

**MINUTES
CARBONDALE BOARD OF TRUSTEES
REGULAR MEETING
AUGUST 22, 2017**

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on August 22, 2017, at 6:00 p.m. in the Town Hall meeting room.

ROLL CALL:

The following members were present for roll call:

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| Mayor | Dan Richardson |
| Trustees | Marty Silverstein |
| | Erica Sparhawk |
| | Ben Bohmfalk |

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| Arrived after roll call | |
| Trustee | Frosty Merriott |
| | Heather Henry |

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| Staff Present: | |
| Town Manager | Jay Harrington |
| Town Clerk | Cathy Derby |
| Finance Director | Renae Gustine |
| Recreation Director | Eric Brendlinger |
| Police Chief | Gene Schilling |

CONSENT AGENDA

- Accounts Payable totaling \$306,520.60
- Liquor License Renewal – White House Pizza
- Resolution No. 9, Series of 2017 – FMLD Grant – Third Street Center – Entrance and Parking Improvements
- Letter to DOLA – Administrative Grant Assistance
- Recommendation for Planning & Zoning Commission Appointment
- BOT 8/8/17 Regular Meeting Minutes

Trustee Merriott arrived at the meeting.

CONSENT AGENDA

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

5 yes votes: Silverstein, Richardson, Bohmfalk, Merriott, Sparhawk

SWEARING IN OF NEW TRUSTEE LUIS YLLANES

Luis Yllanes, who was appointed as Trustee on August 8, 2017, was sworn in to the office of Trustee.

Trustee Henry arrived at the meeting.

PERSONS PRESENT NOT ON THE AGENDA

Doc Philip, S. Third St., asked the Board to consider reducing the Town speed limit to 10 mph.

Hank van Berlow, Crystal Circle, applauded the Trustees for passing the Environmental Bill of Rights. He said that the Town needs to lead by example. There are six different trash trucks on his street every Tuesday. He asked the Trustees to consider contracting with one hauler or contract by quadrants. Jay responded that three years ago we had a meeting with the waste haulers and created a waste ordinance. However, the ordinance got bogged down because it is a very complicated topic. In order to upgrade their equipment the haulers wanted a 5-10 year contract rather than a 1-2 year contract. Jay suggested that staff should meet with the Environmental Board and haulers prior to a discussion at a Trustee meeting. Mayor Richardson said he would like the Board to have a simple discussion and then give it to the Environmental Board. Jay stressed that it is critical to include the haulers in the discussion. Trash hauling will be scheduled on a future agenda.

TRUSTEE COMMENTS

Trustee Merriott told the Board that Aspen is considering placing an additional tax on cigarettes and they are asking other governmental entities to join in. Trustee Merriott stated the Board should keep this subject on its radar because it is a public health issue.

Trustee Merriott asked if the police are seeing speeding trucks on Highway 133. Jay responded that the majority of trucks are using Highway 133 at night and the increase in truck traffic has not been as significant as originally expected.

Trustee Merriott asked the Board if they have a priority of the goals listed in the Environmental Bill of Rights. He stated the Board had a good waste disposal ordinance but it fell apart because people were trying to include too much.

Trustee Sparhawk said that she took the bus to Glenwood Springs last week (during the bridge closure) and it was super easy. The bus passed a huge line of traffic. She suggested people take the bus. Mayor Richardson added that the bus drivers are getting lots of accolades. Trustee Silverstein stated that his wife is taking the bus to work in Glenwood and she has been extremely happy with the service.

Trustee Silverstein stated he has seen an improvement in trash containers not overflowing since the police handed out bear flyers.

Trustee Silverstein informed the Board that the Wild West Rodeo's season has ended. He thanked everyone involved in putting the rodeo together. He said the rodeo grounds have received big improvements including the picnic pavilion donated by the Turnbills, the new shade structure over the bleachers, and the announcer's booth.

Trustee Silverstein stated that Sunday was the One Town, One Table event and it was a huge success.

Trustee Silverstein stated that Friday is Cowboy Up! Ascendigo will be getting the proceeds from the alcohol sales.

Trustee Silverstein said he was disappointed to hear that after Labor Day the library will be cutting its hours due to budget constraints. The library is a resource for everyone. He told the Board that we need to be cognizant of this issue.

Trustee Bohmfalk announced that there is going to be a presentation on the history of the Crystal River on Thursday at 7:00 pm at the Carbondale Fire House. He told the Board that he took his family on a hike on one of the trails proposed for alignment of the Carbondale to Crested Butte trail.

Mayor Richardson stated that One Town, One Table was a great event. He thanked Sondie and Town staff who helped behind the scenes.

Mayor Richardson stated that he attended Rotary last week and he met Michael Lowe who is starting Glen X. They have rented space in the Third Street Center.

ATTORNEY'S REPORT

Mark informed the Board that the Town is involved in a pending lawsuit. Tom Bailey is suing Sustainable Settings because they believe Sustainable Settings built to close to the ditch.

Sustainable Settings took the position that all ditch users need to be involved in the law suit and the judge agreed.

DEPARTMENT OF WILDLIFE REPORT ON BEAR ACTIVITY

John Groves from the Department of Parks and Wildlife was present at the meeting.

Discussion ensued on bear activity and the following points were made:

- Bear activity is extremely high, 12 bears have been sighted in Town when usually there are 1-2, and it is only going to get worse before it gets better
- The Bears are finding ample opportunity for food in dumpsters and fruit trees
- Trapping and moving bears doesn't work. If we trap them and move them they will likely die in a month
- People need to secure their trash - it is mostly a residential problem ; it is a trash containment problem, it's not only a bear problem
- Bear proof containers make a significant difference
- The bears are spread out – there are no “hot spots”
- Bear proofing (containers) needs to be everywhere or the problem shifts locations
- The Board agreed that the Town needs to do public outreach and educate the public about the problem
- 600 notices were handed out, 80 warning were issued which are tracked for repeat offenses
- Waste Management received 60 inquiries from people asking how to better secure their trash. Bear proof containers are back ordered at ACE
- The Town is years away from having public bear proof trash containers. The Board will need to consider if they want to add purchasing containers to the budget.
- The Board agreed that we need to think ahead and be proactive – don't wait until next summer to address this problem
- The Board agreed to schedule a bear discussion on the Agenda next month

SPECIAL EVENT LIQUOR LICENSE – CARBONDALE CLAY CENTER

Carbondale Clay Center has applied for a Special Event Liquor License for their farm to table dinner. 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 Carbondale Clay Center's Special Event Liquor License. Trustee Sparhawk seconded the motion and it passed with:

7 yes votes: Sparhawk, Richardson, Yllanes, Silverstein, Merriott, Bohmfalk, 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 Sparhawk made a motion to approve No Man’s Land Film Festival’s Special Event Liquor License. Trustee Henry seconded the motion and it passed with:

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

SPECIAL EVENT LIQUOR LICENSE – ROARING FORK MOUNTAIN BIKE ASSOCIATION

Roaring Fork Mountain Bike Association has applied for a Special Event Liquor License for a fundraiser. 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 Roaring Fork Mountain Bike Association’s Special Event Liquor License. Trustee Silverstein seconded the motion and it passed with:

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

SPECIAL EVENT LIQUOR LICENSE – OKTOBERFEST AND CELTIC FEST

The Town of Carbondale Recreation Department has applied for a Special Event Liquor License for its annual Oktoberfest and Celtic Fest events. The Police Department has reported no problems with the applicant or the premises.

Trustee Silverstein made a motion to approve The Town of Carbondale’s Special Event Liquor License. Trustee Henry seconded the motion and it passed with:

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

SP MANUFACTURING, LLC – MODIFICATION APPLICATIONS CHANGING HOURS OF OPERATION

Chad Fox, SP Manufacturing’s General Manager, was present at the meeting. Chad is requesting to change SP Manufacturing’s hours of operation from 8:00 am – 6:00 pm to 6:00 am to 8:00 pm due to the bridge closure.

Trustee Bohmfalk made a motion to approve the change of hours of operation for SP Manufacturing from 8:00 am to 6:00 pm to 6:00 am to 8:00 pm. Trustee Sparhawk seconded the motion and it passed with:

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

RFTA – REQUEST TO ALLOW GOATS ON RIO GRANDE RIGHT-OF-WAY FOR WEED MITIGATION

Brett Meredith, RFTA Trails and Corridor Manager, was present at the meeting.

Brett explained that in an attempt to eliminate noxious weeds on the Rio Grande Trail without using herbicides, RFTA has hired Goat Green and their herd of goats to graze the trail. The primary goal of this project is to build living soil and ecosystem health, provide education/outreach, and eliminate noxious weeds. RFTA used the same company last year and the project was successful.

However, Section 7-6-10 of the Carbondale Municipal Code forbids goats within the Town limits. Therefore, RFTA is asking the Town to temporarily waive Section 7-6-10 and grant RFTA permission to graze the goats through town and possibly corral them at the rodeo grounds.

Trustee Bohmfalk made a motion to temporarily waive Section 7-6-10 of the Municipal Code in order for goats to graze the Rio Grande Trail to eliminate noxious weeds. Trustee Sparhawk seconded the motion and it passed with:

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

RESOLUTION NO. 10, SERIES OF 2017 – CLARIFYING IMMIGRATION STATUS RELATED POLICIES

Trustee Sparhawk informed the Board that she emailed the Resolution to the students and teacher who brought this issue to the Board's attention and also to the Colorado Immigrants Rights Coalition. She did not receive any feedback.

Discussion ensued on the Resolution.

Trustee Merriott told the Board that the Comprehensive Immigration Reform Bill mentioned in the fifth WHEREAS clause supports secured borders.

Trustee Yllanes suggested that "comprehensive immigration reform that provides" be struck from the fifth WHEREAS clause. The Board agreed.

Trustee Silverstein stated that it is important to express that immigrants are valued and should be able to use Town facilities.

Mayor Richardson opened the meeting to public comment.

Reverend Shauna Foster, Cleveland Place, stated she is pleased with the Resolution. Clauses 1 (a) and (b) are very important because they do not honor ICE holds. Jay noted that the Town does not hold anyone because we do not have any holding facilities.

Tom Foster, Cleveland Place, stated it is important that the Resolution passes.

Trustee Henry stated she likes the fact that the Resolution has concrete action items.

Mayor Richardson stated that this is a complex and emotional issue. The intent is to make residents comfortable. The Town values public safety, not immigration status.

Trustee Silverstein stated that he would like the Resolution translated in to Spanish and then given it to the Spanish media for distribution.

Trustee Bohmfalk stated this is a good first step. We want to be inclusive and we want the public process to reach everyone.

Trustee Silverstein made a motion to approve Resolution No. 10, Series of 2017 omitting "comprehensive immigration reform that provides" from the fifth WHEREAS clause. Trustee Yllanes seconded the motion and it passed with:

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

COMPACT OF COLORADO COMMUNITIES MEMBER AGREEMENT

In a memo to the Board, Mayor Richardson explained that he attended a Mayor's Summit in Aspen where they launched the Compact of Colorado Communities. He pledged to bring the agreement before the Trustees to consider membership.

Mayor Richardson believes the Compact could provide valuable resources to communities that are new to addressing climate change. Carbondale, however, has been very proactive at taking action and is a member of Garfield Clean Energy, CLEER and CORE. He does not believe that joining another organization would benefit the Town.

Mayor Richardson recommended that the Board not join the Compact of Colorado Communities at this time; the Board concurred.

BOARD OF TRUSTEES REPRESENTATION ON ADVISORY BOARDS/COMMITTEES

Traditionally, after an election or appointment of a new Trustee, the Board has a discussion to decide who will serve on the boards/commissions requesting/requiring Trustee representation.

Discussion ensued and the following decisions were made:

Trustee Yllanes will serve as an alternate on the Carbondale Public Arts Commission, representative on the Gar Co Energy Advisor Board and the Communities That Care – Community Board.

Mayor Richardson will serve on the Communities That Care – Key Leaders Board.

Trustee Henry will serve on the Regional Affordable Housing Authority.

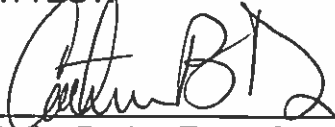
ADJOURNMENT

The August 22, 2017, regular meeting adjourned at 8:25 p.m. The next regularly scheduled meeting will be held on August 22, 2017, at 6:00 p.m.

APPROVED AND ACCEPTED


Dan Richardson, Mayor

ATTEST:


Cathy Derby, Town Clerk

