



## TOWN OF ELIZABETH

### Board of Trustees – Record of Proceedings

July 9, 2024

#### **CALL TO ORDER**

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, July 9, 2024, at 7:00 p.m. by Mayor Tammy Payne.

#### **ROLL CALL**

Present were Mayor Tammy Payne, Mayor Pro Tem Linda Secrist, and Trustees Loren Einspahr, Barb McGinn, Joe Belongia, Marianne Mayer-Opl, and Michael Schroder. There was a quorum to do business.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Community Development Director Zach Higgins, Public Works Director Mike DeVol, Assistant Public Works Director James McErnie, Police Chief Jeff Engel, and Town Attorney Corey Hoffmann.

#### **PLEDGE OF ALLEGIANCE**

Mayor Payne led the Board in the Pledge of Allegiance.

#### **UNSCHEDULED PUBLIC COMMENT**

Paul Schwarzkopf – Town of Elizabeth Resident

Tracey Hutchins – Town of Elizabeth Resident

Christina Ware – Elbert County Resident

Karen White – Elbert County Resident

#### **AGENDA CHANGES**

Town Administrator Patrick Davidson asked to move agenda item 16 up to follow the swearing-in of officers.

No agenda changes from the Board.

Agenda set.

#### **CONSENT AGENDA**

1. Minutes of the Regular Meeting of June 11, 2024
2. Minutes of the Special Meeting of June 26, 2024



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Motion by Trustee Einspahr, seconded by Trustee Belongia, to accept the Consent Agenda as presented.

The vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

3. Swear in Reserve Officer Tyler Rabideau

Chief Engel gave an overview of Officer Rabideau's work experience. Officer Rabideau introduced himself to the Board.

Town Clerk Michelle Oeser swore Tyler Rabideau in as an Elizabeth Reserve Police Officer.

4. Swear in Reserve Officer James Kahler

Chief Engel gave an overview of Officer Kahler's work experience. Officer Kahler introduced himself to the Board.

Town Clerk Michelle Oeser swore James Kahler in as an Elizabeth Reserve Police Officer.

### NEW BUSINESS

5. Discussion and possible action on the naming of the Jerry Garland Memorial Bench (Referral from the Naming and Memorial Committee) Moved up from item 16 on the agenda

Mr. Davidson provided a Staff report.

Mr. Garland's family was present and will be at the dedication.

Motion by Trustee Belongia, seconded by Trustee McGinn, to approve the Jerry Garland Memorial Bench.

The vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne opened the Public Hearing at 7:29 p.m.

### PUBLIC HEARING

6. Town of Elizabeth, Friday Night Market Summer Series Alternate Location Special Event Liquor License application

Ms. Oeser provided a Staff report.

Mayor Payne opened the hearing to public comment. There was no public comment.

Mayor Payne closed the Public Hearing at 7:32 p.m. and returned to the Regular Meeting.

### NEW BUSINESS



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7. Town of Elizabeth, Friday Night Market Summer Series Alternate Location Special Event Liquor License application

Motion by Trustee Belongia, seconded by Trustee Einspahr, to approve the Alternate Location Special Event Liquor License application.

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne closed the Regular Meeting at 7:33 p.m. and went into the Public Hearing

### **PUBLIC HEARING**

8. Town of Elizabeth, Block Party Special Event Liquor License

Ms. Oeser provided a Staff report.

Mayor Payne opened the hearing to public comment. There was no public comment.

Mayor Payne closed the Public Hearing at 7:34 p.m. and returned to the Regular Meeting.

### **NEW BUSINESS**

9. Town of Elizabeth, Block Party Special Event Liquor License

Motion by Trustee Belongia, seconded by Trustee Einspahr, to approve the Town of Elizabeth, Block Party Special Event Liquor License.

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne closed the Regular Meeting at 7:34 p.m. and went into the Public Hearing.

### **PUBLIC HEARING**

10. Ordinance 24-06, amending Chapter 16 of the Elizabeth Municipal Code

Mr. Higgins provided a Staff report.

Mayor Payne opened the hearing to public comment.

Angela Ternus – Town of Elizabeth Resident

Paul Schwarzkopf – Town of Elizabeth Resident

Lisanne Hewez – Elbert County Resident

Tracy Hutchins – Town of Elizabeth Resident

Christina Ware – Elbert County Resident

Karen White – Elbert County Resident

Board discussion followed.



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Mayor Payne closed the Public Hearing at 7:59 p.m. and returned to the Regular Meeting.

### NEW BUSINESS

11. Discussion and possible action on Ordinance 24-06, an Ordinance amending various provisions of Chapter 16 of the Town of Elizabeth Municipal Code, updating the Town's Land Use and Development Code

Staff addressed questions from the public. Board discussion followed.

Motion by Trustee Schroder, seconded by Trustee Einspahr, to indefinitely table Ordinance 24-06, an Ordinance amending various provisions of Chapter 16 of the Town of Elizabeth Municipal Code, updating the Town's Land Use and Development Code.

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne closed the Public Hearing at 8:19 p.m. and returned to the Regular Meeting.

### PUBLIC HEARING

12. Ordinance 24-07, Amending Residential Zone Districts within Chapter 16 of the Elizabeth Municipal Code

Mr. Higgins provided a Staff report.

Mayor Payne opened the hearing to public comment.

Angela Ternus – Town of Elizabeth Resident

Paul Schwarzkopf – Town of Elizabeth Resident

Lianne Hewez – Elbert County Resident

Erica Clark – Elbert County Resident

Tracy Hutchins – Town of Elizabeth Resident

Christina Ware – Elbert County Resident

Board discussion followed.

Mayor Payne closed the Public Hearing at 8:51 p.m. and returned to the Regular Meeting.

### NEW BUSINESS

13. Discussion and possible action on Ordinance 24-07, an Ordinance Amending various provisions of Chapter 16 of the Town of Elizabeth Municipal Code updating the Town's Land Use and Development Code

Staff addressed questions from the public and the Board. Board discussion followed.



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Motion by Mayor Payne, seconded by Trustee Schroder, to approve Sections 2, 3, 4, and 5 Ordinance 24-07, an Ordinance Amending various provisions of Chapter 16 of the Town of Elizabeth Municipal Code updating the Town's Land Use and Development Code.

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

14. Discussion and possible action on Ordinance 24-08, an Ordinance of the Board of Trustees of the Town of Elizabeth, Colorado stating the intent of the Town of Elizabeth to acquire real property for the purpose of obtaining the Town's Well House Site through the utilization of the Town's Power of Eminent Domain, and directing the Town's Staff and Town Attorney to notify all persons affected thereby of the above stated intent of the Town and thereafter to comply with all pertinent provisions of C.R.S. § 38-1-101, ET SEQ., relating to good faith notation

Mr. Hoffman provided a Staff report. Discussion by the Board followed.

Motion by Trustee Belongia, seconded by Trustee Mayer-Opl, to approve Ordinance 24-08, an Ordinance of the Board of Trustees of the Town of Elizabeth, Colorado stating the intent of the Town of Elizabeth to acquire real property for the purpose of obtaining the Town's Well House Site through the utilization of the Town's Power of Eminent Domain, and directing the Town's Staff and Town Attorney to notify all persons affected thereby of the above stated intent of the Town and thereafter to comply with all pertinent provisions of C.R.S. § 38-1-101, ET SEQ., relating to good faith negotiation.

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

15. Discussion and possible action on Ordinance 24-09, an Ordinance of the Board of Trustees of the Town of Elizabeth, Colorado stating the intent of the Town of Elizabeth to acquire real property for the purpose of providing Public Parking through the utilization of the Town's power of Eminent Domain, and directing the Town's Staff and Town Attorney to notify all persons affected thereby of the above stated intent of the Town and thereafter to comply with all pertinent provisions of C.R.S. § 38-1-101, ET SEQ., relating to good faith negotiation

Mr. Hoffman provided a Staff report. Discussion by the Board followed.

Motion by Trustee Belongia, seconded by Trustee Einspahr, to approve Ordinance 24-09, an Ordinance of the Board of Trustees of the Town of Elizabeth, Colorado stating the intent of the Town of Elizabeth to acquire real property for the purpose of providing Public Parking through the utilization of the Town's power of Eminent Domain, and directing the Town's Staff and



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Town Attorney to notify all persons affected thereby of the above stated intent of the Town and thereafter to comply with all pertinent provisions of C.R.S. § 38-1-101, ET SEQ., relating to good faith negotiations.

By a roll call vote, the vote of those Trustees present was 6 in favor and 1 opposed. Trustee Mayer-Opl opposed. The motion passed.

16. Discussion and possible action on Resolution 24R30, a Resolution accepting the Petition for Annexation and establishing August 27, 2024, as the date of Public Hearing on the requested annexation of a parcel of unincorporated territory located in the County of Elbert (889 South Elizabeth Street Annexation)

Mr. Higgins and Mr. Hoffmann provided a Staff report.

Motion by Trustee Belongia, seconded by Trustee McGinn, to approve Resolution 24R30, a Resolution accepting the Petition for Annexation and establishing August 27, 2024, as the date of Public Hearing on the requested annexation of a parcel of unincorporated territory located in the County of Elbert (889 South Elizabeth Street Annexation)

The vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

### MANAGEMENT REPORTS

- Town Administrator Patrick Davidson did not have anything to add.
- Chief of Police Jeff Engel:
  - The Board was provided with a 5-year data analysis. This will be reviewed at the next Board meeting.
  - Officer Hunter and Officer Sammauro have graduated FTO and are on Solo patrol.
  - The Police Department holds one vacancy.
  - During the 4th of July holiday, the police department was actively responding to fireworks complaints.
  - A multi-jurisdictional fraud case, totaling over \$300,000.00 has been submitted to the District Attorney's office for review and criminal charging.
  - The auto theft case from June has been submitted to the District Attorney's Office for review.
  - Working with the Elizabeth School District, Officer Steven Herbel will be attending the NASRO conference in Texas.
  - Officers have completed the transition to the new shadow system handguns with RMR (ruggedized miniature Reflexive Sight).
  - We are awaiting the one outstanding Ford F150.
  - All squads will be outfitted with RIPP soft restraints.



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- The EPD uniform order has been delayed.
- The morpho fingerprint scanner received from the state is in service.
- Trustee Mayer-Opl asked about a suspicious vehicle in Gold Creek.
- Community Development Director Zach Higgins:
  - Gave a reminder about upcoming Block Parties.
  - Mayor Payne asked about setting up a meeting on Ordinance 24-06 to receive public input.
- Public Works Director Mike DeVol did not have anything to add to his report.
- Town Clerk Michelle Oeser:
  - Allison will be attending Clerk's Institute all of next week.
  - Harmony is working through the hoops of accessibility.
  - Ms. Oeser asked the Board and the Public to contact the Police Department if they have anything to report.
  - Ms. Oeser reminded the public that they can sign up for email blasts on the Town website.
  - Trustee Mayer-Opl asked about solicitor permits.

### BOARD OF TRUSTEE REPORTS

- Ward 1 – Mayor Pro Tem Secrist:
  - Is hearing from residents on growth.
- Ward 2 – Trustee Einspahr:
  - Reminded the public that the Block Party tomorrow is at Pine Ridge Street.
- Ward 3 – Trustee Mayer-Opl:
  - Attend 2 Block Parties.
  - Inquired if Staff member's family could be on a Board.

### MINUTES

19. Minutes of the Planning Commission Meeting of May 7, 2024
20. Minutes of the Main Street Advisory Board of Directors Meeting of May 13, 2024
21. Minutes of the Historic Advisory Board of Directors Meeting of June 3, 2024

### ADJOURNMENT

Motion by Trustee McGinn, seconded by Mayor Pro Tem Secrist, to adjourn the meeting at 9:51



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p.m.

The vote of those Trustees present was unanimously in favor. Motion carried.

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Town Clerk Michelle Oeser

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Mayor Tammy Payne