

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
REGULAR MEETING  
FEBRUARY 26, 2019**

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on February 26, 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	Marty Silverstein
	Erica Sparhawk
	Luis Yllanes
	Lani Kitching
Arrived After Roll Call	Ben Bohmfalk
	Heather Henry
Staff Present:	
Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Finance Director	Renae Gustine
Town Attorney	Tarn Udall
Recreation Director	Eric Brendlinger

**CONSENT AGENDA**

- Accounts Payable totaling \$176,740.60
- BOT 2/12/2019 Regular Meeting Minutes
- Liquor License Renewal – Sopris Sports Bar
- Liquor License Renewal – Thunder River Theatre
- Liquor License Renewal – Mi Casita
- Chip and Seal Contract
- Crack and Seal Contract
- Resolution No. 3, Series of 2019 – Phase 2 Miners Park  
New Playground Equipment

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

*5 yes votes: Yllanes, Richardson, Silverstein, Sparhawk, Kitching*

Trustees Bohmfalk and Henry arrived at the meeting.

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

Will Roush, Executive Director of Wilderness Workshop, thanked the Board and the town for their efforts in protecting the Thompson Divide. He encouraged the Board to write a letter supporting Senator Bennett's CORE Act. Will noted that the Act is the best chance for protection of the Thompson Divide.

### **TRUSTEE COMMENTS**

Mayor Richardson informed the Board that the City of Glenwood Springs, Pitkin County, Gunnison County and Colorado Mountain College have already signed a letter supporting the CORE Act. Mayor Richardson stated that he supports the CORE Act; it creates permanent protection for the Thompson Divide and the companies who hold lease(s) in the Thompson Divide can trade them in for a credit to purchase another existing lease(s). The Board unanimously agreed to sign a letter supporting the CORE Act.

Trustee Silverstein stated that he attended the 1<sup>st</sup> Bank ground breaking ceremony earlier in the day. They will create jobs and they are already supporting local non-profits.

Trustee Silverstein informed the Board that a new piece of art by Jill Scher, entitled, "Prayers for Carbondale", has been installed in the town hall lobby.

Trustee Silverstein stated that former Trustee Frosty Merriott is writing a monthly column in the Post Independent. This month's topic is plastics including single-use bottles and straws.

Trustee Silverstein stated that he attended a Seniors Affordable Housing program at CMC. Affordable senior housing is in demand.

Trustee Sparhawk stated that she attended the Colorado Communities for Climate Action meeting (CC4CA). They discussed waste policy, including expansion of recycling, local regulation of disposal of plastic waste, and broadening the scope of their Waste Diversion Policy. Their efforts are well aligned with ours.

Trustee Kitching stated that she attended the Clean Energy Corridor meeting. They are creating a definitive action plan and project list.

Trustee Kitching stated that the Carbondale Age Friendly Initiative will be providing additional resources for seniors.

### **ATTORNEY'S COMMENTS**

The attorney did not have any comments.

### **TREE BOARD CHECK-IN**

Dan Bullock, Tree Board Chair, and Mike Callas, town liaison, were in attendance.

Discussion ensued and the following points were made:

- They currently have seven members
- Arbor Day is May 4<sup>th</sup>
- The Town will be celebrating its 25<sup>th</sup> year as a Tree City USA member – they will be planting the 100<sup>th</sup> tree purchased from the Kay Brunier Fund
- Next year they will be offering a back yard forestry program where they will be encouraging people to plant trees in their yards
- The Board has been reviewing tree placement in various developments
- They will be focusing on education including tree walks and website updates
- There is an app that identifies trees
- Through the Tree City USA Growth Awards they have applied for a Street Care and Management Grant
- They would like the Tree Ordinance to become part of the Unified Development Code
- Deer are destroying trees; they have destroyed two in Sopris Park and five on Highway 133. It may be necessary to cage young trees
- A Cottonwood Tree in Sopris Park is dying – it will leave a big hole in the park's landscape
- Getting water to new trees is a big challenge where irrigation is lacking

Trustee Bohmfalk asked if they have a plan to remove problematic trees. Dan answered no, there are too many of them. They are encouraging developments, etc. to plant trees that don't demand a lot of water.

Mayor Richardson stated that there is going to be a follow-up meeting on the VCAPS (water) Study on April 2<sup>nd</sup> and he encouraged members of the Tree Board to attend.

Trustee Sparhawk told Mike that the Carbondale Age Friendly Initiative will probably be requesting that some trees be pruned.

Trustee Henry asked what are the highlights of the changes to the UDC? Dan answered tree spacing by size and tree protection standards.

**MEMORANDUM OF UNDERSTANDING (MOU) – ROARING FORK PICKLEBALL ASSOCIATION (RFPA) – NORTH FACE PARK PICKLEBALL COURTS**

Employee Eric Brendlinger, and RF Pickleball Association members Doug Pratt and Bob Schultz were in attendance.

Eric explained that the Town and RFPA are proposing to build six courts in the Northface Park. They did extensive public outreach and then held a design charrette. The charrette resulted in three designs. They did a survey and an overwhelming 74% of people chose Option C. Option C went to the Parks and Recreation Commission for approval which was granted.

The Town and RFPA then drafted a MOU which has been reviewed by the Town's legal counsel but not by RFPA's.

THE MOU states that RFPA will fund the design, construction and engineering. It also outlines the scheduling of the courts. Currently the Town is responsible for the long-term maintenance for the courts.

Trustee Bohmfalk asked how do the soccer people feel? Do they think that they are getting a Futsal field since it was included in the renderings. Eric explained that the field was never used for soccer, it was only used for practice. The field will be re-seeded after the pickleball courts are built.

Town staff and the RFPA will come back to the Board for consideration of approval of the MOU once it is approved by the RFPA.

**SPECIAL EVENT LIQUOR LICENSE – COVENTURE**

CoVenture has applied for a Special Event Liquor License for an event to be held at their new facility. 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 CoVenture's Special Event Liquor License. Trustee Yllanes seconded the motion and it passed with:

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

**SPECIAL EVENT LIQUOR LICENSE – RIVER BRIDGE REGIONAL CENTER**

River Bridge Regional Center has applied for a Special Event Liquor License for an event to be held at the RVR Barn. 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 River Bridge Regional Center's Special Event Liquor License. Trustee Kitching seconded the motion and it passed with:

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

### **TUMBLEWEED RETAIL MARIJUANA STORE RENEWAL APPLICATION**

Due to on-going litigation the Town's attorney advised the Board to continue the consideration of Tumbleweed's retail marijuana store renewal application to March 12, 2019.

Trustee Silverstein made a motion to continue Tumbleweed's retail marijuana store renewal application to March 12, 2019. Trustee Sparhawk seconded the motion and it passed with:

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

### **PUBLIC HEARING – SOPRIS LAB RETAIL AND MEDICAL MARIJUANA INFUSED PRODUCT LICENSE RENEWALS**

**Applicant: Chapman Ducote**

**Location: 695 Buggy Circle, Carbondale, CO**

Staff stated that the renewal application was received in a timely manner and all of the legal noticing requirements have been met by the applicant and staff.

Staff noted that the Municipal Code states that if a marijuana establishment is not operational within a year of receiving their license their license will not be renewed. It should be noted that the building official has been reviewing the building plans for six months. Also, the applicant has spent an extensive amount of money to purchase the property, on architectural and industrial hygienist fees and a fire protection specialist. Staff believes that the applicant has shown their intent to become operational and therefore staff recommends approval of their renewal applications.

Discussion ensued. The Board agreed that the applicant is showing their intent to open. The Board would like the Municipal Code language be modified to allow Board discretion and flexibility.

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

Trustee Henry made a motion to renew Sopris Lab's Retail and Medical Marijuana Infused Product License Renewal Applications. Trustee Kitching seconded the motion and it passed with:

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

**PUBLIC HEARING – TRANSFER OF LIQUOR LICENSE – HOMESTEAD BAR AND GRILL**

**Applicant: Cunningham Golf, LLC**  
**Location: 303 River Valley Ranch Road**

Cunningham Golf, LLC, doing business as Homestead Bar and Grill, has applied for a transfer of a liquor license (from Pan and Fork Restaurant). All fees have been paid and the Police Department has reported no problems with the applicant or the premises.

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

Trustee Silverstein made a motion to approve the Transfer of the Liquor License Application for Cunningham Golf, LLC doing business as Homestead Bar and Grill. Trustee Sparhawk seconded the motion and it passed with:

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

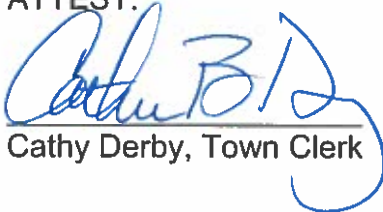
**ADJOURNMENT**

The February 26, 2019, regular meeting adjourned at 7:50 p.m. The next regularly scheduled meeting will be held on March 12, 2019, at 6:00 p.m.

APPROVED AND ACCEPTED

  
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk

