Town Council
Town Council Meeting Minutes
Monday, July 10, 2023
4:00 PM
130 Kearns Road
Town Council Chambers
Snowmass Village, CO, 81615

A complete live recording of this meeting can be found at www.tosv.com under Town Council Meetings. This meeting will be archived indefinitely, allowing you to view it anytime.

1) CALL TO ORDER

4:00 pm

2) ROLL CALL

Council Members Present: Tom Fridstein, Britta Gustafson, Susan Marolt, and Bill Madsen. Alyssa Shenk appeared virtual at 4:17pm.

Council Members Absent: None

Staff Present: Clint Kinney, Town Manager; Greg LeBlanc, Assistant Town Manager; Jeff Conklin, Town Attorney; Anne Martens, Public Works Director; Betsy Crum, Housing Director; Dave Shinneman, Community Development Director; Brian McNellis, Planner; Doug Goldfluss, IT Manager; and Megan Boucher, Town Clerk.

Public Present: Erica Golden, Kris Peterson, Patrick Rawley, Harper Powell, Dallas Blaney, Lynda Edwards.

Planning Commission members present: Doug Faurer, Jim Gustafson, Brian Marshack, and Elese Denis. Matt Dube and David Seglin appeared virtually.

Planning Commission members absent: Stan Clauson

3) JOINT PLANNING COMMISSION SPECIAL SESSION

Chairperson Marshack opened the Planning Commission meeting with the Town Council at 4:02pm.
Dave Shinneman took roll call for the Planning Commission.

Planning Commission members present: Doug Faurer, Jim Gustafson, Brian Marshack, and Elese Denis. Matt Dube and David Seglin appeared virtually.

Planning Commission members absent: Stan Clauson

3.A) Pre-Sketch Discussion regarding Draw Site Housing Project

Pages 4-5 Agenda Item Summary Draw Site Housing_Pre-Sketch
Pages 6-8 Housing Memo Draw Site_Pre-Sketch
Pages 9-19 Housing Memo Attachments
Pages 20-23 Draw Site Pre-Sketch Request

Brian McNellis summarized the agenda item, purpose of pre-sketch plan, and introduced the applicant to present materials from the packet. McNellis and Shinneman specified that this meeting would be discussion only with no formal action. Notes on the comments and discussion will help inform the next steps.

Patrick Rawley & Betsy Crum presented and summarizing materials from the packet to frame this informal discussion and provide a foundation for next steps.
Erica Golden & Kris Peterson presented additional building details and described the five main design options that the team considered. More specifics were presented on the preferred plan which contains three buildings with parking under. This preferred plan was further developed with a site first approach and the Charrette with Town staff.

Betsy Crum presented findings from the Draw Site Open House. Public that attended the event liked the three building design with the lower overall height and parking inside the building.

Patrick Rawley described the on-going pre-sketch process followed by the land use application and then scheduling of hearings. In addition, with the scope and expense of the project, a ballot question will need to be added and go to a public vote.

Crum open it up for discussion. Councilmembers and Planning Commission members' discussion included: time frame of the project, community input, density, grade of the road, two building vs three building designs, Federal Tax credit program money, history of the Draw site, intersection at bottom of road, height of the buildings, parking, need for outdoor space and shared space, space between the buildings being dark and alley like, high expense of the project and funding possibilities, plan for trash collection and services, quality of life for residence, fitting into the site, pedestrian safety, storage options for residents, and partners for the project.

Council and Planning Commission members all agree the need for workforce/employee housing, potential for the Draw Site and would like to see some of these concerns and challenges addressed as the plan goes forward to next steps.

Discussion also included the idea of "yes, and…" Specifically focusing on building AND finding other options and avenues to address this need for affordable housing.

Town Attorney Jeff Conklin clarified that while the members would be in Quasi-Judicial phase while the project is in Sketch Plan stage, there are still opportunities to explore options in the Sketch Plan phase. The benefits of this Pre-Sketch Plan discussion was to have dialog and get key take aways for options and feedback which would inform the applicant and the Sketch process going forward.

Town Council directed staff schedule a meeting as owners to see the plan and the options that address some of the concerns highlighted in this discussion before it goes to Sketch and into the Quasi-Judicial Phase.

Mayor Madsen asked everybody to manage expectations and accept some nuances to the plan.

Planning Commission member Gustafson motioned to adjourn the Planning Commission Meeting. Planning Commission member Denis seconded. All in favor. Adjourned at 6:33pm.

4) PROCLAMATIONS AND PRESENTATIONS

5) PUBLIC COMMENT

none.

6) CONSENT AGENDA

6.A) 2023 Agenda Overview

Pages 24-26 2023 Agenda Overview

6.B) Minutes for Approval

Pages 27-31 06-20-23 TC Minutes - Draft

Councilmember Fridstein pointed out that on or about line 115 that the Snowmass Wine Festival was on September 16th and not the Balloon Festival. Councilmember Shenk had a few grammatical corrections that she emailed to Boucher earlier.

6.C) NWCCOG Letter RE Uinta Basin Railway Project

Page 32 Agenda Item Summary - TOSV Uinta Basin Railway Project Opposition Letter Discussion
Pages 33-34 TOSV Uinta Basin Railway Project Opposition Letter

Council had a few questions and clarifications regarding the letter. Council directed staff to adjust the addressees to include Representative Boebert rather than cc'ing Rep. Boebert at the bottom; confirm the information regarding the 88 miles and add some additional language regarding the big impact a rail accident would have on environment and tourism industry.

Councilmember Fridstein motioned to approve the Consent Agenda. Councilmember Gustafson seconded. All in favor.

7) PUBLIC HEARINGS - QUASI-JUDICIAL HEARINGS

8) POLICY/LEGISLATIVE PUBLIC HEARINGS

8.A) Emergency Ordinance No. 06, Series 2023 - RE Appropriation of Funds for the Second Culvert Project

Anne Martens summarized the Agenda Item and presented some general information from the packet on the sink hole that developed June 3rd, 2023. Further study determined that while stabilized after the initial event, more work is needed.

Clint Kinney clarified that the money would be from the Fund Balance from the "Funds Available" while maintaining the 30% reserves and not touching those reserves.

Martens clarified their choice of design was recommended due to lower cost and longer lifespan. Design and material options will be further explored but urgency lies in the need to get work completed as much as possible before ski season and so that two-way traffic is maintained during the majority of the project. Marten briefly described the proposed timeline of the project.

Councilmember Fridstein motioned to approve Emergency Ordinance No. 06. Series 2023. Councilmember Marolt seconded. A roll call was taken, those in favor were Fridstein, Shenk, Gustafson, Marolt and Madsen, those opposed were none.

Pages 35-37 Agenda Item Summary - Emergency Ordinance for Brush Creek & Kearns Culvert
Pages 38-41 Ordinance No. 06 Series of 2023-Emergency-Brush Creek-Kearns Road Culvert Project
Pages 42-43 General Fund Summary for Emergency Ordinance
Page 44 Summary of RETT Fund for Emergency Ordinance
Page 45 Exhibit 1 Aerial Image 07.06.2023
Page 46 Exhibit 2 Brush Crk Rd Culvert RepairShoring

9) ADMINISTRATIVE REPORTS

9.A) CORE Sustainability Project Approval

Page 47 Agenda Item Summary - TOSV CORE Partnership Update
Pages 48-51 CORE SOW 2023_Signed

Greg LeBlanc summarized the Agenda Item from the packet and introduced Ryland French, Senior Director of Regional Climate Strategy with CORE. LeBlanc and French briefly described the proposed strategies to further the Town Council 2030 environmental goals including a residential and commercial energy efficiency grant program, a building electrification study, regular updates, and continued support for EAB.

Discussion included specifics on the grant program, rebate program, timeline and designated funds for the programs. Next update will be towards end of the year.

Councilmember Fridstein moved to approve the project as described. Councilmember Gustafson seconded. All in favor.

9.B) Resolution approving the settlement with Krabloonik

Pages 52-53 Agenda Item Summary - Settlement Agreement - Krabloonik

Pages 54-55 Resolution No. 19, Series 2023 - Settlement Agreement - Krabloonik

Pages 56-65 20230622 Settlement Agreement.Final - signed
Jeff Conklin summarized the agenda Item. Councilmember Marolt Recuses herself.

Conklin provided a brief overview of the recent activities regarding the proposed settlement agreement to resolve the law suit and future use of the property.

Both care of Dogs and management of property were both paramount in discussions and goals. Settlement provides for a wind down of Krabloonik operations ending on June 1, 2024; the plan Krabloonik has to provide regarding said plan; and benchmarks

Krabloonik will have to meet to ensure they vacate by June 1. This plan must be submitted within 30 days and then there will be check-ins every 30 days after to ensure progress. In addition, Krabloonik must continue to meet and move towards Best Practices. Town will also provide a veterinarian to assist & provide oversight to the care of dogs.

Further the Settlement Agreement states that by June 1, 2024, Krabloonik will surrender the property to Town, in a cleaned-up condition, and they have stipulated to a writ of restitution. By executing this Settlement Agreement, Krabloonik forfeits and surrenders its option to purchase the property, which existed under the lease agreement. Krabloonik has agreed to this settlement agreement.

Discussion included the process of securing the Town provided and paid for Veterinarian; adoption program; oversight by Town Manager's Office; specifics from Exhibit 1 and 2 from the Settlement Agreement; restaurant component of the business; and clarifying that Krabloonik will operate for one more year to help them plan, wind down and run the business.

Public Comment - Bill Boineau – Manages the Pines HOA and lives in the Divide. Boineau thanked the Council for all their efforts and commented on the long history. He further asked the Council to consider future options for the property.

Councilmember Shenk motioned to approve the Resolution regarding the Settlement Agreement with Krabloonik. Councilmember Fridstein seconded. Marolt recused herself. All in favor.

10) TOWN COUNCIL REPORTS AND ACTIONS

Councilmember Gustafson attended the NWCCOG meeting where they are restructuring their dues with a 4.8% increase. Town staff will be put this into the 2024 budget which the Council will have for approval in the fall. Council agreed that this was a reasonable increase.

Councilmember Fridstein would like a future discussion to reflect on the increase of property taxes and the possible latitude the Towns has to adjust the Mill Levies if so desired. Suggested FAB to advise the Council on this subject. Kinney clarified that this discussion is underway and can be brought to Council in future.

Councilmember Marolt attended the Nordic Council meeting where they continued discussing snowmaking potential and possible plans for the Aspen Golf Course. They have agreed to a technical feasibility study.

Councilmember Shenk attended the NWCCOG with Gustafson where they also went over the results from the Community Metrics Survey which surveyed how communities rate their happiness. They are expanding the survey with some DOLA grant money.

With these additional funds, the survey will be coming to Town staff and Shenk encouraged all to please fill it out.

Mayor Madsen recently visited many different communities in Italy and Austria and noted that they are facing similar housing issues. Madsen proposed all continue to think about how TOSV wants to respect our history, how we want Snowmass Village represented in the wider community, and what features and people we can recognize to help in those efforts.

11) EXECUTIVE SESSION

11.A) Executive Session

Pages 66-67 Agenda Item Summary Exec Session - Performance Review of Town Attorney

Pages 68 Executive Session Agenda language for performance review Town Attorney

Council requested to continue the Executive Session July 17, 2023. All agreed.

12) ADJOURNMENT

Councilmember Fridstein motioned to adjourn. Councilmember Marolt seconded. All in favor.

Adjourned at 7:48 pm

The Snowmass Village Town Council approved this set of meeting minutes at their Regular Meeting on Monday, July 17, 2023.

Submitted By,

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Megan Harris Boucher, Town Clerk