

**MINUTES  
CARBONDALE BOARD OF TRUSTEES  
REGULAR MEETING  
CARBONDALE TOWN HALL  
AND VIA ZOOM  
DECEMBER 14, 2021  
MEETING**

Mayor Richardson called the Board of Trustees Regular Meeting to order on December 14, 2021, at 6:00 p.m.

**STUDENT OF THE MONTH**

The following students from Crystal River Elementary School were presented a Certificate of Achievement Award from Mayor Richardson:

Jayden Gomez

Nataly Ruiz-Magana

**ROLL CALL:**

The following members were present for roll call:

Mayor  
Trustees

Dan Richardson  
Ben Bohmfalk  
Marty Silverstein  
Lani Kitching  
Heather Henry

Arrived After Roll Call

Luis Yllanes

Absent

Erica Sparhawk

Student Trustee

Boden Hamilton

Staff Present:

Interim Town Manager  
Town Clerk  
Finance Director  
Parks & Recreation Director  
Police Chief

Kevin Schorzman  
Cathy Derby  
Renaë Gustine  
Eric Brendlinger  
Kirk Wilson

**CONSENT AGENDA**

- Accounts Payable totaling \$ 401,226.95
- BOT 11-16-2021 Special Meeting Minutes
- BOT 11/19-2021 Special Meeting Minutes
- BOT 11/23/2021 Regular Meeting Minutes

- Liquor License Renewal – Cripple Creek Backcountry
- Liquor License Renewal – Ming's

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

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

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

Richard Votero, Carbondale, inquired about the status of community policing. Mayor Richardson answered that the Board will be discussing this item tonight.

### **TRUSTEE COMMENTS**

Trustee Silverstein encouraged everyone to shop locally. Trustee Silverstein stated that in the past he has been critical of RFTA. However, his thoughts about RFTA have become more positive. Thanks to Mayor Richardson and Trustee Bohmfalk's efforts, RFTA has installed a bus stop by City Market. Also, RFTA has become more accessible to our youth by charging them a lower fare. RFTA has also reduced the adult fees from Carbondale and Glenwood Springs to Aspen.

Trustee Yllanes arrived at the meeting.

Trustee Bohmfalk told the Board that he attended the Bike/Pedestrian/Trails Commission meeting, but they didn't have a quorum. He stated that the Commission needs more members and he encouraged people to apply. Trustee Bohmfalk asked the Board if we are going to decide who will be the attendees for the Equity Action Project. Mayor Richardson answered that the Board will decide outside of the Board meeting.

Trustee Kitching stated that she attended the Colorado Rural Water Conservation District meeting. The 1922 guidelines expire in 2026. Trustee Kitching attended the Coventure Board Meeting – a fourth Colorado business has received financial backing and the Back to Work program is progressing. Trustee Kitching also attended the Garfield County Latino Community Committee Meeting. She told the Board that she was appointed to the Colorado Wildlife Council as the state-wide municipality representative.

Trustee Yllanes attended the Parks and Recreation Commission meeting. They discussed the large grant that Roaring Fork Outdoor Volunteers received. Will Tempest gave a presentation on the Recreation Center's leagues, and they discussed the maintenance agreement for Carbondale Lofts Park.

Mayor Richardson thanked parks and recreation, public works and police department staff for their work on First Friday – it was well attended. Mayor Richardson told the Board that he attended the RFTA Board meeting. They approved the 2022 budget, they

discussed the LOVA Trail, and they had a presentation on RFTA's history. They will receive an update on the Bike Share program in January. RFTA has dedicated \$3

million to a new grant program for first and last mile solutions. The grant money is in addition to the money that has already been dedicated to WeCycle. Mayor Richardson requested that RFTA place all of this money under one umbrella.

Student Trustee Boden Hamilton stated that it is finals week and he has committed to college.

### **ATTORNEY'S COMMENTS**

Mark Hamilton stated that he attended a meeting with the Attorney General (AG). The AG is pushing to hire more water lawyers. Mark noted that the AG has hired Tarn Udall.

### **EMPLOYEE APPRECIATION**

Fred Sirotek (25 years) and Janet Buck (20 years) were honored for their years of service to the Town.

### **PUBLIC HEARING – NEW LIQUOR LICENSE – PLOSKY'S**

Applicant: David Eisenson  
Location: 1201 Main Street

Plosky's owners David Eisenson and Mark Hardin were present at the meeting.

Cathy stated that Plosky's has applied for a new liquor license. The application was deemed complete and all fees have been paid.

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

Trustee Kitching made a motion to approve Plosky's new liquor license application. Trustee Silverstein seconded the motion and it passed with:

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

### **PUBLIC HEARING – ADOPTION OF 2022 BUDGET**

Renae listed the highlights of the 2022 Budge including:

- 3-5% employee wage increase
- Two new positions
- Family Youth Advisory Council funding
- Hope Center funding
- Thompson House grant
- Transfer of funds to Housing and Capital Funds
- Purchase of Public Works Land

- Investment in Cyber Security
- Nettle Creek Hydro
- Crystal River Restoration

Discussion ensued.

Trustee Bohmfalk stated that the reserves are down to 65% when they are normally 75%. He asked the Board do we want to build reserves back up or keep them at 65%? Kevin noted that if we didn't purchase the public works lot the reserves would be close to 85%. Trustee Silverstein stated that we have been very prudent with the reserves – it enables us to take advantage of opportunities. We are very responsible with the Town's money.

Trustee Bohmfalk stated the Tobacco Tax shows \$300,000 being allocated to the Family Youth Advisory Council and he thought the Memorandum of Understanding was for \$250,000. Renae responded that we have not committed \$300,000, however, money may be allocated to the Hope Center if they don't get their grant.

Mayor Richardson opened the public comment portion of the public hearing.

Pat Hunter, Satank, stated that the Budget allocates \$25,000 to the Climate Action Plan. He asked what is the money intended to be used for? Mayor Richardson answered the money will be spent on CLEER's consulting fees to manage projects. Pat asked if the Board considered increasing this sum to accomplish the Board's goals? Mayor Richardson responded yes, the Board considered it.

No one else wished to address the Board so Mayor Richardson closed the public hearing.

Trustee Bohmfalk stated that the Environmental Board should bring proposed projects to the Board before the budget process begins.

Trustee Bohmfalk made a motion to approve Resolution No. 10, Series of 2021. Trustee Kitching seconded the motion and it passed with:

*6 yes votes: Henry, Silverstein, Yllanes, Bohmfalk, Kiching, Richardson*

Trustee Bohmfalk made a motion to approve Ordinance No. Series of 2021. Trustee Kitching seconded the motion and it passed with:

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

Trustee Bohmfalk made a motion to approve Resolution No. 11, Series of 2021. Trustee Kitching seconded the motion and it passed with:

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

Trustee Bohmfalk made a motion to approve Ordinance No. 10, Series of 2021. Trustee Kitching seconded the motion and it passed with:

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

### **SPECIAL EVENT LIQUOR EVENT LIQUOR LICENSE – KDNK – NEW YEAR’S EVE PARTY**

KDNK has applied for a Special Event Liquor License for a New Year’s Eve party. 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 KDNK’s Special Event Liquor License Application. Trustee Yllanes seconded the motion and it passed with:

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

### **CLEER UPDATE**

CLEER employees Katharine Rushton, Maisa Metcalf, and Zach Benevento-Zahner were present for the discussion.

Katherine listed several of CLEER’s 2021 accomplishments including:

- Provided support to complete the commercial code update for adoption in 2021
- Engaged with Town communications consultant PR Studios to update messaging related to energy efficiency, transportation and renewal energy initiatives on the Town website
- Engaged with Cushing Terrell throughout the Comprehensive Plan update process
- Working on the Net Zero Energy District
- Coordinated with the Carbondale Environmental Board on Climate Action Plan Recommendations
- Created a Climate Action Plan (CAP) Workplan

Discussion ensued.

Mayor Richardson commented that CLEER’s 2021 accomplishments are impressive!

Trustee Bohmfalk stated that CLEER has made CAP measurable and there is a clear path to the goal. Trustee Bohmfalk supports CLEER’s work plan and he likes the data provided. He would like CLEER to focus on eliminating natural gas usage.

Pat Hunter stated he agrees with Trustee Bohmfalk. He supports CLEER and collecting data to analyze. He suggested CLEER focus on tackling building energy consumption.

Katharine asked the Board for ideas on CLEER’s 2022 priorities.

Mayor Richardson stated he would like CLEER to continue with the Comprehensive Plan adoption, work with the building industry to get them ready for electrification, and assist with simplifying the Green Code.

Trustee Bohmfalk would like CLEER to prioritize the Climate Action Plan.

Katharine agreed that CLEER would make the Climate Action Plan a priority seeking input from the Environmental Board and they will finish the Comprehensive Plan framework, and incorporate the language in the UDC.

Pat Hunter stated that Aspen, Seattle and NYC are benchmarking building energy consumption. He suggested Carbondale isolate larger buildings and make them report their yearly energy usage.

### **RESOLUTION NO. 12, SERIES of 2021 – AMENDING MUNICIPAL CODE APPENDIX A FEES**

Kevin explained that the Appendix A fee amendments are strictly for the annual increase of water and sewer rates.

Trustee Silverstein made a motion to approve Resolution No. 12, Series of 2021. Trustee Yllanes seconded the motion and it passed with:

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

### **CONTINUED AQUATICS FACILITY FINANCING DISCUSSION**

Eric explained that it is estimated that a new aquatic facility will cost approximately \$7-\$8 million depending on the amenities and future construction costs. At the last aquatic discussion, the Board agreed that they didn't want to raise taxes and if a ballot question were to be placed on the April, 2022 ballot, the question to the electors would be "to allow the Town to use all sales and use tax revenues and other revenues of the Town that do not have a restricted use."

Eric reviewed potential project costs, existing operational costs, and future operating costs for a new facility. Eric is confident that the Town can build the new facility with financing from bond sales, along with other revenue generating efforts.

After some discussion the Board directed staff to prepare ballot language for review at the January 11, 2022 meeting.

### **POLICE DEPARTMENT – OBAMA PILLARS PRIORITIES DISCUSSION**

At the last community policing discussion, the Board asked Chief Wilson to identify priorities to ensure the police follow best practices that align with our community beliefs.

Kirk stated that the police department (PD) would like to create a Police Advisory Board.

Trustee Bohmfalk asked Kirk to address the community's desire for more transparency when there is an incident with (police) questionable use of force, and the heightened focus on de-escalation.

Kirk explained that the PD is publishing more information. They purchased new cameras and have created a policy on body cameras.

Chief Wilson informed the Board that he and Sargeant Bill Kirkland reviewed the PD's use of force over the last five years. They watched camera footage, read reports, and identified that when questionable use of force was used it was on the cusp of a static and dynamic situation. They agreed that the department needed scenario-based training for the combination of static and dynamic situations. Bill and an instructor from the CMC Police Academy created a training program that addressed the cusp situation. The training is now being taught at the Academy, in-house, and elsewhere.

Richard Votero stated that the PD should be exposing the gains made in community policing. He appreciates the PD's slow down process.

The Board agreed that the PD is moving in a positive direction – it is embracing change, not resisting it. The Board stated that the PD's community policing efforts should be made public after the Spanish Speaking Academy. It was suggested that Kirk should write articles in the Sopris Sun about the police department's accomplishments and then hold a community meeting.

### ADJOURNMENT

The December 14, 2021, regular meeting adjourned at 9:05 p.m. The next regular meeting has been scheduled on December 28, 2021, at 9:00 a.m.

APPROVED AND ACCEPTED

ATTEST

  
Town Clerk, Cathy Derby



  
Dan Richardson, Mayor