

Minutes of the Special Meeting  
Town of Marble Board of Trustees  
July 19, 2018

- A. Call to Order & Roll Call of the Special Meeting of the Board of Trustees – The meeting was called to order at 7:05 p.m. by Ryan Vinciguerra, Mayor. Present: Ryan Vinciguerra, Tim Hunter, Max Gibbons and Larry Good. Mike Yellico attending by phone. Also present: Ron Leach, Town Administrator and Terry Langley, minutes. Ryan explained that the meeting was originally set to discuss parking issues with Mark Chain, city planner and that Stage 2 fire restrictions were added to the agenda.
- B. Consider a change to Ordinance #5 setting forth a process for exemptions and permits from Stage 2 fire restrictions, Ryan – Ryan stated that he thought we were cutting and pasting from the Gunnison County restrictions which included provisions for exemptions. These provisions were not included in our Ordinance and Ryan would like to discuss allowing exemptions and permits. Tim Hunter asked for a review of the timeline of previous discussions and what took place following the adoption of Ordinance 5 on July 5. Ron said that the restrictions were adopted on July 5. On July 6, Ron met with Ryan and explained that, as a result of the adoption of Ordinance 5, Ron thought that use of the outdoor cooker was prohibited. A few days later someone noticed the cooker in the truck was being used. Ron contacted Ryan again and they quit using that cooker. Ryan asked about the exemption process and Ron told him that he deleted that and did not feel like it should be included in order to keep everyone who wants to have a fire from requesting an exemption. Rob Goodman, Carbondale Fire Chief, came up to Marble and he, Ryan and Ron looked at the cooker but nothing was decided. Ron explained that an exemption process requires someone to decide on the exemption. The Fire Department cannot do that because we do not have an Inter-Governmental Agreement (IGA) with them. The Sheriff's department can, but does not seem to want to do that. The third possibility is for the Council to make the decision with Ron Leach as the paid staff and with his expertise probably making that decision. He is not inclined to give anyone an exemption for anything do to the high fire danger. Ryan stated that he feels it is important to have an exemption process with someone with expertise making that decision. He would like to see a future IGA with Carbondale because they oversee the fire department. He was asked to recuse himself and declined. Max Gibbons moved that no changes be made to Ordinance 5. Larry Good seconded. Discussion followed with most of those speaking coming out against adding a process for exemptions. Following discussion, the motion to leave Ordinance 5 as it is passed with four voting yes and Ryan abstaining. Ryan reiterated that he would like to see a future IGA. The public was then given the opportunity to ask questions of Rob Goodman. Connie Hendrix asked what can be done when people are smoking or are violating Ordinance 5. Rob explained that a smoking ban is hard to enforce and simply requesting compliance is the first step. The sheriff can be called. Leonard Langston asked about informing the public as to what the restrictions are. Rob explained that the Carbondale Fire Department serves three counties and two towns, the BLM and the Forest Service, all with their own restrictions. He said that all of these restrictions are available on their web pages. Rob said that Carbondale Fire Department totally supports Marble's Ordinance 5 and that even if it included a process for requesting

exemptions, this would take time. Steve Flynn asked about an illuminated sign stating that the town of Marble is under Stage 2 and the council agreed to check with the county about doing that. Katie Mann wanted everyone to know that the Hub and Slow Groovin' are trying to educate everyone who comes through about fire prevention. Rob said that they are happy to come review properties and advise on mitigation. Steve Fowler asked if it was true that the fire department would not defend some properties and Rob said that there were no policies like that.

- C. Applications for a permit for certain outside operations currently prohibited by Ordinance #5-2018, Nial O'Connor, Slow Groovin' LLC. – The application was withdrawn prior to the vote in section B.
  
- D. Discussion of Parking Issues in and around Marble, Ryan – Ryan introduced Mark Chain and said that he, Ron and Mark identified some areas that might be used for parking. He said that he was a planner working in Garfield, Pitkin & Gunnison counties. He explained that parking is a constantly evolving issue and the best that can be done is managing it. He spoke to the Forest Service concerning parking and the Lead King Loop. He said that he explained that the town is actively working on this and that we want to work with them. It will be a long process that will require patience. Some potential parking sites were identified: Main Street has a 70' right of way. Most of the north/south streets have a 65' right of way. Generally public parking is along public right of way unless there is an agreement with private individuals or the Forest Service. Parking laws require enforcement and that will require budgeted funds. Parking is provided in some areas and prohibited in others. He suggests allowing parking on one side of streets and keeping the other side open, possibly alternating this from side to side. He suggests investigating a turn around at Thompson Park. On second street there is a possibility for parallel parking up to Beaver Lake Lodge. Tractor/trailer parking at the Fire Station encourages ATV use through the town and he suggests having this on the east side. He thinks the best solution is to work with the Forest Service and use their property near Gold Pan. There is more space available near the Fire Station as well as past the church toward the restaurant. These spaces may require some grading and tree removal but not paving and chip and seal. Communication with neighbors is necessary as is signage prohibiting parking (i.e. blocking driveways). Do not load too much on individual properties. Judy Morande asked if Mark had talked to Jim McBrain at the Forest Service. She said that Jim told her that the Forest Service makes their own rules and regulations and he could not understand why Marble was hiring someone because they will not negotiate or work with an advisor. Charlie asked if there were any restrictions on Thompson Park now that it has been donated to the Aspen Valley Land Trust. Ryan said there were no restrictions on public right of way. Charlie said that there was additional diagonal parking included in the plan for the Mill Site Park that was adopted several years ago. Steve Flynn said that the park plan said no commercial activities and he thought this would include paying for parking. He asked what the purpose of providing additional parking was and how parking regulations would be enforced. Ryan said that the council was trying to address the complaints of citizens. He feels that providing adequate parking would help alleviate the need for enforcement. Jamie Fowler suggested a fee to park or a shuttle system. Tom Williams said that there are three areas with parking issues: the fire department, the restaurant and the lake.

When they are saturated, parking problems follow. He feels that the lake is the biggest problem with the road being practically impassable. He feels that this needs to be addressed first. Tim suggested parking on the far west side on the Wagner property at Slate Creek. One possibility is purchasing or leasing property (which might be prohibited by the Tabor amendment) and/or annexing property to be used as parking and thus allowing ATV use on CR 3. Mark said that the town is not helpless and the Forest Service is more willing to work with people than it has been in the past. Steve Lucht asked how many parking spots are provided now and how many do we need or want in relation to how many people come into town each day? He suggested looking at a lot across from Tim Hunters that is now used to store junk. He asked if there was a line item in the budget to address parking. Ryan said that the Chamber has offered to help pay for parking projects. There is also money budgeted for road work. Steve asked specifically about budgeted funds for Mark Chain and parking plans. Max suggested an honor system pay to park. Steve Flynn said that he had previously researched parking in other towns and that 80% of people will pay parking fines with no questions asked. Larry said that Ron had also researched this but that it requires a plan. Tom Williams said that we need to look to the future as well as present needs. Larry said we should move toward working up a couple of the areas mentioned as a start. He asked that Mark identify and recommend a couple of locations. After further discussion of parking issues, Connie asked what the current council feels about enforcement. Max said that enforcement of parking is reasonable. Ryan said that he is worried about the daunting task of enforcement and a court system. He favors infrastructure as a way to address the problem and provide more order within the town. Larry Good feels vulnerable due to the lack of enforcement. He has been frustrated when he needed enforcement. He feels enforcement is at the top of the list of what is needed and that the town is almost big enough to fit it into the overall plan. Tim says that there is a lot of division on this issue. The town has tried a soft approach which is helping but is not a long-term solution. Enforcement will be needed but how and when is the question. Katie asked if enforcement meant police officers or just parking? Max said that parking is a place to start. Charlie asked if the town could issue tickets and buy some boots? Mark explained that, yes, an enforcement officer can be hired to write tickets for parking, zoning violations, dogs running loose, etc. Mark said that he would look at the notes from tonight's meeting and the town and park plans and will try to make some recommendations regarding parking and enforcement.

- E. Adjourn – Max Gibbons made a motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Terry Langley