

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
REGULAR MEETING  
NOVEMBER 24, 2020  
VIRTUAL MEETING VIA ZOOM**

Mayor Dan Richardson called the Board of Trustees virtual Regular Meeting to order on November 24, 2020, at 6:00 p.m.

**ROLL CALL:**

The following members were present for roll call:

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

Arrived After Roll Call	Ben Bohmfalk
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Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Finance Director	Renae Gustine
Planning Director	Janet Buck

**CONSENT AGENDA**

- Accounts Payable totaling \$734,844.04
- BOT 11-10-20 Regular Meeting Minutes
- Liquor License Renewal – Mi Casita
- Liquor License Renewal – Silo
- Liquor License Renewal – Carbondale Center
- Liquor License Renewal – La Fogata
- Retail Marijuana Store Renewal – CO Rocky Mountain High
- Medical Marijuana Dispensary Renewal – CO Rocky Mountain High
- Retail Marijuana Cultivation – CO Rocky Mountain High
- Medical Marijuana Cultivation Renewal – CO Rocky Mountain High
- Recommendation for Appointment – Historic Preservation Commission
- Recommendation for Re-Appointment – Parks and Recreation Commission
- Approval of Trailer Skirting Bid

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

*6 yes votes: Richardson, Henry, Yllanes, Silverstein, Kitching, Sparhawk*

### **PERSONS PRESENT NOT ON THE AGENDA**

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

### **TRUSTEE COMMENTS**

Trustee Silverstein encouraged the community to support local businesses. Trustee Silverstein stated that there is a lot to be thankful for during this difficult time. He noted that COVID hospitalizations are increasing. Trustee Silverstein stated that the COVID Emergency Task Force is reconvening. He added that Town staff, at every level, has been helping the community get through this trying time. Be mindful, it is probably six months before we will be able to get the vaccine.

Trustee Yllanes thanked everyone for a great work session last week. He encouraged the community to stay engaged with upcoming developments.

Trustee Kitching attended the RWAPA Board meeting. The IGA will be forwarded to members soon. She noted that the Board's composition will remain the same. Executive Director April Long will be extending an invitation to attend a demonstration on the E-flow tool.

Trustee Kitching attended the Garfield County Water Forum – Water Smart & Planning Department presentation. According to the Planning Department Carbondale is slated to have the highest population growth of the county's six municipalities going from under 7,000 to over 16,000 by 2050. The Water Appendix continues to be a work in progress.

Trustee Kitching announced that Aspen Valley Land Trust (AVLT) received a Resilient Communities GOCO Grant to be shared among three Garfield County municipalities. Carbondale will use the grant for added Red Hill Trail amenities and dry land Riverside Park improvements called out in the Crystal River Management Plan.

Trustee Kitching submitted a personal Letter of Support for the Roaring Fork Conservancy's WaterSMART Grant Application.

Trustee Kitching attended the Colorado River Basin Roundtable. The Colorado Water Conservation Board posted the Colorado Water Plan on its 5<sup>th</sup> anniversary.

Trustee Kitching stated that at the Garfield County Water Forum Commissioner Sampson appealed to the leadership in attendance asking for support on behalf of the Commissioners in demonstrating decorum in public meetings. At a recent meeting the Commissioners were verbally attacked based on their age, gender and ethnicity.

Trustee Kitching is open to a future conversation with anyone interested in the long-term impacts of social inequity. Trustee Kitching considers herself fortunate to serve with such a collegial Board which consists of a variety of professional backgrounds, gender, and generational diversity.

Trustee Sparhawk attended the Carbondale Chamber of Commerce meeting. There were two development project presentations. She is appreciative that they were on the agenda because it gets varied people engaged. She announced that Chamber Board nominations will be coming up soon. Trustee Sparhawk also attended the Third Street Center Board meeting. They are experiencing low occupancy due to COVID. Some tenants are moving out while others are moving in. The Third Street Center is being lenient with tenants who cannot afford their rent at this time.

Mayor Richardson congratulated the Aspen Valley Land Trust for receiving the grant. He thanked staff for putting up the holiday lights – they look great. Mayor Richardson attended the COVID Task Force meeting. They talked about improving testing. On December 1<sup>st</sup> testing will be available in the parking lot behind town hall. You must have an appointment which can be done on line. The testing will only be available for the month of December. He reminded everyone to avoid social gatherings.

**CONTINUED PUBLIC HEARING – ANNEXATION, REZONING, MAJOR SITE PLAN REVIEW, CONDITIONAL USE AND VESTED RIGHTS CONSIDERATION OF: DEVELOPMENT IMPROVEMENT AGREEMENT, RESOLUTION NO. 12, SERIES OF 2020 AUTHORIZING ANNEXATION; ORDINANCE NO. 13, SERIES OF 2020 ANNEXING PROPERTY; ORDINANCE NO. 14, SERIES OF 2020 APPROVING ZONING, SITE PLAN, CONDITIONAL USE PERMITS AND VESTING**

**Applicant: Eastwood 133, LLC**

**Location: 0430 Highway 133**

At a previous meeting Trustee Henry informed the Board that she has a professional relationship with the applicant. She recused herself and left tonight's meeting.

Janet stated that the documents in the packet incorporate items that were discussed at the last meeting including: the monthly rental fee percentage (2%) , public and private improvements including deadlines, a requirement for the applicant to report their finances quarterly to the Finance Department, more detail of the trail design and corrections to the building setbacks.

Janet stated that she received an email from Dan Hogan prior to the meeting which she forwarded to the Board and development team.

Staff recommends approval of the ordinances and resolution.

Mayor Richardson asked the applicant if they had any comments. Doug Pratte stated that they worked closely with staff and they are comfortable with the documents.

Trustee Bohmfalk joined the meeting.

Mayor Richardson opened the public hearing. There was no one present who wished to address the Board so Mayor Richardson closed the public hearing.

Trustee Kitching made a motion to approve Resolution No. 12, Series of 2020; Ordinance No. 13, Series of 2020; the Annexation Agreement; Ordinance No. 14, Series of 2020; and the Development Improvements Agreement for Eastwood Self-Storage. Trustee Sparhawk seconded the motion and it passed with:

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

### **AMENDMENT TO THE MAIN STREET MARKETPLACE DEVELOPMENT IMPROVEMENT AGREEMENT TO EXTEND DEADLINE**

Janet explained that the Board approved the Main Street Marketplace development in February 2019. The Development Improvements Agreement required that the public improvements be completed by November 1, 2020. On November 13, 2020, the Town received a letter from Sopris Engineering requesting that the deadline be extended until June 1, 2021. The Town currently has a Letter of Credit from ANB to secure the public improvements which expires on December 18, 2020. Staff is supportive of the extension.

Trustee Silverstein commented that there is a pile of dirt and electrical boxes on the corner which make it difficult to see to the right. Developer Briston Peterson responded that he will have Aspen Diggers move the dirt, but the electrical boxes will remain there permanently.

Trustee Silverstein made a motion to approve the First Amendment to the Development Improvements Agreement for Carbondale Marketplace, Lot 1 approving an extension of the deadline to complete public improvements. Trustee Yllanes seconded the motion and it passed with:

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

### **2021 BUDGET REVIEW**

Renae reviewed the 2020 supplementals which include:

- CARES Act Funding - \$596,000
- RF Park Improvements - \$25,000
- Playground Equipment - \$93,000
- Pickle Ball Courts - \$91,500
- Plastics Consultants - \$5,000
- Fees for Overstuffing Trash Cans
- Purchase of Third Street Center Solar Panels \$123,000
- Sales & Use Tax Fund Revenues Higher Than Anticipated

Renae stated that she will continue to monitor the sales tax revenue. She expects an increase for October, November and possibly December.

The revenue projections for the tobacco tax is difficult to judge. The Stated passed a tobacco tax which goes into effect in January. Jay suggested the Board have a discussion on the tax during the December work session. The tax may end up being a punishment more than a deterrent. Jay would like to also schedule a discussion on partners for cessation programs and substance prevention on the January work session.

Renaë cautioned that the Recreation Center fees may have a lingering effect (due to COVID) so we need to be as realistic as possible with fees.

Renaë reviewed the expenditures including:

- 3% COLA
- Communications - \$50,000
- Single Use Plastics - \$30,000
- Energy Planning - \$25,000

The Reserve Fund balance is 79.9% of expenditures.

Jay noted that the financial projections are very conservative, and we may finish the year stronger.

### **ADJOURNMENT**

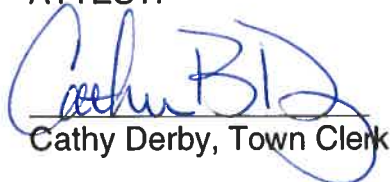
The November 24, 2020, regular meeting adjourned at 7:00 p.m. The next regularly scheduled meeting will be held virtually on December 8, 2020, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

