



**Board of Trustees Regular Meeting
Thursday, April 9, 2020, 6:00 PM
Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado**

AGENDA

*****THIS MEETING WILL BE ON ZOOM, A REMOTE SESSION*****

Town Council Meeting

This agenda is subject to revision

1. Call to order -**6:00**
2. Pledge of Allegiance – **6:01**
3. Roll call – **6:02**
4. Approval of the Agenda – **6:03**
5. Approval of minutes March 25th Special meeting & March 26, 2020 – **6:04**
6. Vacation of Eaton Road – Steve & Julie Martin – **6:10**
7. Awake the Lake – MOU & Ordinance # _____ - **6:20**
8. Financials – **6:45**

Approval of Checks over \$15,000 – None

9. Staff Reports: 6:55

- Water
- Roads
- Police

- Fire
- Parks
- Clerk's Report
- Attorney Report
- Manager's Report

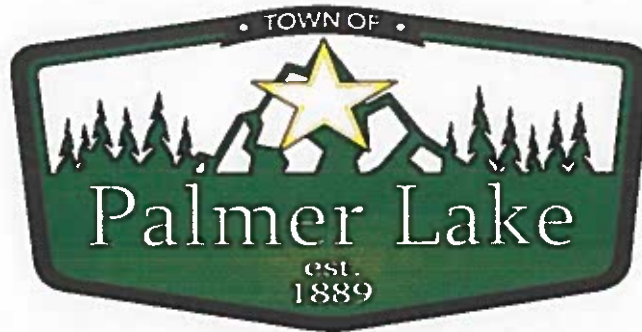
10. Board comments, reports, meetings attended – 7:05

11. Public Comment – 7:10 *During remote sessions, it is advised to e-mail all questions to Town Manager, bob@palmer-lake.org and we will get those answered as soon as possible.*

12. 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

Special Meeting

Wednesday, March 25, 2020 6:00 PM

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

1. Call to order

Mayor Pro Tem Mark Schuler called the meeting to order at 6:00 PM

2. Pledge of Allegiance

3. Roll call

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

4. Approval of the Agenda

Trustee Mettler made a motion to APPROVE the Agenda as proposed. Seconded by Trustee Banta.

Motion PASSED – UNANIMOUSLY.

5. Resolution 6 Of 2020 – A Resolution Declaring emergency due to coronavirus (COVID-19) and authorizing the Mayor to sign any necessary documents.

Discussion was made concerning changes to the Resolution adding the Town Administrator as a signatory. Trustee Banta made a motion to APPROVE Resolution 6 of 2020. Seconded by Trustee Mettler. Roll Call vote was UNANIMOUS.

6. Resolution 7 of 2020 – A Resolution approving a policy authorizing electronic participation in Town Board meetings during emergency or disaster circumstances.

Trustee Mettler made a Motion to APPROVE Resolution 7 of 2020 as presented. Seconded by Trustee Banta. Roll Call vote was UNANIMOUS.

7. Adjourn

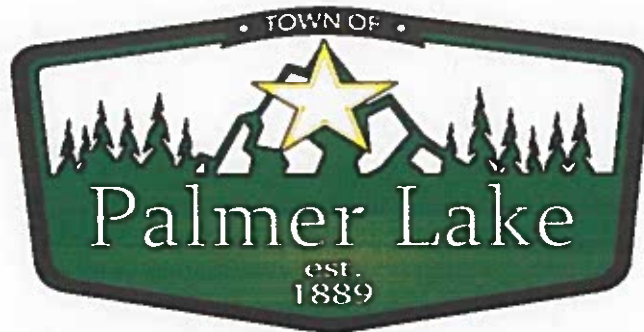
Trustee Miner made a motion to adjourn @6:16 PM. Seconded by Trustee Mettler.

Motion PASSED – UNANIMOUSLY.

Mark Schuler, Mayor Pro Tem

Robert Radosevich, Town Manager

Date Approved



RECORD OF MINUTES

Board of Trustees

THURSDAY, March 26, 2020 6:00 PM

Remote Broadcast on ZOOM @ <https://zoom.us/j/517849869> , 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	Trustee Susan Miner
Present	Trustee Patty Mettler

4. Approval of the Agenda

Trustee Havenar made a motion to APPROVE the minutes as proposed. Seconded by Trustee Miner.

Motion PASSED – UNANIMOUSLY.

5. Approval of minutes of March 12, 2020 and March 14, 2020

Trustee Havenar made a motion to APPROVE the minutes of March 12, 2020 and March 14, 2020 as presented. Seconded by Trustee Mutu. Motion PASSED - UNANIMOUSLY.

6. Discussion/Decision on Attorney RFPs

Trustee Schuler made a motion to make Matthew Krob (Krob Law Office, LLC) the Town's permanent Legal Advisor. Seconded by Trustee Mutu. Roll Call - Motion PASSED – UNANIMOUSLY.

7. Financials

Approval for checks over \$15,000 – None

Manager's Report

- Finances are behind. Just got them today. I'll e-mail them to the Board for the next meeting.
- Town Office and Hall are Closed to the public. Website gives e-mails and phone #.
- The Board turned down Illumination Point project with the containers, but now he appears to be in conformance with Permitted Use. Can I proceed with his plan? It's buildings, not containers. - **YES, because he is now a permitted use, but the Board would like a time line as to the phases of the project and removal of the containers**
- With the COVID-19 situation, the bridge cannot be completed on time. I have talked with GOCO and they understand everyone's situation. I told them our expected time of completion might be in May. They would like this to be closed by their next Board meeting in June.
- For your next meeting, so far you have Awake the Lake Sign Ordinance and MOU agreements. These will be sent after Matt's review. Also, the Eaton Road street vacation recently recommended by the Planning Commission.
- Chief Vanderpool has reviewed and released the COVID-19 protocols for the Town. Manager will forward them to the Board. They will be posted on the website.

8. Board comments, reports, and meetings:

Trustee Havenar – PPACG has gone to remote voting. Many comments on streaming meetings. Trustee Havenar also suggested that the Town of Monument had applied for National Disaster Relief as thought we could do the same.

Trustee Miner – Went to Planning Commission (PC) meeting. There she introduced Ann Werner, resident of Palmer Lake and employee of PPACG. Ms. Werner will supply the PC with several means to assist in the Comprehensive Plan process.

9. 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.

- Non-Resident – Attila-Clovenhoof, has a company that audits utility bills in order to save the Town money. The company splits any profits with the Town. He will contact the Manager with details

10. Executive Session - Executive Session - 1) pursuant to CRS 24-6-402(4)(f) for the purpose of a Personnel matter and not involving any member of this body or any elected official; the appointment of

any person to fill an office of this body or of any elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Specifically, the purpose is to interview applicants for the City Clerk position; and 2) § 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators. Specifically, the purpose is to instruct a negotiator to proceed with negotiations necessary for extending a job offer to a Town Clerk applicant. Also, to allow Manager Radosevich, Interim Town Clerk, Judy Egbert, residents Kit Bromfield and Karen Stuth.

Trustee Banta made a motion to go into Executive Session with those allowances. Seconded by Trustee Havenar. Roll Call – Motion PASSED – UNANIMOUSLY.

11.Adjourn

Trustee Miner made a motion to adjourn @9:22 PM. Seconded by Trustee Mettler.

Motion PASSED – UNANIMOUSLY.

John Cressman, Mayor

Robert Radosevich, Town Manager

Date Approved

Town of Palmer Lake

42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 - office
719-488-9305 - fax

Office Use Only

Date: _____

Fees: _____

Check #: _____

Rec'd By: _____

Vacation Street, Right of Way & Easements Application Form

Name of Applicant: MAURICE & PHONOA FAUSSET

Address: [REDACTED] Phone#: [REDACTED]

Name of Proposal: EATON ROAD VACATION

Tax Schedule #: 71081-29-033

Legal Description: L's 1-3 & 30-32, BLK 56 LAKEVIEW ADDITION
TOGETHER WITH VACATED PART OF 1ST STREET BLK: 3296 PG 76 AND EATON RD
RD. 2/30/05

This is a Vacation Plat - A map indicating a proposed elimination of a dedicated street, road, easement or subdivision. It shall be prepared by a Colorado Registered Land Surveyor in accordance with a Subdivision Regulations and it shall be recorded with the County Clerk and Recorder's Office.

This is a Replat - A map which indicates an alteration from an approved Subdivision Final Plat. Such a proposal shall abide by the same regulations which affect a Final Plat submittal.

Please fill out the appropriate submission checklist to complete the application.

Location of Property: Section: 8

Township: 11

Range: 67

Quarter section: N6

Nearest Street Intersection: _____

Existing Subdivision: LAKEVIEW ADDITION

Current Zoning and Uses of Surrounding Property:

N: R 3

RESIDENTIAL

E: R10000

S: [REDACTED]

Signature of Owner: [REDACTED]

Date: 03-18-20

Applicants Name: _____ Project Date for P/C: _____

Town of Palmer Lake

42 Valley Crescent
PO Box 208
Palmer Lake CO 80133
719-481-2953 - office
719-488-9305 - fax

Office Use Only

Date: _____
Fees: _____
Check #: _____
Rec'd By: _____

Vacation Street, Right of Way & Easements Application Form

Name of Applicant: STEVE & JULIE MARTIN

Address: _____ Phone#: _____

Name of Proposal: EATON ROAD VARIATION

Tax Schedule #: 71081 - 28 - 002

Legal Description: L's 11-22 BLK 57 LAKESIDE ADDITION
TOGETHER WITH A PORTION OF VACATED 1ST - 2ND STREETS ^{AN} 213006533

This is a Vacation Plat - A map indicating a proposed elimination of a dedicated street, road, easement or subdivision. It shall be prepared by a Colorado Registered Land Surveyor in accordance with a Subdivision Regulations and it shall be recorded with the County Clerk and Recorder's Office.

This is a Replat - A map which indicates an alteration from an approved Subdivision Final Plat. Such a proposal shall abide by the same regulations which affect a Final Plat submittal.

Please fill out the appropriate submission checklist to complete the application.

Location of Property: Section: 8 Township: 11

Range: 67 Quarter section: NE

Nearest Street Intersection: EATON & 2ND Existing Subdivision: LAKESIDE ADDITION

Current Zoning and Uses of Surrounding Property:

N:	<u>R3</u>	<u>RESIDENTIAL</u>
E:	<u>R2</u>	<u>RESIDENTIAL</u>
S:	<u>R10000</u>	<u>RESIDENTIAL</u>
W:	<u>R10000</u>	<u>RESIDENTIAL</u>

Signature of Owner

Date

Applicants Name: Steve Martin

Project Date for P/C: _____

3/18/2020

3/17/2020

The Town of Palmer Lake,

We, Steve & Julie Martin and Maurice & Rhonda Fausset are requesting a complete vacation of Eaton road between the formerly vacated portion of 1st street and 2nd street.

Steve & Julie Martin's intentions with this request are to be able to build a home within block 57. Because of the topography and the slope of the land, the current best local for the house on the lot would be in the north west corner. But this portion is quite sloping. The portion of Eaton Road that we would receive in the vacation is actually the flattest piece of ground for a structure to be built. The additional 20 feet of Eaton Road would allow the Martin's to move the house footprint on to more level ground.

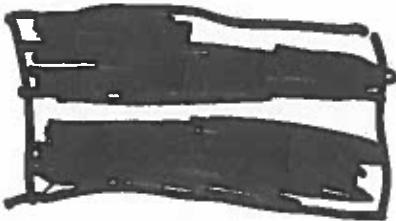
This would reduce the possibility of erosion on this lot. Reducing the possible effect on the landowners below our property as well. It would help this neighborhood by finishing this lot that has sat for sale and overgrown for many years. It would also reduce the fire danger for this neighborhood.

Maurice & Rhonda Fausset would gain an increase in land area which could be used as private east side access to the back portion of their property.

Lastly, this would increase the tax revenue for the town by increasing the taxable land and value of block 56 and 57.

Sincerely,
Steve & Julie Martin

Maurice & Rhonda Fausset







Town of Palmer Lake
Minutes of the Planning Commission
March 19, 2020 @ 6:02 PM
28 Valley Crescent / Town Hall

Planning Commissioners Present:

Chairman Dave Cooper
Commissioner Mark Bruce
Commissioner Samantha Padgett-excused
Commissioner Charles Ihlenfeld
Commissioner Bill Fisher
Commissioner Vic Brown
Commissioner vacant

Agenda:

1. Call to Order

Chairman Cooper called the meeting to order at 6:02 PM.

2. Approval of Minutes - February 18, 2019

Commissioner Bruce made a motion to APPROVE the minutes of February 18, 2019. Seconded by Commissioner Ihlenfeld.
Motion PASSED – UNANIMOUSLY.

3. Vacation of Eaton Road – Julie and Steve Martin – Applicant

This issue was carried from February 18, 2020. The Martin's and Mr. Maurice Fausset were both present. The Fausset's and the Martin's filed concurrent applications in order to vacate the portion of Eaton Road in question. Both parties submitted letters of intent.

Commissioner Ihlenfeld made a motion to RECOMMEND to the Town Board the vacation of Eaton Road between First St and Second St. Seconded by Commissioner Bruce. Motion PASSED – UNANIMOUSLY.

4. Starview Circle-Discussion

Randy Algood and adjoining neighbor, James Coen were present. A question arose concerning the easement adjoining the properties. Both parties have agreed to swap equal portions of land to clear up future concerns. After



some discussions, Manager Radosevich stated that he would contact the Interim Town Attorney for legal clarification and contact all parties with answers. The Commissioners had no issues with the swap as long as it was legal.

5. Illumination Point – Jeremy Ferrante

Mr. Ferrante had come before the Commission last year with a plan that was APPROVED but DENIED by the Town Board. He had since “gone back to the drawing board” and Manager Radosevich had required Mr. Ferrante to come back before the Commission for review. The Commission was pleased with the updated plan. Mr. Ferrante will present his plan to the Board at their next meeting.

6. Comprehensive Plan presentation – Trustee Miner

Trustee Miner introduced Ann Werner, PPACG Planner and also resident of Palmer Lake. Ms. Werner advised the Commissioners of the task of updating the Comp Plan and certain ways of obtaining information and possible grants to assist in the process.

7. Adjourn

Commissioner Bruce made a motion to adjourn @ 8:03 PM. Seconded by Commissioner Bruce. Motion – PASSED - UNANIMOUSLY

Chairman – David Cooper

Interim Manager – Bob Radosevich

Date

MEMORANDUM OF UNDERSTANDING

By and Between the TOWN OF PALMER LAKE and the PALMER LAKE RESTORATION PROJECT, INC., (dba AWAKE THE LAKE/AWAKE PALMER LAKE), a Colorado non-profit corporation

This Memorandum of Understanding (this "MOU" or this "Agreement") is entered into this ____ day of _____, 2020 ("Effective Date") by and between the Town of Palmer Lake, Colorado ("Town") and the Palmer Lake Restoration Project, Inc., dba Awake the Lake, a Colorado non-profit corporation ("ATL") (collectively, the "Parties").

RECITALS

WHEREAS, Palmer Lake ("Lake") is a prominent geographic feature that helped shape the historical evolution of the Town; and

WHEREAS, the Lake is generally described as a naturally occurring freshwater lake of approximately 11.5 surface acres that is surrounded by approximately 32 acres of park land owned by the Town and by El Paso County (the "Parkland"); and

WHEREAS, the Town is currently restoring and protecting the Lake; and

WHEREAS, there is limited funding currently identified by and available to the Town to perform the necessary work to develop, operate and/or maintain the Lake and Parkland and to create a premier amenity with a high level of design excellence, and as a result the Town is interested in seeking support from a nonprofit entity to financially assist the Town with these functions; and

WHEREAS, towns throughout the country have entered into public-private partnerships with nonprofit organizations to create and revitalize urban parks and maximize the development, operation, and maintenance of such parks; and

WHEREAS, the ATL was formed as a Colorado nonprofit corporation known as the Palmer Lake Restoration Project, Inc., on September 12, 1995 to, among other things, (i) facilitate and aid the Town with respect to the preservation of the Lake and adjacent Parkland, (ii) raise a portion of the necessary funds to defray costs of the preservation, restoration, landscaping and other amenities, and (iii) assist the Town with developing a master plan for the Lake and Parkland to govern their future use and development of amenities; and

WHEREAS, the Mayor and Trustees of the Town support a structure of potential roles and responsibilities of the Parties; and

NOW, THEREFORE, in order to advance their mutual objectives with respect to the Lake and Parkland and to commence a collaborative process with each other, the Parties agree as follows:

SECTION 1 – PURPOSE OF AGREEMENT

The purpose of this Agreement is (a) to lay the foundation for a cooperative working relationship between the Parties, (b) to establish the role of each Party in that relationship, as the Parties continue to work together to further their common goal of preserving, restoring, developing, enhancing, rehabilitating and maintaining the Lake and Parkland, and (c) to document the unique cooperative public relationship and purpose of the Parties, as opposed to other charitable nonprofit entities.

SECTION 2 – AWAKE THE LAKE

2.1 Responsibilities of ATL under this Agreement. The responsibilities of ATL shall include, without limitation, the following:

(a) Raise funds on an initial and ongoing basis to pay for a portion of the costs of design, construction, maintenance, and operation of projects associated with the Lake and Parkland.

(b) Work in cooperation with the Town and subject to the Town's Comprehensive Plan to assist in the design, construction, maintenance and operation of the Lake and Parkland, and projects associated therewith.

(c) Assist the Town with public outreach with respect to the Lake.

(d) Promote, preserve, and encourage the effective and responsible operation and usage of the Lake and Parkland.

(e) ATL funds shall be expended only on improvements to public land in the Town area. No funds raised by ATL, or contributed to ATL, will be spent on improvements to private land. To the extent any private land will be converted to public land to be considered Town Park area, the Town or ATL will be required to acquire either fee ownership of such land or acquire a permanent easement for park use, either by purchase of the land or by contribution of the land by the private owners.

(f) While funds raised and collected by ATL shall be expended only for the purposes described within this MOU, it is expressly agreed and acknowledged that, as a nonprofit corporation independent of the Town, ATL may further restrict the use of such ATL-raised funds in its sole discretion, and no funds raised by ATL shall be considered funds available to the Town for its own discretionary use consistent with this MOU until such time as ATL makes such funds available.

2.2 Directors and Officers.

(a) As of the date of this MOU, the ATL board is composed of the following officers and directors:

Jeff Hulsmann	President
Chris Cummins	Vice President
Bonnie Tinker	Secretary
Stan Benton	Treasurer
Cindy Graff	Director
Darin Dawson	Director
Linda Vier	Director

(b) A representative from the Town Administrator's office will be a non-voting ex-officio member of the ATL board, in order to ensure transparency and facilitate communication of ATL business, projects and fundraising efforts to the Town.

2.3 Transparency of Operations.

(a) The ATL board shall from time to time hold board meetings which shall be open to the public. Agendas of such meetings will be published in advance on the ATL's website.

(b) ATL will make its annual IRS form 990 reports available for public inspection and will make available annual financial statements, prepared by a CPA if required by federal or state law.

(c) ATL will produce an annual report and present that report at a Board of Trustee Meeting, and will be available for reporting on a more frequent basis to the Town Board of Trustees upon request.

(d) All books and records of the ATL, audits, board meeting minutes, annual reports, and information regarding donations will remain available to the public, subject to requests for confidentiality by specific donors and with respect to legal, employment, strategic planning for donor outreach and development, and other similar matters.

(e) ATL will continue to maintain its public website with information about ATL, its operations, and the Lake.

(f) Neither ATL nor its meetings are or shall be subject to the Open Meetings Act. Elected officials attending ATL meetings, however, are and will be subject to applicable provisions of the Open Meetings Act and responsibility for posting any required notice will be with the public entity that such officials represent.

SECTION 3 – THE TOWN

3.1 Responsibilities of the Town under this Agreement. The responsibilities of the Town shall include, without limitation, the following:

(a) It is the Town's intent through this Agreement to create a public-private partnership that will result in ATL and the Town designing, developing, operating, maintaining and managing the Lake and Parkland.

(b) The Town shall maintain ownership of all public property currently owned by the Town, including the Lake and Parkland, regardless of the source of funding for improvements thereon.

(c) The Town shall have the right to oversee all work performed on the Lake and Parkland, including, but not limited to, projects, construction of capital improvements, landscaping, and other initiatives for the purpose of ensuring that such work is performed in accordance with the Town's Comprehensive Plan, and in accordance with any and all applicable Town Resolutions and Ordinances.

(d) The Town shall waive all fees associated with approved special events that are held by ATL on Town property, in acknowledgement that such fees would be paid by ATL utilizing funds that would otherwise be available to the Town for public purposes.

(e) The Board of Trustees may approve on an annual or occasional basis, a slate of events presented by ATL, to be held on Town property. The Town acknowledges that certain ATL fundraising efforts are somewhat spontaneous, and that failure to be included on such annually approved slate of events shall in no instance mean such events may not be approved by the Board of Trustees from time to time throughout the years as may be requested by ATL.

(f) To the extent feasible and otherwise compliant with the law, and to avoid the purchase of unnecessary and duplicative insurance coverage by ATL and or the Town, the Town shall make all efforts to include approved ATL events under applicable insurance coverage maintained by the Town. Where infeasible, ATL shall be responsible for securing such insurance coverage for ATL events.

Section 4 – General Conditions

4.1 Cooperation. The Parties agree to work together at all times in good faith, meet regularly as needed, and keep each other informed as to activities of the other, and maintain at all times a designated representative who shall serve as a point of contact for communications.

4.2 Costs. Each Party shall be responsible for all costs and expenses associated with the preparation and adoption of this MOU, and future actions related thereto.

4.3 Term. This MOU shall be perpetual in nature, subject to written modification signed by authorized representatives of each party, and further subject to termination by either party upon 90 days written notice to the other.

4.3 Jurisdiction and Governing Law. This MOU shall be performed and enforced in Palmer Lake, Colorado, and shall be construed in accordance with the laws of the State of Colorado.

4.4 Severability. In the event any provision of this Agreement is found to be invalid or unenforceable, it may be severed from the Agreement by court order and the remaining provisions of the Agreement shall continue to be binding and effective, provided the central purposes of this Agreement continue to be served.

4.5 Notices. Any notice which a Party is required or may desire to give or deliver to the other Party shall be given in writing by (i) personal delivery; (ii) certified mail, return receipt requested, postage prepaid; (iii) a national overnight courier service that provides written evidence of delivery; or (iv) email transmission and addressed as follows:

With respect to the City: Town Administrator

Email:

With copies to:

Town Attorney

Email:

With respect to ATL:

ATL President

Jeff Hulsmann

c/o O'Malley's Steak Pub

104 Highway 105

Palmer Lake, CO 80133

Email: punchyco@gmail.com

4.6 Counterparts; Electronic Signatures. This Agreement may be executed in counterparts, and the signature pages combined to constitute one document. Facsimile or electronically transmitted signatures will have the same force and effect as original signatures.

Dated as of the Effective Date set forth above, which shall be the date the last Party signs this Agreement.

(signature page follows)

ATL:
Palmer Lake Restoration Committee d/b/a/
Awake the Lake, a Colorado nonprofit corporation

By: _____
Jeff Hulsmann, President

Date: _____

Town of Palmer Lake:

Mayor, John Cressman

Date: _____

Attest: _____
Town Administrator

TOWN of PALMER LAKE, COLORADO

RESOLUTION __-2020

A RESOLUTION APPROVING AND AUTHORIZING THE PALMER LAKE RESTORATION PROJECT, INC. (dba AWAKE THE LAKE / AWAKE PALMER LAKE), A COLORADO NON-PROFIT CORPORATION, TO PLAN, DESIGN, CONSTRUCT AND IMPLEMENT A PERMANENT PUBLIC SPONSORSHIP AND ART PROJECT PRIMARILY COMPOSED OF A RAILROAD THEMED DISPLAY UPON THE NEWLY-CONSTRUCTED PALMER LAKE PEDESTRIAN BRIDGE, FOR RAISING OF FUNDS TO BENEFIT THE TOWN OF PALMER LAKE AND TO BE UTILIZED BY THE TOWN SOLEY FOR FUNDING THE COMPLETION OF SAID PEDESTRIAN BRIDGE.

WHEREAS, Awake Palmer Lake is a Colorado non-profit corporation, whose sole mission is fundraising for the benefit of the community in the Town of Palmer Lake ("Town") for the betterment of the Town's namesake lake, and parks and amenities within the Town of Palmer Lake. Awake Palmer Lake's mission and relationship with the Town is more specifically described in that Memorandum of Understanding dated _____, 2020, which is attached to this Resolution as **Exhibit A**; and,

WHEREAS, Awake Palmer Lake and the Town cooperatively obtained from Great Outdoors Colorado ("GOCO") a matching-funds grant in the amount of \$347,___ for the "Rockin' the Rails" park project, the centerpiece of which is the Pedestrian Bridge over the railroad tracks, allowing safe pedestrian traffic between downtown Palmer Lake on the west, and the Town's namesake lake and associated parks to the east. While the GOCO grant is owned and controlled by the Town, Awake Palmer Lake has worked to provide substantial funding for the matching funds required for full utilization of the GOCO grant, and for funding associated projects not included within the GOCO grant; and,

WHEREAS, Awake Palmer Lake has, with the verbal approval of the Town's Board of Trustees, embarked upon a new fundraising project intended to allow completion of the Rockin' the Rails Park phase described in the GOCO grant, specifically including but not limited to the Pedestrian Bridge, including funding of work beyond the scope of the GOCO grant. Said project involves the sale of precision-cut steel railroad cars, locomotives and cabooses, powder-coated in multiple colors, containing designs, logos, and messages selected by the purchasers of said railroad

cars, engines and cabooses, which are to be permanently installed on the Pedestrian Bridge below the handrail on the inside of the Pedestrian Bridge; and,

WHEREAS, The Town, in order to ensure all public art projects, advertising projects, fundraising projects, and memorial projects which would cause placement of displays, plaques, tiles, artwork or other materials on Town owned public property, are designed and implemented in such a manner as to reflect the community's values and culture, and to protect the public's health, safety and welfare by, including through provision of structural integrity, safety, security and maintenance guidelines, has enacted Ordinance 2020-__, providing the standards, requirements and process for the placing of public displays governed by Ordinance 2020-__; and,

WHEREAS, the BOARD OF TRUSTEES of the Town of Palmer Lake desires to document its approval of Awake the Lake's project as described above, and expressly authorize Awake the Lake to proceed with continued sales, design, construction and placement of the public display of railroad cars, locomotives and cabooses for the completion of such project, consistent with the terms and conditions of this Resolution; and,

WHEREAS, Awake Palmer Lake has submitted the application attached hereto as **Exhibit B** for the public display associated with the Awake Palmer Lake bridge fundraising project, and the Town Administrator has found such application to be in compliance with the criteria set forth in Ordinance 2020-__.

NOW THEREFORE BE IT RESOLVED by the BOARD OF TRUSTEES of the Town of Palmer Lake, as follows:

Section 1. The Town Board of Trustees finds that the Awake Palmer Lake bridge fundraising project, based upon the **Exhibit B** Application, samples presented to Town Staff and the Board of Trustees, designs for the same, alterations to such designs and plans based upon Staff and Board review and comment of the same, and assurances provided by Awake Palmer Lake representatives, are and will be, as completed, consistent with all relevant terms and conditions of Ordinance 2020-__, and Awake Palmer Lake is therefore expressly authorized to continue with the sale, design, construction, and placement of the railroad cars, locomotives and cabooses associated with said project;

Section 2. Awake Palmer Lake shall be responsible for mitigation, alteration, re-design and replacement of any component of the bridge fundraising project which the Town may, in its reasonable discretion, identify as being non-compliant with the terms and conditions of Ordinance 2020-__, upon written notice of such non-compliance.

Section 3. All proceeds generated by Awake Palmer Lake through the sale of railroad cars, locomotives and cabooses, or otherwise associated with the Awake

Palmer Lake bridge fundraising project as described herein, shall be provided to the Town in the manner prescribed by the Town Administrator, and shall be utilized by the Town only for funding of expenses associated with the project described in the GOCO grant, matching funds for said GOCO grant, and payment of expenses associated with the Rockin' the Rails Park project that may exceed such GOCO grant funding. Said funds shall be placed in a restricted account as necessary to ensure use for such restricted purposes.

Section 4. This Resolution shall be effective upon its adoption.

INTRODUCED AND ADOPTED AT A DULY NOTICED REGULAR MEETING OF THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE by a vote of ___ in favor and ___ against, this ___ day of _____, 2020.

John Cressman, Mayor

_____, Town Administrator

**TOWN OF PALMER LAKE
COUNTY OF EL PASO
STATE OF COLORADO
ORDINANCE 2020-__**

AN ORDINANCE APPROVING DESIGN, CONSTRUCTION AND PLACEMENT STANDARDS FOR PUBLIC DISPLAYS OF ART, ADVERTISING, SPONSORSHIP, MEMORIALS, OR OTHER PUBLIC DISPLAYS , WHETHER PERMANENT OR TEMPORARY, UPON PUBLIC PROPERTY, INCLUDING TOWN OWNED AND MANAGED PROPERTY, AS NECESSARY FOR PROTECTION AND PRESERVATION OF THE PUBLIC'S HEALTH, SAFETY AND WELFARE THROUGH PROVISION OF STRUCTURAL INTEGRITY, SAFETY SECURITY AND MAINTENANCE GUIDELINES AND STANDARDS IN SUCH A MANNER AS TO PROTECT THE COMMUNITY'S VALUES AND CULTURE.

WHEREAS, The Town of Palmer Lake (the "Town"), in El Paso County, Colorado, is a political subdivision of the State of Colorado (the "State"), duly organized and existing as a statutory municipality under the laws of the State, acting through its elected Board of Trustees (the "Board"); and,

WHEREAS, the members of the Board have been duly elected and qualified; and,

WHEREAS, the Board recognizes that the values and culture of the Town include its small-town character, and that maintenance of the same through adoption of standards and guidelines for Public Displays is essential for the Town and its residents;

WHEREAS, the Town of Palmer Lake Planning Commission has conducted a public hearing on the Ordinance adopted herein, and made a recommendation for its approval; and,

WHEREAS, in adopting this Ordinance, the Town Board of Trustees desires to ensure that any and all public displays, as defined herein: (1) be designed and implemented in such a way as to protect the small-town character, values and culture of the Town; (2) be designed and implemented in such a way as to preserve and protect public health, safety and welfare; (3) be considered and approved by the Board so as to ensure that only such projects as otherwise meeting the objectives of this Ordinance are approved for installation upon public property; (4) prevent inappropriate designs inconsistent with the character, values and culture of the Town from being placed; and (5) establish a program for the removal of any public displays inconsistent with this Ordinance.

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

Section 1 - Legislative Intent. It is the intent of this ordinance to provide procedures and standards for the design, approval, construction, and installation of Public Displays, including but not limited to Sponsorship Projects for public works, Public Art, and advertising displays constructed upon public property within the Town of Palmer Lake, and to ensure and provide the structural integrity, safety, security and maintenance guidelines for all Public Displays within the Town of Palmer Lake.

Section 2 - Definitions. The following terms used in this ordinance have the following meanings, unless the context clearly indicates otherwise:

A. *Public Art* means public displays of various kinds of artwork including but not limited to sculpture, paintings, mixed media, collage, earth works and environmental art, sonic art, time-based media, film/video, digital art, web-based art, light-based art installations, conceptual art, original printmaking and photography, original graphic art, fiber arts, textile, stained glass, metalwork and other crafts, ceramic arts, and mosaic, if placed on temporary or permanent display on public property within the Town of Palmer Lake.

B. *Sponsorship Project* means a public display designed and intended to raise funds for a particular public project through solicitation of public and private sponsorships, resulting in displays of Public Art, plaques, tiles bricks or similar displays containing memorial, advertising, or personal messages of said sponsors/donors, whether of a temporary or Permanent nature.

C. *Advertising* means any public display which contains advertising material for commercial purposes, including logos, designs and trade names of businesses, trades, charities or other interests, whether part of a Public Art display, a Sponsorship Project, or other Display, temporary or permanent, subject to this Ordinance.

D. *Public Display* means any art, advertising, postings, exhibitions, projects, or other visual or audial materials posted upon, utilizing, or otherwise associated with public property located within the Town of Palmer Lake. Public Display expressly includes Public Art, Sponsorship Projects and other similar displays, whether or not including advertising, and whether or not of a temporary or permanent nature.

E. *Permanent* means of a long-term or indeterminate period, with the presumed intention that a Permanent Display will not be removed for the foreseeable future.

F. *Temporary* means of a short term period, longer than 48 hours, but not to exceed 6 months.

Section 3 – Approval Required. It shall be unlawful to install, maintain, or operate any Public Display within the Town of Palmer Lake without obtaining the approval of the Board of Trustees for the Town of Palmer Lake, including through the Board's delegates or designees, should the Board expressly delegate such authority.

Each separate Public Display shall require a separate permit, though a Public Display that is by its very nature disbursed upon public property may be subject to a single approval.

Section 4 - Application Procedures.

A. An application for approval of a Public Display shall be filed with the Town Administrator in a format acceptable to the Town Administrator, or on forms provided by the Town.

B. The application shall be accompanied by a detailed description of the proposed Public Display, and where appropriate including a site plan and other graphic depictions clearly illustrating the nature, size, color and location of the proposed Public Display, and the purpose, duration and if applicable fundraising project.

C. The Town Administrator shall review the application for conformance with the criteria in this Ordinance, and if found to be in conformance, place the application on the agenda, including the consent agenda if appropriate, of a public Board of Trustees meeting for the Trustees consideration and approval or denial within 30 days of submittal of such application. Consideration will be given to structural and surface integrity, permanence, and protection against theft, vandalism, weathering, and excessive maintenance and repair costs. Should the Town Administrator find the application incomplete or not in conformance with the criteria of this Ordinance, the Town Administrator shall within 30 days advise the applicant of the same, and shall work with the applicant in good faith to bring the application into conformance. If the application cannot be brought into conformance despite the best efforts of the applicant and Town Administrator, the Town Administrator may deny such application. Denial of an application by the Town Administrator may be appealed to the Board of Trustees.

Section 5 - Permit Periods, Renewals and Termination.

A. Approvals of Public Displays pursuant to this Ordinance shall be valid for (i) the period described in the Board approval, including Permanent Public Displays; (ii) the period requested in the application if the Board approval is silent, or (iii) for a period of six (6) months from approval, whichever is longer.

B. Approval renewal requests shall be accompanied by the same submittal requirements contained in Section 4, above, and shall be submitted no later than 30 days prior to expiration of the prior approval.

C. The Town Administrator may terminate any approval issued under this chapter, upon a determination that the Public Display, as installed, is inconsistent with the application and/or the Board Approval, and therefore in violation of the criteria of this Ordinance, including the requirements and conditions of Section 6 below. In such instance, the Town Administrator shall advise the applicant in writing of the perceived inconsistency, error, or violation, and provide the applicant a 15 day period to

cure such violation. Should the applicant dispute such violation during such cure period, the applicant shall be afforded the opportunity for a hearing before the Board of Trustees, who shall make the final determination.

D. The Town Administrator may terminate any approval under this Ordinance for a Public Display upon a determination by the Town Administrator that the exercise of the Town's police powers to regulate rights-of-way will be impaired, or the Public Display provides a substantial risk to Public Safety. Such termination shall be subject to the same notice/cure/hearing provisions described in Section 5.D., above.

E. Upon termination of any approval of a Public Display subject to this Ordinance, whether said termination is by virtue of expiration of the approval period, by notice from the Town Administrator, or otherwise, following any applicable cure/appeal process as described herein, the permittee shall immediately remove said Public Display from the approved area.

Section 6 – Requirements, Standards and Conditions. All Public Displays authorized and approved under this Ordinance must comply with the following terms, conditions, requirements, and standards:

A. Public Displays that are designed to be touched, handled and experienced by the public, or which may due to their nature be subject to such touching and handling, must be constructed of appropriately substantial material so as to prevent damage or destruction of such Public Displays. The Town of Palmer Lake shall in no instance be liable for such damage or destruction, including vandalism, by the public.

B. To the extent any Public Display is to be physically installed, constructed, or mounted upon property and infrastructure of the Town of Palmer Lake, such Public Displays must be adequately engineered and designed so as to prevent damage to such property and infrastructure, and so as not to pose a safety risk to the public as a result of such design and engineering, or mounting/installation methods. The Town may require stamped engineering drawings prior to approval, and in no instance shall the Town be liable for damage, destruction or injury resulting from inadequate design or engineering, even should the engineering and design of such Public Display have been provided and reviewed by the Town prior to approval.

C. Public Displays may include advertising of commercial, charitable or other nature, provided such advertising is otherwise in compliance with all Requirements, Standards and Conditions described herein. All "signage" of an advertising nature within any Public Display must conform to all advertising standards as described in _____ of the Town of Palmer Lake Municipal Code, in addition to the specific terms of this Ordinance. All advertising within a Public Display subject to this ordinance shall also conform to the following standards:

1. Advertising on a Public Display visible from any public roadway will not contain the words "stop", "drive-in", or any other word, phrase,

character, or symbol which as determined by the Town Administrator, may interfere with, mislead, or direct vehicular traffic.

2. Advertising on a Public Display shall not contain pictures, language, graphics or materials that are offensive to community standards and values.

3. Advertising on Public Display shall not contain pictures, language, graphics or materials that depict, offer or imply the use or sale of tobacco or marijuana products, paraphernalia related thereto, or other drugs. Public Displays that depict beer, wine or alcohol may be permitted, provided such depictions are not offensive to community standards and values, and it is expressly recognized that there are valued members of the business community within the Town of Palmer Lake who's businesses include service of alcoholic beverages.

4. Advertising on Public Displays within the Town of Palmer Lake shall be limited to those businesses catering to the Palmer Lake community, specifically being limited to those businesses located within the "Tri-Lakes" area of northern El Paso County, Colorado.

D. Messages or language prohibited by federal or state law or city ordinance shall not be permitted, nor shall messages, images, depictions, language or inferences drawn therefrom intended to intimidate, demean or otherwise discriminate on the basis of religion, race, creed, color or sexual orientation be permitted.

E. Public Displays must be placed so as not to interfere with the safe and efficient passage of pedestrians, bicyclists and other non-motorized users of the Towns roads, sidewalks, paths and parks, and specifically may not impede pedestrian access to or use of traffic control devices, public rights of way, or private property.

F. The location and placement of any Public Display must not interfere with vehicular traffic or other uses of the public roads and rights-of-way, including visual impairment from sight lines, corners, or other visual obstacles.

G. Unless otherwise specifically provided in the approval of the Board, as may be the case in Public Displays of a Permanent nature, the applicant shall maintain all Public Displays and environs in a safe, clean and presentable condition at all times.

H. Damaged or disfigured Public Displays, or components thereof, shall be removed, repaired, or replaced by the applicant within ten days of notification of damage.

I. The applicant of each Public Display shall release and indemnify, defend and save harmless the Town of Palmer Lake, its officers, agents, and employees, from and against any and all claims, actions, causes of action, demands, judgment, cost, expenses, and damages of every kind and nature incurred by or

occurring to any person whatsoever predicated upon injury to or death of any person, or loss of or damage to property, public or private, or of whatever ownership, or damage to business, provided such injury, death, or loss or damage shall arise out of or be connected directly or indirectly to the exercise of any right or privilege granted by any approval of a Public Display pursuant to this Ordinance.

Section 6 - Removal of Public Displays Without Approvals. All Permanent Public Displays in existence as of the effective date of this Ordinance shall be grandfathered and exempt from the provisions hereof. All Temporary Public Displays in existence as of the effective date of this Ordinance shall, within 30 days, submit an application as described herein for retroactive approval, or shall be removed following 30 days written notice by the Town to provide an opportunity to cure. The Town Administrator and the Board will use their discretion in interpreting the criteria herein as to existing Public Displays.

Section 7 - Reservation of Police Power. The Board of Trustees reserves unto itself any and all police power it may have with respect to regulation and control of public property. Any approval of a Public Display pursuant to this Ordinance shall be subject to the future exercise of the police power by the Board of Trustees and the approval, denial, or termination of a prior approval shall not entitle the applicant to any compensation from the Town of Palmer Lake by virtue of the exercise of such police power.

Section 8 - Severability. It is hereby declared to be the intention of the Board of Trustees and the Town of Palmer Lake, Colorado that the sentences, clauses and phrases of this Ordinance are severable, and if any sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sentences, clauses or phrases of this Ordinance since the same would have been enacted by the Board of Trustees without the incorporation of any unconstitutional or invalid sentence, clause or phrase.

Section 9 - Publication and Effective Date. The Town Clerk shall certify the passage of this Ordinance and cause notice of its contents and passage to be published by title only in a newspaper of general circulation and in full on the Town official web site. This Ordinance shall become effective thirty (30) days after the date of such publication.

ORDINANCE PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2020 BY A VOTE OF ____ FOR AND ____ AGAINST.

John Cressman, Mayor

_____, Town Administrator

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

	Gallons	Acre Ft
Surface Water	3,323,000	10.2
Well A2	952,000	2.92
Well D2	0	0
Total	4,275,000	13.12
Avg. Gal/Day	138,000	0.42



PALMER LAKE POLICE DEPARTMENT

P.O. Box 591, Palmer Lake, CO 80133



Voice (719) 481-2934 Fax (719) 481-3338

March 16, 2020

As most of you are aware, we have been developing our COVID-19 (Coronavirus) response plan for the past couple of weeks. In fact, many of you have been a part of the internal discussions around your specific department plans (thank you!). As part of that plan, we have a tiered response where our actions will slowly escalate dependent upon how COVID-19 is expanding and the directions/actions of our State and Local Health authorities.

Currently, we are in Tier I of our response plan, which is essentially as follows:

Tier I – Heightened awareness. The CDC and local health authorities have indicated that COVID-19 is in the U.S. and are encouraging citizens to be aware and to focus on sanitization and hygiene.

- Encourage employees to stay home if sick or to go home if exhibiting symptoms while at work. Employees will continue to use sick leave.
- Identify work spaces where employees can temporarily isolate if they are awaiting transportation to their home or medical care.
- Wash hands often, also use hand sanitizer often.
- Cover mouth with arm/elbow if coughing.
- Heightened amount of environmental sanitation – Lysol, wipes, environmental germicide sprays, etc.
- Employees should refrain from traveling to conferences and/or meetings in other parts of the Country where cases of COVID-19 are expanding.
- Acquire/Inspect/Issue Personal Protective Equipment (PPE) to selected Town Staff (gloves, masks, etc.).

I'm sure most of you have been following the development of this through various News agencies and already know that the best steps that each of can take are the steps that we should already be taking to avoid getting sick. While the vast majority of cases of COVID-19 have been very minor with most of the severe cases being in those who are elderly or who have compromised immune systems, we all have a responsibility to ensure that we don't lead to the spread of this to those who are more susceptible. For your situational awareness, the following phases of our tiered response look like this (subject to change, of course):

Tier II – Statewide Concern. The Colorado Department of Health and Environment (CDPHE) have indicated multiple cases of COVID-19 within the State of Colorado. When directed by the Town Manager, or his/her delegate, the Town will move its response to Tier II which, in addition to Phase I steps, include:

- Trial Teleworking and staggered shifts authorized. Departments should, on a very limited basis, begin to set up telework sites for a limited number of employees to lessen the impact on Tech Services.
- Employees should refrain of physical contact with each other and with members of the public (i.e. handshakes, hugging, etc.). CDC recommends a 6' distance of separation.
- Employees should limit or eliminate any outside agency meeting attendance, unless able to be done remotely.
- Town Departments should begin to limit internal meetings.
- Employees who self-identify as high risk (having compromised immune systems, for example) should work from home. If sick, no sick leave required – will treat as regular time.
- The Town will take direction from State and Local Health authorities.

Tier III – El Paso County Concern. El Paso County Health has indicated multiple cases of COVID-19 within the Region. When directed by the Town Manager, or his/her delegate, the Town will move its response to Tier III which, in addition to Phase II steps, include::

- Employees will be directed to stay home (or go home) if they or any family member they live with is exhibiting any symptoms, or if they are high risk. Employees staying home will not be required to use sick leave, but will treat it as regular pay.
- Elimination of any Town meetings or events (unless able to be done remotely). Recreation programs shut down.
- Teleworking and staggered shifts authorized. Departments will continue to roll out additional measures or plans to allow employees to work remotely, when feasible.

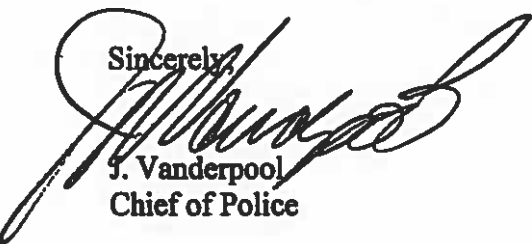
- Departments must take additional steps they have identified to limit exposure between employees and between employees and members of the public.
- Town buildings reduced staffing authorized. Departments will take steps to ensure Town Buildings are minimally staffed, but public spaces are very limited.
- Heightened level of sanitization of spaces including additional germicide spraying.
- Selected Town Staff have PPE on hand and begin utilization, as appropriate.
- Other steps as directed by State and Local Health authorities.

Tier IV – Full implementation of Response Plan. Tier IV may occur at such time as El Paso County Public Health recommends regionwide social spacing, or schools are shut down, or at such other time as Palmer Lake deems it to be in the best interest of the organization and/or community. When directed by the Town Manager, or his/ her delegate, the Town will move its response to Tier IV which, in addition to Phase III steps, include::

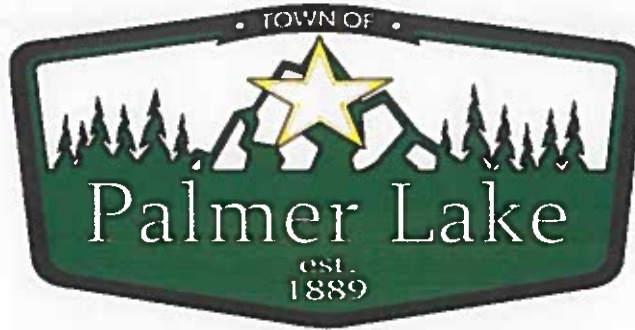
- Town Buildings minimally staffed, no public access. Public will be directed to conduct business online, if feasible, or by phone.
- Departments will fully enact Departmental plans. Teleworking options and staggered shift work maximized. Only essential services ongoing, unless able to be provided through employees working remotely.
- Incident Command may be set up locally or in coordination with County Authorities.
- Selected City Staff mandatory use of PPE.
- Other steps as directed by State and Local Health authorities, including support of their efforts.

With multiple cases currently identified in Colorado, we will communicate to everyone when there is a need to escalate our tiered response, but until that time we remain in a state of heightened awareness. If you have any specific questions, please run it through your supervisor so we can make sure we get an accurate response. In the meantime, thank you for all you do!

Sincerely,


J. Vanderpool
Chief of Police





Board of Trustees Summary Sheet

	Item
Title	Monthly Report
Action	N/A
Date	3/1-3/29/2020
Contact	J. Vanderpool
Summary	In the Month of March 2020, the PLPD conducted 46 traffic stops and issued 25 citations. Also, in the month of February, 3 Traffic Accidents, 1 warrant service, and 1 DUI/D were investigated resulting in an arrest made in each case.
Training	Officers attended different trainings this month to include Tactical Medical response.
Photographs	The attached Photograph(s) is/are Palmer Lake Star to remind us all that hope is still alive and well. Please keep safe. Also attached are the protocols we have put into place to help everyone stay safe and healthy.
Other Actions	Officers handled numerous other calls this month, to include 1 Theft, 2 narcotics related cases, 1 Eluding, and 2 unattended death cases.
Active investigations	Officers contact an individual in the parking lot of the arts center after further investigation in was found this individual was in possession of narcotics.
Calls for service	Officers responded to 307 calls for service this month. 264 of these calls were in the Town of Palmer Lake, 43 were outside of town.

Manager's Report

April 9, 2020

- We are getting several complaints about people coming to Palmer Lake apparently because most of the parks, trails, etc. are closed. The Lake and the reservoir trail have been packed. I've asked Jason to put on extra details to patrol the areas. Any thoughts on Closing the Reservoir trailhead gate and the parking lots. People will go another way, but we can make it more difficult to access.
- We will be changing the water bills beginning this month to a cheaper, more efficient system. We are also not shutting residents off for nonpayment, although they will have to pay eventually.
- We are spending limited time in the office. Those who have sick time are noting it on their time sheets in case we can get reimbursement.
- Special thanks to Glant for "attending" online webinars for me.
- Our sympathies to the EPC deputy who died from the virus this past week.