

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
SEPTEMBER 10, 2019**

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on September 10, 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	Ben Bohmfalk
	Luis Yllanes
	Lani Kitching
	Marty Silverstein

Arrived After Roll Call	Heather Henry
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Absent	Erica Sparhawk
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Staff Present:

Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Finance Director	Renaë Gustine
Town Attorney	Tarn Udall
Public Works Director	Kevin Schorzman
Recreation Coordinator	Jamie Wall

CONSENT AGENDA

- Accounts Payable totaling: \$297,059.06
- BOT 8/20/19 Work Session Minutes
- BOT 8/27/19 Regular Meeting Minutes
- Liquor License Renewal – Silo
- Retail Marijuana Manufactured Infused Product Renewal License – Laughing Dog Group
- Medical Marijuana Manufactured Infused Product Renewal License – Laughing Dog Group
- Recommendation for Planning & Zoning Commission Reappointment
- Ordinance No. 13, Series of 2019 – Establishing Maximum Length of Imprisonment for Violations of Municipal Code
- Ordinance No. 14, Series of 2019 – Village Lane North Townhomes Final Plat Resolution

- Red Hill Trails RFP Bid Award and Construction Contract

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

5 yes votes: Silverstein, Yllanes, Kitching, Richardson, Bohmfalk

PERSONS PRESENT NOT ON THE AGENDA

Lynn Burton, 7th St., told the Board that he has a problem with the way the Trustees conduct their emails. Emails are public documents. Rep. Tipton held a “secret” meeting which the Mayor attended. He asked the Trustees to produce the emails that the Trustees sent each other pertaining to and prior to the meeting. He asked how does the public know the Trustee emails exist? He filed an open records request with the clerk but he was informed it would cost \$300. He offered a solution – anytime Trustees correspond with each other via email a copy of the email should be included in the Trustee packet. Mayor Richardson responded that the Board was responsive to Lynn’s request, he appreciates his concerns, but he feels the Board is transparent.

John Hoffmann and Rita Marsh asked the Board to consider proclaiming the second Monday in October as “Indigenous People Day.” The Board agreed to consider the request at their September 24, 2019 regular meeting.

TRUSTEE COMMENTS

Trustee Silverstein stated that the last Sunday Concert in the Park was very successful. Trustee Silverstein informed the Board that attorney John Van Ness passed away.

Trustee Bohmfalk stated that he attended the Bike/Pedestrian/Trails Commission meeting yesterday. The Carbondale Age Friendly Community Initiative (CAFCI) is focusing on mobility. They have done a tremendous amount of data gathering, they have analyzed the information, and the mobility infrastructure appears to be in good shape except for 8th Street. The Commission has agreed to meet monthly as they feel a sense of urgency to make improvements, or plan improvements to 8th Street.

Mayor Richardson thanked Trustee Silverstein and Steve Standiford for a great summer of music and he thanked staff for helping make First Fridays a great success. Mayor Richardson thanked Trustee Sparhawk for meeting with members of the Colorado Energy Office.

Mayor Richardson told the Board that he attended Rep. Tipton’s listening session – he was surprised that it was closed to the press. Thompson Divide stakeholders were invited and he felt that it was a great effort.

Mayor Richardson stated that he will be attending the RFTA Board meeting on Thursday where they will be discussing the budget. He said that it appears that

WeCycle will not be coming to Carbondale in 2020; he is wondering what will happen with the funds that were being allocated to this project.

Mayor Richardson stated that 350 Colorado, a climate advocacy group, will be holding a protest in Carbondale on September 20th.

Mayor Richardson stated that at the last meeting a citizen asked the Board to consider changing the number of rabbits a household may possess. He told the Board that the law was changed approximately 60 years ago. Mayor Richardson stated that he hasn't seen any evidence that this is a problem.

Trustee Henry arrived at the meeting.

Mayor Richardson asked if one person's request warrants a discussion. Will Gramobis asked if the Municipal Code considers raising rabbits as a cooperative effort like it does for chickens. Jay responded that the cooperative effort only applies to chickens. The Board declined to reconsider the ordinance limiting the number of rabbits in Carbondale.

Mayor Richardson stated that at a previous meeting two citizens approached the Board about reviewing the noise ordinance. Mayor Richardson stated that it appears that there are a couple of different going-on issues. They are complaining about special event noise and also about a particular neighbor who plays music all day long. The individual's behavior he noted is unique and disturbing. He asked if the Municipal Code provides the police with enough tools to handle this particular situation, or do we need to revisit the noise ordinance. The majority of the Board agreed that they would be willing to revisit the noise ordinance but they do not want to reconsider changing the special events noise criteria at this time.

ATTORNEY'S COMMENTS

The Attorney did not have any comments.

SPECIAL EVENT LIQUOR LICENSE – OKTOBERFEST AND CELTICFEST

The Town of Carbondale Recreation Department has applied for a Special Event Liquor License for their annual Oktoberfest and Celticfest celebrations which will be held at the 4th Street Plaza. The Police Department has reported no problems with the applicant or the premises.

Trustee Silverstein made a motion to approve The Town of Carbondale Recreation Department's Special Event Liquor License with the changes requested above. Trustee Henry seconded the motion and it passed with:

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

RESULTS OF CRYSTAL MEADOWS RESIDENTS TRANSPORTATION SURVEY

During a recent discussion on senior mobility the Board asked Crystal Meadows Executive Director Jerilyn Nieslanik to create a transportation survey for its residents to see if mobility is lacking in that area. Fifty two surveys were returned. The survey revealed that the majority (29) of residents of Crystal Meadows have access to a car. Nine had limited or no access to a car. Mayor Richardson stated that the survey did not reveal any major gaps in mobility. The Board acknowledged that the circulator bus could be improved as it doesn't serve that part of town but funds are limited. Mayor Richardson thanked RFTA and Jerilyn Nieslanik for their help with the survey. Mayor Richardson stated that he will continue to maintain a dialogue with Heritage Park on the possibility of extending their shuttle service to accommodate Crystal Meadows (once they have a driver).

LETTER OF CREDIT REDUCTION – CITY MARKET

Kevin explained that City Market has submitted a Letter of Credit (LOC) Reduction #3 in the amount of \$183,667.77 to reduce the off-site security for public improvements for Carbondale Marketplace. If approved, this would leave a LOC balance for the outstanding off-site public improvements at \$509,925.90. Staff has reviewed the request, as well as the work completed to date, and agrees the request is appropriate.

Trustee Kitching made a motion to approve the partial release of \$183,667.77 of the Letter of Credit for the off-site improvements related to the Carbondale Marketplace project. Trustee Silverstein seconded the motion and it passed with:

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

LETTER OF CREDIT REDUCTION – CARBONDALE MARKETPLACE LOT 5B – 1ST BANK

Kevin explained that 1st Bank has submitted a Letter of Credit (LOC) Reduction #3 in the amount of \$84,459.65 to reduce the security for public improvements for Carbondale Marketplace Lot 5B. If approved, this would leave a LOC balance for the outstanding public improvements at \$29,662.99. Staff has reviewed the request, as well as the work completed to date, and agrees the request is appropriate.

Trustee Silverstein made a motion to approve the partial release of \$84,459.65 of the Letter of Credit for the improvements related to the Carbondale Marketplace Lot 5B project. Trustee Yllanes seconded the motion and it passed with:

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

CONTINUED DISCUSSION ON PLASTIC REDUCTION EFFORTS

Jay stated that at the last meeting the Board had a discussion on efforts to reduce plastics. The Trustees indicated a desire to consider engaging a consultant and setting

a scope for services. Staff has identified \$5,000 for consultant fees. Jay researched what different communities are doing to combat plastics and it appears that each community has taken an individualistic approach to customize their needs and community goals.

Discussion ensued.

The Board agreed that it's necessary to set goals as to what they are trying to accomplish. Mayor Richardson noted that the new waste hauler is willing to help but they need to know what the Town is trying to accomplish.

Trustee Henry stated that the effort should start with public outreach – it's imperative to get the community's input. Then we can develop a baseline and set goals.

Environmental Board member Jim Kirschvink suggested that the Town should put ads in the newspapers seeking comments as to how we can control/reduce plastics. Scoping is a good next step to developing Town goals. Also, we should coordinate with surrounding municipalities to make sure we are undertaking the same efforts.

Trustee Silverstein stated that we should look at what successful towns are doing to reduce plastics.

The Board agreed to:

- Hire a consultant - work will possibly be done in phases– there is \$5,000 left in the bag fee account to fund the first phase
- Jay noted that Laurie Batchelder Adams has a base knowledge of the Town's waste practices
- Solicit input from the community to develop a baseline and establish goals - we need to be clear on expectations for outreach
- Analysis needs to be done as to where plastic is coming from
- Join Recycle Colorado
- Collect data on the largest generators of plastic in town

The Board set the following goal: "Eliminate the generation of single use plastics (and possibly styrofoam) in the Town of Carbondale."

The Board was informed that the Chamber of Commerce would like to be a partner in the effort to reduce plastics in town.

REVIVAL OF STUDENT TRUSTEE DISCUSSION

Jay provided background information on the student trustee. The Town had a student trustee from 2002 – 2013. It was a non-voting position but the student provided input on agenda items. It ended after the 2013 school year when interest in the program subsided. Youth Zone recommended the student trustee appointee.

Mayor Richardson stated that recently Town representatives had a meeting with the school district and the possibility of reinstating the student trustee was mentioned. The

Board agreed that a student voice would be beneficial, especially with current topics facing the Board i.e. vaping, reducing plastics, etc. Mayor Richardson stated that he will contact Youth Zone regarding re-establishing the student trustee.

ADJOURNMENT

The September 10, 2019, regular meeting adjourned at 8:10 p.m. The next scheduled meeting will be held on September 24, 2019, at 6:00 p.m.

APPROVED AND ACCEPTED



Dan Richardson, Mayor

ATTEST:



Cathy Derby, Town Clerk

