RECORD OF MINUTES

Board of Trustees

Thursday, July 23, 2020, at 6 PM

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

Local Licensing Authority

Mayor Cressman called the Authority to order at 6:02 pm.

Action on Modification of Premises – Alpine Essentials LLC (850 A&B Commercial Ln). Melissa spoke on behalf of Alpine Essentials, explaining the request to decrease the size of the premises - one former storage room with no access to be used as a break room for staff with access. Mayor Cressman stated there is no impact to the community with this modification. MOTION (Banta, Havenar) to approve the modification of premises as presented. Roll call vote – 7-0. Motion PASSED UNANIMOUSLY.

Mayor Cressman adjourned the Local Licensing Authority.

Town Board Meeting

1. **Call to Order**. Mayor Cressman called the meeting to order at 6:05 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. Consent Agenda; including Approval of Agenda; Approval of Board Minutes from July 9, 2020; Financials; Checks over $15,000 (4Rivers Equipment for $22,170.13). Trustee Schuler highlighted a few items from the financial reports – sales tax up from last, savings of approximately $38,000 on legal, IT and accounting fees – kudos given to Attorney Krob, Interim Manager Radosevich and Collins. MOTION (Havenar, Schuler) to approve the consent agenda. Roll call vote. Motion PASSED UNANIMOUSLY.

5. Public Comment. Mr. Beebe would like a response regarding his driveway agreement for Verano. Staff will address it and bring it to the August 13 Board meeting. Mr. Atkins expressed concern of replacing the old commercial grade stove in the Town Hall. He suggested that both be fit into the kitchen. Mr. Kuehster expressed concern of future finances and asked the Board to focus on additional ways to create revenue for the Town. Mr. Stephens stated, as of today at 8:30 am, no physical evidence of a fire inspection at RAD Extraction being completed, which was one condition/part of the conditional use permit originally issued. Mayor Cressman requested that staff follow up on the status.

6. Special Event – TRYathlon on August 15 (Awake the Lake/Restaurant Group). Ms. Fullman provided background to the event and the changes this year due to COVID restrictions. Board discussion took place of individual concerns of bringing participants together to the lake area typically drawing numbers beyond what can gather. Discussion took place of legal ramifications. Attorney Krob reviewed the Executive Order relating to municipal responsibility. Mayor Cressman opened this item for public comment. Various citizens expressed concern about the overall volume at the lake. Suggestions were offered to close the lake for a portion of time or to use one portion of the lake for the event. MOTION (Mutu, Schuler) to allow exclusive use of the lake from 7-9 am with a maximum number of 90 participants and the event planner paying $110 for PD assistance. Roll call vote – aye (2); nay (5 - Banta, Cressman, Havenar, Miner, Mettler). Motion FAILED – EVENT NOT APPROVED AS PRESENTED.

7. Special Event – Two Shoes Trek Challenge on September 5-6 (Pikes Peak Road Runners). Ms. Lockhart explained the structure of the running challenge – no volunteers, no water stations, and participants choose the length and location of course and individually complete the run and electronically turn in results. MOTION (Mutu, Schuler) to approve the event for September 5-6. Roll call vote – aye (6); nay (1 - Havenar). Motion PASSED.

8. Resolution to Approve Vacation of Right of Way – 71054-08-062 – Lots 17-20 Inclusive – Block 14 (Sara Smith, Realtor). Ms. Smith presented a map of the three lots proposed to be purchased by one buyer wanting to build a home on one corner of the entire property, and the right of way area requested to vacate in order to have access to the property from Epworth. Banta suggested future consideration to modify the charge of $0.10/square foot. Discussion ensued regarding the recommendation from Planning Commission with a contingency to eliminate the interior lot lines to create one parcel with one residence. Board discussion varied about vacating the west portion of the right of way only, having access to the alluvial well in the area, pros and cons of having one buyer vs. multiple. Attorney Krob clarified for the record that the map identifies Parcel 7, 9 and Block 14 for discussion. MOTION (Miner) to approve the Resolution to vacate as proposed with the contingency to eliminate interior lot lines creating one parcel within 90 days following the closing. No second. Motion FAILED. MOTION (Banta) to vacate only the portion due west of Block 14. Motion WITHDRAWN. Discussion continued regarding the southern portion of the right of way. Attorney Krob addressed the Board regarding the request before them, stating that other easement or agreements or rezoning may be taken up only if requested after this action takes place. MOTION (Schuler) to refer back to Planning

Commission. Motion WITHDRAWN. Interim Manager Radosevich provided the background of the discussion at Planning Commission and the effort to clean up parcels without access in order to eliminate future access issues. MOTION (Miner, Banta) to approve Resolution 11-2020 including a deadline of 90 days from the closing date of August 6, 2020, for the buyer to complete the elimination of interior lot lines creating one parcel. Roll call vote – aye (6); nay (1 - Schuler). Motion PASSED.

9. Ordinance 06-2020 Authorizing Placement of Exempt Electronic Sign. Havenar mentioned that the arrival of the sign is scheduled for August 25. Miner inquired about rules being included in the ordinance. Attorney Krob stated the rules may come back by policy. MOTION (Havenar, Mettler) to approve Ordinance 06-2020 Relating to the Electronic Sign. Roll call vote – aye (7); nay (0). Motion PASSED UNANIMOUSLY.

10. Direction on Ordinance Relating to Sexually Oriented Business. Attorney Krob addressed the language that already exists in the code, limiting to M1 zoning. Trustee Miner inquired about not allowing these businesses and Attorney Krob summarized the prior meeting discussion. Discussion took place about the distance allowed from various entities. MOTION (Schuler, Banta) to table until the August 13 meeting to bring back maps displaying the distance. Motion PASSED.

11. Direction on Ordinance Language Relating to Noise Enforcement. Attorney Krob explained the language included in the packet as short and long version samples from Larkspur. Alicia Gatti encouraged the Board to address a noise ordinance to be enforced with Town businesses being so close to residential areas. Mayor Cressman directed Trustees to provide feedback directly to Attorney Krob to assemble and bring back as a draft ordinance.

12. Direction on Ordinance Language Relating to Odor Enforcement (Marijuana/Hemp). Business owners expressed care to comply with the Town ordinances. Discussion took place about how to measure odor and properly address complaints of continued odor. Mr. Salvatori provided a handout and asked the board to consider what is acceptable and what is not acceptable as it relates to odor. Multiple citizens expressed concern that years of complaints have been made with no action of enforcement from the Town. Discussion took place about sample ordinance language from Breckenridge, Mountain View and Boulder. Mayor Cressman directed staff to investigate ways to measure or detect odor and revisit the distance of these facilities in proper zoning and bring the item back for review.

13. Discussion/Direction Relating to Lake Issues. Mayor Cressman stated that, although the water tests for E. coli came back low, concerns remain about the lake use. Trustee Miner stated enforcement of rules needs to take place. Collins responded that rules/regulations need to be adopted in ordinance in order to officially enforce with a citation. Citizens expressed concerns including decreased water level and disrupted shoreline, noted additional rules and closing the lake to watercraft. Miner stated that she supports and appreciates the hard work that was done to obtain the water rights to have watercraft on the lake.

14. Staff/Department Reports

Roads – included

Clerk – Collins reported that a Business Relief Fund program is developed for eligible Town businesses based on criteria of the CARES Act. The application will be available on the Town website next week. The ad for hire for the Deputy Town Clerk/Treasurer position is posted with a deadline of August 10. The revised handbook will be distributed to departments for review and go to Employers Council for legal/HR review before coming to the Board. Collins proposed a review of the current committee structure of the Town to create a workflow that will collectively address citizen and staff input prior to items coming to the Board for action.

Attorney – nothing official

Manager – Radosevich reported that the Library contract from 1982 will be reviewed as well as the needs for ADA compliance and building maintenance. The existing ramp needs to be removed/demolished in order to consider design of an ADA compliant ramp or lift. The library will close, and a mobile unit will begin August 5th and visit every Monday from 9-11 am and Wednesday from 2-4 pm. Mayor Cressman directed Radosevich to get bids for the demo work of the existing ramp.

The Town Hall roof was inspected and is being reviewed by CIRSA. Cameras are installed and the video/sound quality to stream meetings will be tested next week. Elite Crane has an offer on property in Monument and has cooperated to move. Staff is seeking direction whether the Board will re-open the trailhead parking, as work needs to be completed to create appropriate parking space prior to opening.

15. Board Comments. Trustee Miner provided an update from the Master Plan Team, identifying the various neighborhoods and priority areas, including the Glen and downtown.

Trustee Schuler asked that lapel microphones be checked into for the Town hall.

16. Next Meeting (August 13)

17. Adjourn. MOTION (Havenar, Banta) to adjourn at 10:43 PM. Motion PASSED.

John Cressman, Mayor

Dawn A. Collins

Dawn A. Collins, Town Clerk

8/17/2020

Date Approved