

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
REGULAR MEETING  
APRIL 10, 2018**

Mayor Dan Richardson called the Board of Trustees Regular Meeting to order on April 10, 2018, at 6:00 p.m. in the Town Hall meeting room.

**STUDENT OF THE MONTH**

A student from Ross Montessori School was in attendance to receive the "Student of the Month" award. The following student was awarded a Certificate of Achievement from Mayor Dan Richardson:

Riley Triebel

**ROLL CALL:**

The following members were present for roll call:

Mayor	Dan Richardson
Trustees	Marty Silverstein
	Frosty Merriott
	Ben Bohmfalk
	Luis Yllanes
Arrived after Roll	
	Erica Sparhawk
Absent	Heather Henry
Staff Present:	
Town Manager	Jay Harrington
Town Clerk	Cathy Derby
Attorney	Mark Hamilton
Finance Director	Renaë Gustine
Utilities Director	Mark O'Meara
Police Chief	Gene Schilling
Police Officer	Gretchen Stock-Bell

**CONSENT AGENDA**

- Accounts Payable totaling \$113,989.26
- BOT 3/20/18 Work Session Minutes
- BOT 3/27/18 Regular Meeting Minutes

- Modification of Premises – Sopris Liquor & Wine
- Liquor License Renewal Application – Los Cabos
- Environmental Board Request for Funding – Dandelion Day

### **CONSENT**

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

*5 yes votes: Silverstein, Bohmfalk, Henry, Yllanes, Richardson*

Trustee Sparhawk arrived at the meeting.

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

Terry Kirk, Main Street, told the Board that the Town still doesn't have a monument sign at the entrance to town. He urged the Trustees to install a sign. Mayor Richardson stated that he will follow-up on this issue with the Chamber.

Terry also stated that the circulator bus doesn't stop at the hotels. If they did it would help the businesses and hotels. He said the Board may want to consider talking to RFTA about adding the hotels to the route.

### **TRUSTEE COMMENTS**

Trustee Sparhawk informed the Board that she attended the Colorado Communities for Climate Action workshop and training. She stated that the Trustees need to appoint a representative to the Steering and Policy Committees.

Trustee Merriott told the Board that the Garfield County Commissioners will be holding a work session on trash and bears on May 8<sup>th</sup>.

Trustee Merriott told the Board that if they address the Lighting Ordinance, the light bulb temp should be 2,700 – 3,000 kelvins. Mayor Richardson stated that the Board should be receiving a lighting non-compliance report in May.

Trustee Yllanes stated that he attended the Garfield County Energy Advisory Board meeting. They received an update from the surrounding operations. Trustee Yllanes mentioned the BLM ruling on methane and the operators assured him that the standards would not be affected. Trustee Sparhawk stated that she too attended the meeting and Kirby Winn recommended that a current Trustee should be on the Board, not a former Trustee.

Trustee Yllanes suggested that the Town's residents should be updated on restrictions during a (potential) drought.

Trustee Silverstein stated that the affordable housing study is out. He also noted that the State is charging boaters \$25 to help fund the inspection of invasive species.

The Board congratulated staff for conducting a successful election. Mayor Richardson stated that he was relieved that the Streetscape Tax passed.

Trustee Bohmfalk noted that he attended the Bike/Pedestrian/Trails Commission meeting and they are considering undertaking an AARP walking audit.

Mayor Richardson stated that he also attended the Colorado Communities for Climate Action meeting.

Mayor Richardson reminded everyone to lock their cars.

Mayor Richardson announced that Friday night Glen X will be hosting an event similar to Shark Tank.

Mayor Richardson asked the Board if they want to sign on to an Amicus brief from Boulder County (Martinez vs. Colorado Oil and Gas Conservation Commission). Mayor Richardson will provide the Board with information and the item will be scheduled on the April 24<sup>th</sup> Agenda.

Trustee Silverstein mentioned that almost two-thirds of the Denver Post reporting staff has been laid off. He said this should be a concern to everyone because it is the only major newspaper in the Rocky Mountain region. They serve a valuable roll and if we lose the newspaper we are not going to get it back.

### **ATTORNEY'S COMMENTS**

The attorney did not have any comments.

### **SPECIAL EVENT LIQUOR LICENSE – KDNK – DANDELION DAY**

KDNK has applied for a Special Event Liquor License for Dandelion Day to be held at Sopris Park. 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 KDNK's Special Event Liquor License Application. Trustee Yllanes seconded the motion and it passed with:

*6 yes votes: Richardson, Silverstein, Sparhawk, Merriott, Bohmfalk, Yllanes*

### **SPECIAL EVENT LIQUOR LICENSE – THUNDER RIVER THEATRE**

Thunder River Theatre has applied for a Special Event Liquor License for their annual fund raiser to be held at the Orchard. 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 Thunder River Theatre's Special Event Liquor License Application. Trustee Sparhawk seconded the motion and it passed with:

*6 yes votes: Richardson, Silverstein, Sparhawk, Merriott, Bohmfalk, Yllanes*

### **UPDATE ON CRYSTAL RIVER RESTORATION PLAN**

Jay and Mark gave an update on the Crystal River Restoration Plan. Mark informed the Board that the Town did not get the \$50,000 GOCO grant it had applied for.

Jay stated that a unique collaborative effort is underway to redevelop and restore a section of the Crystal River and the Weaver Ditch (irrigation system improvements). Aspen Valley Land Trust is leading the coalition which includes: RF Conservancy, the Town of Carbondale, Colorado Parks and Wildlife, American Rivers, and Public Counsel of the Rockies. The Plan follows the Parks and Recreation Master Plan. The Town has budgeted \$20,000 in 2018 for matching funds grants that have been applied for. The total secured funding is \$150,000.

### **INITIATE ZONE TEXT AMENDMENT FOR CHILD CARE**

Janet's memo explained that in March a work session was held between the Trustees and the Planning and Zoning Commission. One of the topics was amending the UDC as it relates to childcare. The following was discussed:

- Allowing childcare uses in the Industrial (I) and Commercial/Retail/Wholesale (CRW) zone district as Special Review Uses.
- Required off-street parking for childcares uses.
- Use-specific standards in UDC 4.3 to address childcare uses in the Industrial zone district and the CRW zone district.

Section 2.4.2.B.2 of the UDC allows the Board to initiate an amendment to the UDC. If the Board elects to initiate a zone text amendment as it relates to childcare uses, a public hearing would be scheduled before the Planning Commission. The Commission would then make a recommendation to the Board of Trustees for its consideration.

Trustee Bohmfalk made a motion to initiate a zone text amendment to the UDC as it relates to childcare, including, but not limited to, the land use table, use-specific standards, off-street parking, etc. Trustee Sparhawk seconded the motion and it passed with:

*6 yes votes: Bohmfalk, Sparhawk, Merriott, Yllanes, Richardson, Silverstein*

### **CITIZEN OF THE YEAR COMMITTEE MAKE-UP DISCUSSION**

Mayor Richardson stated that he was approached by a citizen who asked that the Citizen of the Year award be reestablished. Discussion ensued and the Board agreed the award should be gender neutral, an ad-hoc committee will be formed, and the committee will set the criteria for the award. Mayor Richardson will ask several community groups if they would like to be on the committee.

### **DISCUSSION ON REGULATING VAPING**

A few members of the Board recently attended a school sponsored presentation on vaping. Vaping amongst school-aged children is becoming a serious problem. The Board agreed to have a discussion with the intent to try and reduce access to minors.

Discussion ensued.

Gretchen stated that she would like an anti-vaping educational program be created for kids. The problem is here and it is only going to get worse.

Mayor Richardson asked the Board the following questions:

Would the Board consider raising the age to purchase vaping products from 18 to 21; the Board unanimously agreed.

Does the Board want to limit where people can buy vaping products (i.e. marijuana stores, establishments only serving those 21 and over); the majority of the Board did not want to do this.

Does the Board wish to raise the tax on vaping products which would require an election. Jay explained that this issue requires significant economic consideration as the Town receives approximately \$16,000 annually from cigarette tax. Changes to our tax laws could jeopardize the revenue stream and we could possibly lose enforcement provided by the Department of Revenue. The majority of the Board does not want to consider raising the tax at this time.

Mayor Richardson asked the Board if they would like to limit where people can vape outdoors. The majority of the Board agreed that they do not want to limit locations.

Mayor Richardson asked the Board if they want to allocate the cigarette sales tax to educational program. The majority of the Board agreed that this should be addressed during budget discussions.

Police Chief Gene Schilling suggested that the Board may want to consider raising the age to purchase all nicotine products to 21; the Board unanimously agreed.

Trustee Yllanes told the Board that when he meets with the Communities that Care organization he will ask them if there are resources to combat vaping.

Jay suggested the Board have a conversation with Rep. Bob Rankin and see if a State-wide approach can be taken.

The Board directed staff to draft an ordinance raising the age to purchase all nicotine products from 18 to 21. Staff will investigate the consequences of economic policy changes to the cigarette tax.

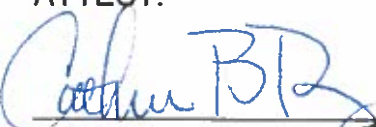
### ADJOURNMENT

The April 10, 2018, regular meeting adjourned at 8:15 p.m. The next regularly scheduled meeting will be held on April 24, 2018, at 6:00 p.m.

APPROVED AND ACCEPTED

  
Dan Richardson, Mayor

ATTEST:

  
Cathy Derby, Town Clerk

