



**Board of Trustees Regular Meeting
Thursday, March 12, 2020, 6:00 PM
Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado**

AGENDA

Town Council Meeting

This agenda is subject to revision

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approval of the Agenda
5. Approval of minutes February 27, 2020
6. Discussion/Decision on Attorney RFPs
7. Resolution No.5 of 2020 A Resolution Designating a Presumptive Neighborhood for all Liquor and Fermented Malt Beverage license applications.
8. Shana Ball - Fire Safety Committee update.

Financials

8. Approval of Checks over \$15,000 – None

Staff Reports:

- Water
- Roads
- Police
- Fire
- Parks
- Clerk's Report
- Attorney Report
- Manager's Report

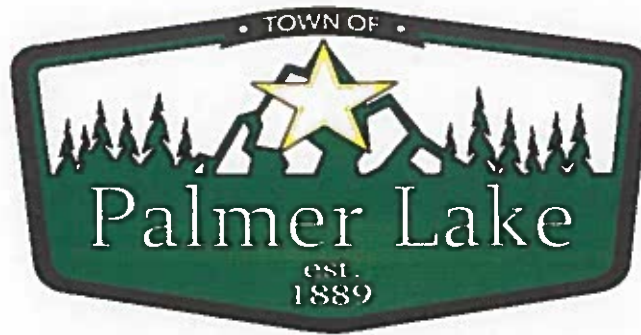
11. Board comments, reports, meetings attended

12. **Unscheduled Public Comments**-*Reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. As a general practice, the Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather will refer the items to staff for follow up. Comments are limited to three (3) minutes per speaker*

13. Adjourn

Next Palmer Lake Town Board of Trustees Meeting will be held March 26, 2020.

Please note: If you have a disability and need auxiliary aids or services, please notify the Town of Palmer Lake (719-481-2953) at least 48 hours in advance of when services are needed. The Town of Palmer Lake will make every effort to accommodate the needs of the public.



RECORD OF MINUTES

Board of Trustees

THURSDAY, February 27, 2020 6:00 PM

PALMER LAKE TOWN HALL -28 VALLEY CRESCENT, PALMER LAKE, COLORADO

1. Call to order

Mayor John Cressman called the meeting to order at 6:06 PM

2. Pledge of Allegiance

3. Roll call

Present	Mayor John Cressman
Present	Mayor Pro Tem Mark Schuler
Present	Trustee Paul Banta
Present	Trustee Glant Havenar
Present	Trustee Bob Mutu
Present	Susan Miner-arrived 6:13
Present	Trustee Patty Mettler

4. Approval of the Agenda

Trustee Schuler made a motion to APPROVE the minutes. Seconded by Trustee Mettler.

Motion PASSED – UNANIMOUSLY.

5. Approval of minutes of February 13, 2020

Trustee Mutu made a motion to APPROVE the minutes of February 13, 2020 as presented. Seconded by Trustee Havenar. Motion PASSED - UNANIMOUSLY.

6. New Business License – McConnell Law

Trustee Havenar made a motion to APPROVE the Business License for McConnell Law. Seconded by Trustee Schuler. Motion PASSED – UNANIMOUSLY.

7. John Chavez – MS4 Permit follow-up.

Mr. Chavez stated that there were a few changes to the contract concerning the Storm Sewer Outfall Map. He stated that the contract timeline was presumed to be approximately 90 days but if the Town was granted the extension to July 2021, it could be revised. Trustee Banta wondered what legal options were available and what other towns have done and if the price was in line with other companies. It was stated that we are out of compliance and other towns are following suit and complying. Kit Bromfield- resident- stated that she had vetted Mr. Chavez through Colorado Springs Utilities and he was highly recommended, reasonable, and legitimate. More discussion.

Trustee Miner made a motion to implement Mr. Chavez's proposal. Seconded by Trustee Havenar. ROLL CALL VOTE- Motion PASSED – UNANIMOUSLY.

8. Shana Ball - Fire Department Grants follow-up

Ms. Ball stated that the FEMA grant was being applied for. There are strict requirements and much documentation is required. Discussion continued concerning preliminary drawings.

Trustee Miner made a motion to empower the Public Safety Committee to choose an architectural firm to do preliminary drawings that are well defined and not to exceed \$5,000.00 with the final contract to be approved by the Board. Seconded by Trustee Havenar. ROLL CALL VOTE – Motion PASSED – UNANIMOUSLY.

9. Awake the Lake – Advertising

Representing Awake the Lake (ATL) was Chris Cummins. ATL brought many signs for illustration. After much discussion, Trustee Miner made a motion to task ATL to draft the criteria for the train project for review by the Planning Commission, and then approval by the Board, which address the CIRSA, Safety and work in progress concern. Seconded by Trustee Havenar. ROLL CALL VOTE. Motion -PASSED – UNANIMOUSLY. Town Attorney will work with ATL to get in as final form as possible in time for the Planning Commission to review.

10. Financials

Approval for checks over \$15,000

None

11. Manager's Report

Attached.

The Town Attorney will draft a letter to RAD Extraction with Board concerns.

12. Board comments, reports, and meetings:

Trustee Miner made a motion for the Board to authorize the Planning Commission to update the Comprehensive Plan and Town Codes, particularly Zoning. Seconded by Trustee Havenar.

Manager's Report

February 27, 2020

- There were no questions asked at last month's meeting to be addressed.
- 1 check over \$5,000 needing 2 signatures
- The RFPs for Attorney were sent to the Board. Have you decided with whom you'd like to interview? Other than Matt ☺ Do you want to interview in the evenings? daytime?
- Judy & I will be pre-interviewing candidates for Clerk soon. Closed 02/21/20.
- The Fire Chief job posting closes tomorrow (02/29/20). Trustee Schuler and others will begin sorting through applicants, hopefully next week.
- We've updated the New Construction & Other Construction applications. Increased the Drainage Formula and we're now requiring an ILC before we release the Occupancy Permit.
- I met with Tanglewood Trailer owner, Mark Thompson. We would like a couple of trustees to meet with us at his site to review and assist with what the Board is looking for.
- This upcoming month (March) an annual review is to be done concerning RAD Extractions for their business license and conditional use as per the April 11, 2019 meeting re: NO.8 of 2019 A Resolution Approving a Conditional Use Permit for Light Manufacturing in a C-2 Zone District at 860 Commercial Lane. Applicant RAD Extractions.

Trustee Faust makes a motion to approve Resolution NO. 8 of 2019 Approving a Conditional Use Permit for Light Manufacturing in a C-2 Zone District at 860 Commercial Lane, as amended, conditions are;

1. *Have the fire Marshall inspect and approve the manufacturing process used.*
 2. *Make improvements to the HVAC system using air filtration scrubbers to eliminate outside odors.*
 3. *Replace the back fence with a two rail, split rail fence across the full length of the back side of the building, and place on lot, not on right-of-way.*
 4. *Place a 6' tall, 10' long privacy fence in the back of the building to screen pallets.*
 5. *All conditions must be completed within 60 days of the passage and publication of this Ordinance.*
 6. *The owner will be subject to an annual review, one year after this Ordinance is passed and published.*
- Attended and took minutes at the February 19, 2020 Planning Commission meeting

13. Unscheduled Public Comments-*Reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. As a general practice, the Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather will refer the items to staff for follow up. Comments are limited to three (3) minutes per speaker.*

- Mike Bromfield complained about the new water rate increases. That the increases should not be on the Capital Improvements or the Loan as they are not an inflation factor.

14. Adjourn

Trustee Schuler made a motion to adjourn @9:22 PM. Seconded by Trustee Havenar. Motion PASSED – UNANIMOUSLY.

John Cressman, Mayor

Robert Radosevich, Town Manager

April 9, 2020
Date Approved

**PALMER LAKE, COLORADO
RESOLUTION NO. 5 OF 2020**

**A Resolution Designating a Presumptive Neighborhood for all
Liquor and Fermented Malt Beverage license applications**

WHEREAS, The Board of Trustees sits as the Local Licensing Authority for liquor and fermented malt beverage license actions; and

WHEREAS, CRS 44-3-301(2)(a) requires licensing authorities to consider "... the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all other reasonable restrictions that are or may be placed upon the neighborhood by the local licensing authority."; and

WHEREAS, the applicant has the burden of persuading the Authority that granting the license meets the reasonable requirements of the neighborhood and the desires of the adult inhabitants of that neighborhood (commonly referred to as "needs and desires"), it is important that both the Authority and the applicant understand the boundaries of the neighborhood in advance of the applicant presenting evidence at the hearing; and

WHEREAS, the Board of Trustees in its role as the Licensing Authority desires to streamline the application process and criteria;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1.

- For businesses that are within 500 feet of the centerline of Highway 105 the neighborhood is a radius of 2000 feet from the business.
- For businesses that are further than 500 feet from the centerline of Highway 105, the neighborhood is a radius of 800 feet from the business.

Section 2. Any applicant reserves the right to bring evidence to the Authority in argument that the neighborhood should be defined differently for that specific application.

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED on this 12th day of March 2020 by a vote of ____ for and ____ against.

Signed:

Attest:

John Cressman, Mayor

Robert Radosevich, Interim Town Administrator

BOARD OF TRUSTEES AGENDA MEMO

DATE: March 7, 2020	AGENDA NO.	SUBJECT:
Presented by: Judy Egbert via Matt Krob		Resolution Designating Presumptive Neighborhood for Liquor Licensing

Recommend action:

Adopt Resolution No. 5 of 2020 as presented.

Background:

The Colorado Liquor Code in CRS 44-3-301(2)(a) requires licensing authorities to consider “.... the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all other reasonable restrictions that are or may be placed upon the neighborhood by the local licensing authority.” Because the applicant has the burden of persuading the Authority that granting the license meets the reasonable requirements of the neighborhood and the desires of the adult inhabitants of that neighborhood (commonly referred to as “needs and desires”), it is important that both the Authority and the applicant understand the boundaries of the neighborhood so that the applicant can present evidence from parties in interest.

There is nothing in statute directing exactly what the “neighborhood” is to be in terms of boundaries. This can be handled by either the Authority or designated staff meeting with the applicant and setting forth appropriate boundaries based on that particular business; or by the Authority determining a presumptive neighborhood that will apply to all applicants unless the applicant asks the Authority to consider a different boundary.

Having a presumptive neighborhood streamlines the process for most applicants. Assuming that the applicant accepts the presumptive boundaries, the application can move forward without an additional step of meeting with the Authority for this purpose.

In speaking with Interim Administrator Radosevich, he recommended the geographical boundaries that are outlined in this Resolution:

- For businesses that are within 500 feet of the centerline of Highway 105 the neighborhood is a radius of 2000 feet from the business.
- For businesses that are further than 500 feet from the centerline of Highway 105, the neighborhood is a radius of 800 feet from the business.

The Board may adopt this as it is written or determine a different presumptive boundary.

There is a new license application that I just accepted that will be affected by this Resolution. If the Board declines to designate a presumptive neighborhood, the applicant will be asked to attend the next meeting in order to define that so that the application may move forward.

Issue Before the Board

Does the Board wish to adopt the proposed resolution?

Financial Impacts None.

Legal Impacts

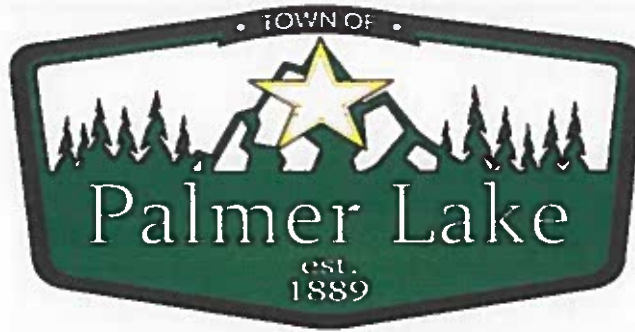
I have conferred with the Town Attorney in developing this Resolution. He will be available for comment at the meeting if needed.

Alternatives

- Adopt the Resolution as drafted.
- Adopt the Resolution with changes.
- Decline to act and determine each neighborhood on a case by case basis.

Conclusion

Defining a presumptive neighborhood is helpful to applicants and streamlines the application process. Applicants always have the right to ask the Board to define the neighborhood differently if desired.



Board of Trustees Summary Sheet

	Item
Title	Monthly Report
Action	N/A
Date	2/1-2/29/2020
Contact	J. Vanderpool
Summary	In the Month of February 2020, the PLPD conducted 101 traffic stops and issued 32 citations. Also, in the month of February, 1 Traffic Accident, 1 Harassment, and 1 DUI were investigated resulting in an arrest made in each case.
Training	Officers attended different trainings this month to include Use of Force training and Body Worn Camera update.
Photographs	The attached Photograph(s) is/are of previous Disaster Preparedness Drill's (DPD), to give us an idea of what to expect with the DPD Drill that is upcoming in September of this year.
Other Actions	Officers handled numerous other calls this month, to include 1 Theft, 2 Warrant Services, 1 Eluding, 1 check fraud, 1 Criminal Trespass Auto, and 2 criminal mischief cases.
Active investigations	Officers Attempted to stop a person of interest in a Colorado Springs Homicide case. The suspect fled in his vehicle. Officers pursued the suspect until it became to dangerous to continue. A warrant was obtained for the suspect, who was later arrested.
Calls for service	Officers responded to 351 calls for service this month. 299 of these calls were in the Town of Palmer Lake, 52 were outside of town.



**September 26th
Evacuation Drill
Overview
“Northwest Passage”**

Overview

- Recruit residents, and their pets, to evacuate their homes
- Day of: Law Enforcement and Fire Departments conduct door-to-door for residents who are participants
 - Staging area briefing
- ENS message goes out to all residents in evacuation zone
- Participating residents will drive to a
- pre- determined location as a reunification location
 - The Salvation Army to feed upon arrival
 - Red Cross will set up a Human Shelter
 - Humane Society of the Pikes Peak Region will set up an Animal Shelter
 - Education booths will be set up for preparedness education fair
- Residents will receive a de-briefing













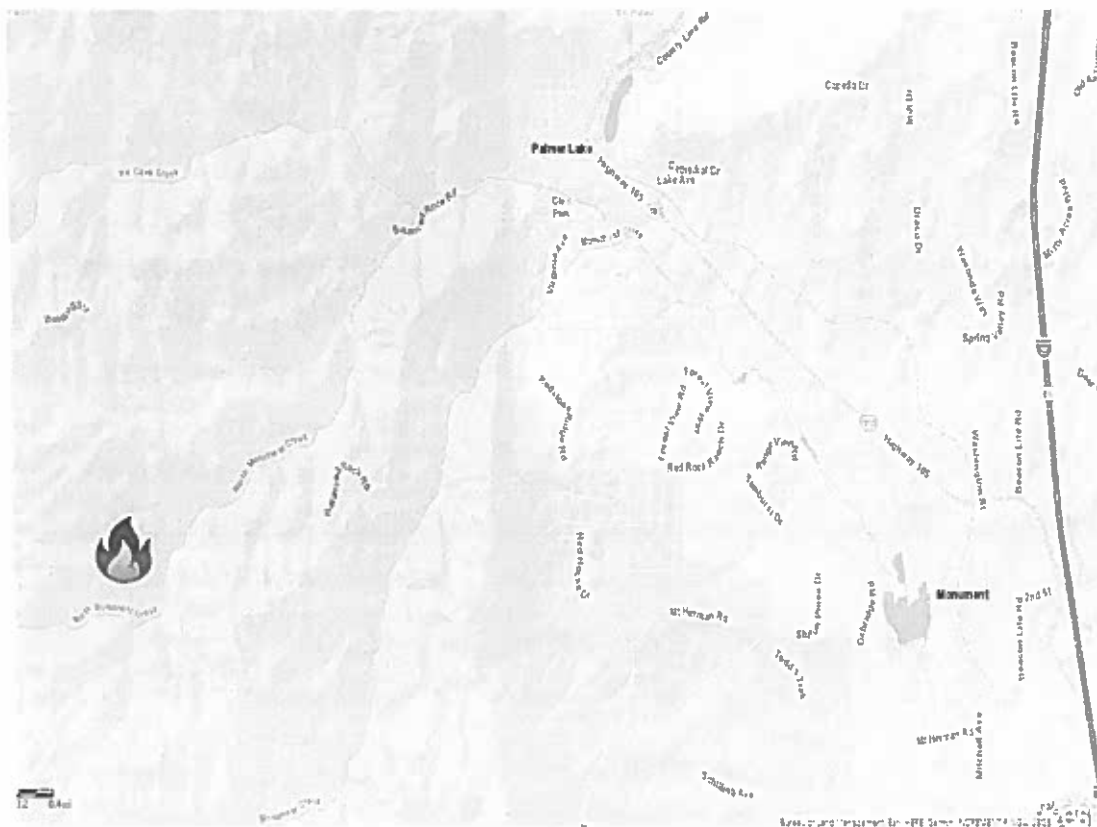


Community Education Event

Core Objectives

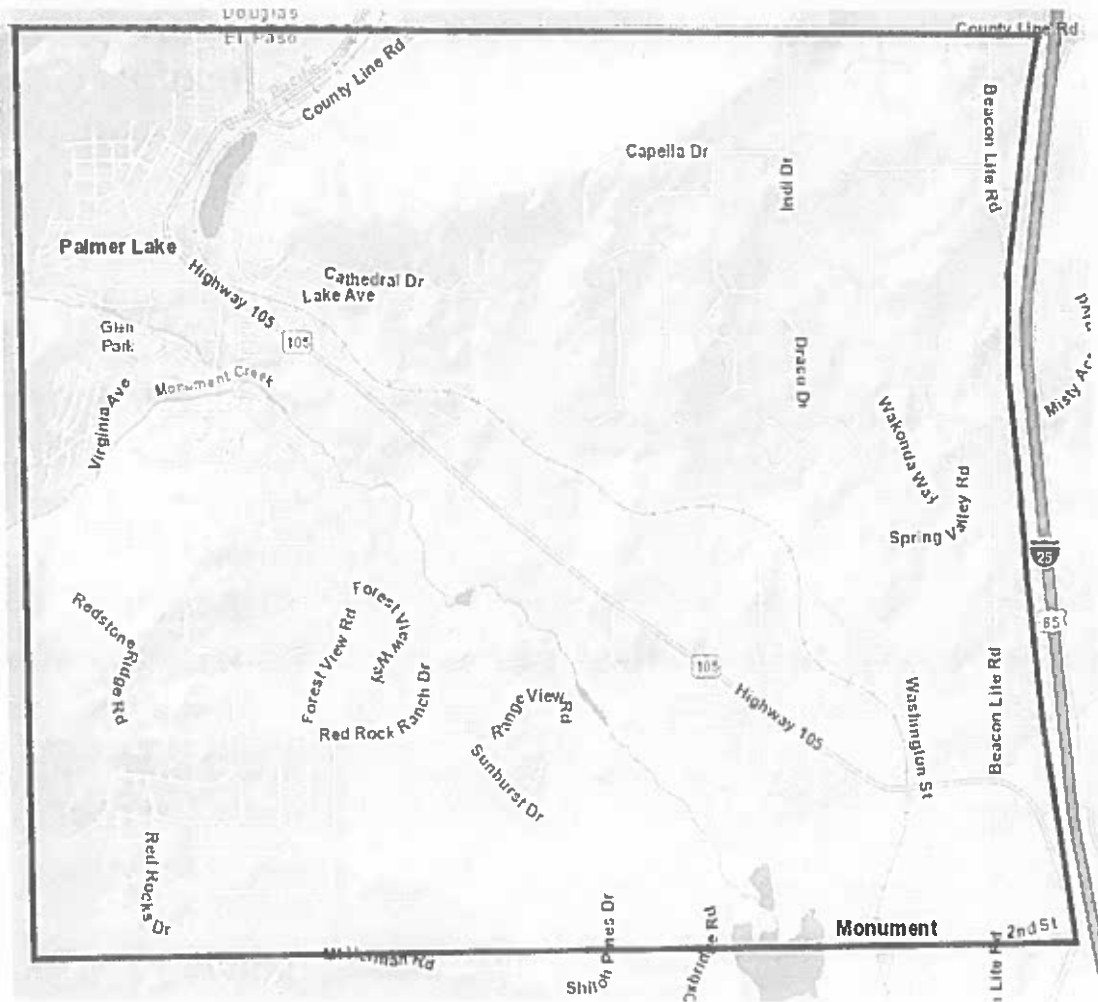
1. *Simulate a real life emergency for the residents Palmer Lake, Northwest El Paso County, and Western Monument, providing the opportunity for citizens to participate with 1st responders.*
2. *Raise awareness to all residents of the WUI regarding the importance of being prepared to evacuate.*
3. *Provide opportunity for 1st responders and Emergency Management to collaborate and test response abilities.*
 - Alert and warning





Scenario:
Friday Sept
25th
0900- Fire
started as a
result of an
unintended
campfire north
Monument
Creek.
1000- Units
from El Paso
Wildland fire
attempt to
reach fire and
are monitoring.
Fire is in a
remote
location.

Possible 1 hour
Table Top the
day prior to the
evacuation drill



Scenario:
Friday Sept
25th
0900- Fire
started to
spread due to
dry conditions
and wind gusts
1000- IC has
called for the
evacuation of
Palmer Lake
and vicinity
1030- Door
knocking
begins by 1st
responders
1100- ENS
message
1130-
Participants
arrive at
evacuation
center where
lunch is served.
1230- Briefing

Educational Booths

- American Red Cross
- Humane Society of the Pikes Peak Region/CART
- The Salvation Army
- Pikes Peak Regional Emergency Management
- Civil Air Patrol
- Special Communications Unit (SCU)
- El Paso/Teller 9-1-1
- The Independence Center
- Colorado Springs Utilities
- Tri-Lakes Fire?
- Monument Police?
- Palmer Lake Fire/Police?
- Search and Rescue?

Town of Palmer Lake Monthly Water Usage**Month
Year****February
2020**

Surface Water	Gallons 2,775,000	Acre Ft 8.52
Well A2	1,428,000	4.38
Well D2	0	0
Total	7,203,000	12.9
Avg. Gal/Day	145,000	0.45

Manager's Report

March 12, 2020

- **Mike Bromfield – resident – expressed concerns with the water rate increase. The loan rate was inadvertently increased by 3%. We are in the process of fixing the loan rate to it's previous \$17.76.**
- **As a REMINDER, we will be interviewing candidates for Town Clerk Saturday in a closed Executive Session. Has everyone received the packet I forwarded from Judy?**
- **The Fire Chief job posting was closed as of February 27, 2020. We hope to get together next week to review applicants.**
- **I met with Jeff Hulsman and Nikki McDonald concerning the closing of the "Rockin' the Rails grant. That will close by March 30, 2020.**