MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
JUNE 11, 2019

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on June 11, 2019, 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
Erica Sparhawk
Lani Kitching
Ben Bohmfalk
Marty Silverstein
Heather Henry

Arrived After Roll Call
Luis Yllanes

Staff Present:

Town Manager
Jay Harrington

Town Clerk
Cathy Derby

Finance Director
Renae Gustine

Town Attorney
Mark Hamilton

Public Works Director
Kevin Schorzman

CONSENT AGENDA

- Accounts Payable totaling: $303,487.96
- BOT 5/28/2019 Regular Meeting Minutes
- Liquor License Renewal – The Weant House
- Modification of Premises – City Market

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

6 yes votes: Richardson, Bohmfalk, Silverstein, Sparhawk, Kitching, Henry

PERSONS PRESENT NOT ON THE AGENDA

There was no one present who wished to address the Board.
TRUSTEE COMMENTS

Trustee Silverstein stated that the art walk was successful; he estimated that over 200 hundred people attended. Trustee Silverstein told the Board that the rodeo had a good turn out and Senior Matters had enough volunteers for the snow cone booth. The rodeo is in search of volunteers. Trustee Silverstein noted that the first Summer of Music concert was held on Sunday.

Trustee Sparhawk stated that the Board will be reviewing the Colorado Communities for Climate Action’s (CC4CA) Updated Policy Statement at their June 25th meeting. She will be attending the CC4CA summit on June 27th. Trustee Sparhawk told the Board that she will be attending the Colorado Municipal League (CML) conference. Trustee Sparhawk stated that she has been working with Wilderness Workshop on the Methane Provision in the CORE Act. They are trying to get the Garfield County Commissioners on board.

Trustee Henry told the Board that she will be presenting the VCAPS Study at CML.

Trustee Kitching stated that Xcel is performing work in Glenwood Canyon and it will impact traffic from June – October. Trustee Kitching attended the Flood After Fire talk. The emergency response team said there appears to be no flood threat to Carbondale. There may be mud flow down Cattle Creek and they are monitoring it on a daily basis. She also attended the Colorado River District meeting where they discussed flood conditions. Trustee Kitching said that the Aspen Global Change Institute is distributing soil testing kits for community science projects. Trustee Kitching has volunteered to Ride the Rockies.

Trustee Bohmfalk attended the Bike/Pedestrian/Trails (BPT) Commission. Matt Gworek is the new Chair. Trustee Bohmfalk stated that the Town has received gold level Bike Friendly Community status and he would like the Board to recognize this award at the July 9th meeting. The BPT also discussed finding a short term solution to make 8th Street more functional. Trustee Bohmfalk also attended the Energy Advisory Board meeting. They visited a well pad on an industry led tour in Battlement Mesa.

Trustee Yllanes arrived at the meeting.

Mayor Richardson thanked staff for all of their help at several events last weekend. Mayor Richardson said that he too is volunteering at Ride the Rockies. Mayor Richardson stated that Soi Smart has awarded Carbondale silver status. Mayor Richardson congratulated Evergreen Zero Waste for being awarded Recycler of the Year. Mayor Richardson announced tomorrow Senior Housing will be hosting their annual BBQ. Mayor Richardson stated every year CML publishes a list of policy statements that they will be focusing on. He has the list if anyone would like to see it. Mayor Richardson said Garfield County is projecting that their oil and gas revenue will be down drastically and it will affect their budget. Mayor Richardson stated that Conservation Colorado has asked the Board to sign their letter supporting the Colorado Water Plan; the Board agreed.
ATTORNEY'S COMMENTS

Mark informed the Board that the Board of Adjustment heard the Kiernan building permit appeal. The hearing has been continued to August. Mark reminded the Board that all of the quasi judicial rules still apply.

CONTINUED PUBLIC HEARING – P&C EXPRESS AND DURANGO ALTERNATIVES MEDICAL MARIJUANA CULTIVATIONS NEW LICENSE APPLICATIONS

Staff explained that CMED, LLC claims that they have a local agent but they have not provided the required paperwork to the Town. Therefore, staff is requesting one final continuance of the public hearing. If they do not provide the paperwork by the next packet deadline staff is going to recommend the Board deny the two applications.

Trustee Henry made a motion to continue the public hearing to June 25, 2019. Trustee Silverstein seconded the motion and it passed with:

6 yes votes: Kitching, Bohmfalk, Henry, Silverstein, Sparhawk, Richardson
1 no vote: Yllanes

SPECIAL EVENT LIQUOR LICENSE – CARBONDALE ARTS – MOUNTAIN FAIR

Carbondale Arts has applied for a Special Event Liquor License for Mountain Fair to be held in Sopris Park. All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

Trustee Silverstein made a motion to approve Carbondale Arts’ Special Event Liquor License. Trustee Kitching seconded the motion and it passed with:

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

SPECIAL EVENT LIQUOR LICENSE – CARBONDALE CLAY CENTER

Carbondale Clay Center has applied for a Special Event Liquor Licenses for an event to be held at the Carbondale Recreation Center. 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 the Carbondale Clay Center’s Special Event Liquor Licenses. Trustee Yllanes seconded the motion and it passed with:

7 yes votes: Bohmfalk, Silverstein, Yllanes, Sparhawk, Richardson, Henry, Kitching
SECOND PARTIAL RELEASE OF LETTER OF CREDIT – CARBONDALE MARKETPLACE

Kevin explained that there are two separate Letters of Credit (Kroger and Crystal River Marketplace, LLC) for Carbondale Marketplace. Both are requesting a (second) partial release of their Letters of Credit. Crystal River Marketplace is requesting a release of $418,948.92 and Kroeger is requesting a release of $440,983.40. Staff and the Town’s consulting engineer inspected the property and believe that the completion of all incomplete public improvements will remain adequately secured by the remaining security (approximately $1.2 million) if the Board approves the requested reductions.

Trustee Kitching made a motion to approve the partial release of $418,948.92 of the Letter of Credit for the off-site improvements and the partial release of $440,983.40 of the Letter of Credit for the on-site improvements related to the Carbondale Marketplace project.

SECOND PARTIAL RELEASE OF LETTER OF CREDIT – LOT 5B – FIRST BANK

Kevin stated that First Bank is requesting a (second) partial release of their Letter of Credit in the amount of $25,966.88. Staff and the Town’s consulting engineer have inspected the project and are confident that the completion of all incomplete public improvements will remain adequately secured by the remaining security ($114,082.64) if the Board approves the requested reduction.

Trustee Silversstein made a motion to approve the partial release of $25,966.88 of the Letter of Credit for the public improvements related to the Carbondale Marketplace, Lot 5B project. Trustee Kitching seconded the motion and it passed with:

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

DISCUSSION ON NICOTINE POLICIES

Risa Turetsky, Pitkin County Health Promotion Program Administrator/Nicotine Specialist, gave a presentation on teen nicotine usage in the Roaring Fork Valley. Some of points made are:

- Roaring Fork Valley teens have a higher nicotine usage than the State average
- We need trusted adult training
- We need consistent messaging
- How do we involve young people to help keep kids from vaping/smoking
- Price increase has the greatest impact on youth usage
- Colorado doesn’t tax e cigarettes
- 2 out of 3 kids vape because it comes in flavors

After a lengthy discussion the Mayor took a straw poll to see if the Board would be interested in (possible) nicotine policy changes. The Board unanimously agreed that
they would like to address licensing, a flavored nicotine ban, and having a tax question on the April Ballot.

**TOPIC FOR GARFIELD COUNTY COMMISSIONERS JOINT WORK SESSION**

Mayor Richardson asked the Board what topics they would like to discuss with the Garfield County Commissioners. Discussion ensued and the Board agreed on the following topics: next steps on housing, update on Red Hill Engineering, Garfield County financial projections, VCAPS Study and Carbondale's single trash hauler.

**EXECUTIVE SESSION**

Trustee Henry stated that she has been hired by one of the parties so she recused herself and left the meeting.

At 8:35 p.m. Trustee Sparhawk made a motion to go into an Executive Session to discuss a potential real property acquisition pursuant to C.R.S. Section 24-6-402(4)(a) to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest. Trustee Kitching seconded the motion and it passed with:

6 yes votes: Sparhawk, Richardson, Kitching, Bohmfalk, Silverstein, Yllanes

At 8:45 p.m. Trustee Sparhawk made a motion to adjourn the Executive Session and return to the regular meeting. Trustee Silverstein seconded the motion and it passed with:

6 yes votes: Richardson, Kitching, Bohmfalk, Silverstein, Yllanes, Sparhawk

**ADJOURNMENT**

The June 11, 2019, regular meeting adjourned at 8:46 p.m. The next scheduled meeting will be held on June 25, 2019, at 6:00 p.m.

**APPROVED AND ACCEPTED**

Dan Richardson, Mayor

**ATTEST:**

Cathy Derby, Town Clerk