questions or concerns.

Trustee Silverstein made a motion to approve Ordinance No. 14, Series of 2018, Adopting the 2015 Energy Code with the amendment changing the Town to Climate Zone 6. Trustee Sparhawk seconded the motion and it passed with:

7 yes votes: Yllanes, Henry, Bohmfalk, Kitching, Richardson, Sparhawk, Silverstein

Pat Hunter, Satank, stated that there is more involved in supervising the new Codes. There are a lot of gray areas where judgement need to be made. He encouraged the

Board to give John some help. People in the trade need to recognize that things will be done differently. He recommended that the contractors receive training.


TOWN MANAGER'S ANNUAL EVALUATION

The Town Manager received a favorable evaluation.

ADJOURNMENT

The August 14, 2018, regular meeting adjourned at 8:30 p.m. The next regularly scheduled meeting will be held on August 28, 2018, at 6:00 p.m.

APPROVED AND ACCEPTED


Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk

