



TOWN OF ELIZABETH

Board of Trustees – Record of Proceedings

April 9, 2024

CALL TO ORDER

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, April 9, 2024, at 7:05 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, Planner/Project Manager Alex Cramer, Police Chief Jeff Engel, Town Attorney Corey Hoffmann, and Student Liaison Shaye Lovato.

PLEDGE OF ALLEGIANCE

Mayor Payne led the Board in the Pledge of Allegiance.

UNSCHEDULED PUBLIC COMMENT

Paul Schwarzkopf – Town of Elizabeth Resident

Kay Seifried – Town of Elizabeth Resident

Amy Schmidt – Town of Elizabeth Resident

AGENDA CHANGES

No agenda changes from the Administration.

No agenda changes from the Board.

Agenda set.

CONSENT AGENDA

1. Minutes of the Regular Meeting of March 26, 2024

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.



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2. Swear in Officer Michael Sammauro

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

Town Clerk Michelle Oeser swore Michael Sammauro in as an Elizabeth Police Officer.

Mayor Payne opened the Public Hearing at 7:21 p.m.

PUBLIC HEARING

3. Legacy Village Subdivision Filing 1 Amendment 1

Ms. Cramer provided a Staff report.

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

Mayor Payne closed the Public Hearing at 7:29 p.m. and returned to the regular meeting.

NEW BUSINESS

4. Discussion and possible action regarding Resolution 24R17, a Resolution approving the First Amendment to the Final Plat for the Legacy Village Subdivision Filing NO. 1 within the Town of Elizabeth, Block 2, Lots 1 through 9

Motion by Trustee Belongia, seconded by Trustee Mayer-Opl, to approve Resolution 24R17, a Resolution approving the First Amendment to the Final Plat for the Legacy Village Subdivision Filing NO. 1 within the Town of Elizabeth, Block 2, Lots 1 through 9.

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 7:30 p.m. and went into the Public Hearing

PUBLIC HEARING

5. Legacy Village Subdivision Filing 1 Amendment 2

Ms. Cramer provided a Staff report.

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

Mayor Payne closed the Public Hearing at 7:40 p.m. and returned to the regular meeting.

NEW BUSINESS



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6. Discussion and possible action regarding Resolution 24R18, a Resolution approving the Second Amendment to the Final Plat for the Legacy Village Subdivision Filing NO. 1 within the Town of Elizabeth, Block 5, Lots 8 and 9, and Block 4, Lot 46

Motion by Trustee Belongia, seconded by Trustee Schroder, to approve Resolution 24R18, a Resolution approving the Second Amendment to the Final Plat for the Legacy Village Subdivision Filing NO. 1 within the Town of Elizabeth, Block 5, Lots 8 and 9, and Block 4, Lot 46. 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 7:42 p.m. and went into the Public Hearing.

PUBLIC HEARING

7. Ordinance 24-02.

Ms. Cramer provided a Staff report.

Mayor Payne opened the hearing to public comment.

Paul Schwarzkopf – Town of Elizabeth Resident

Susanne Moore – Elbert County Resident

Board discussion followed.

Mayor Payne closed the Public Hearing at 8:05 p.m. and returned to the regular meeting.

NEW BUSINESS

8. Discussion and possible action regarding Ordinance 24-02, an Ordinance amending various provisions of Chapter 16 of the Town of Elizabeth Municipal Code, updating the Town's land Use and Development Code

Motion by Mayor Payne, seconded by Trustee Einspahr, to approve Ordinance 24-02, 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.

9. Discussion and possible action on approval of a Liquor License Transfer for Jac's Pizza

Ms. Oeser provided a Staff report.



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Motion by Trustee Belongia, seconded by Trustee McGinn, to approve the Liquor License Transfer for Jac's Pizza.

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

10. Discussion and possible action on Resolution 24R16, a Resolution dividing the Town of Elizabeth into three Wards and, therein, changing the Board of Trustees from At-Large Positions to Election by Ward

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

Motion by Trustee McGinn, seconded by Trustee Mayer-Opl, to delay conversation on items 10 and 11.

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

11. Discussion and possible action on Ordinance 24-03, an Ordinance dividing the Town into three Wards for purposes of Electing Members to the Board of trustees, with two Trustees representing each Ward and a Mayor representing the Town At-Large - Patrick Davidson

This agenda item is Postponed.

12. Discussion and possible action regarding Resolution 24R19, a Resolution approving the amended and restated Subdivision Agreement for the Winchester Estates Subdivision, and approving the assignment of all obligations related thereto

Mr. Higgins provided a Staff report.

Susanne Moore represented RKM Homes LLC, as the applicant.

Motion by Trustee Belongia, seconded by Trustee Einspahr, to approve Resolution 24R19, a Resolution approving the amended and restated Subdivision Agreement for the Winchester Estates Subdivision, and approving the assignment of all obligations related thereto.

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

13. Discussion on Publishing Ordinances by Title Only

Mr. Davidson provided a Staff report. Mr. Hoffman provided information to the Board. The Board directed Staff to move forward with this Ordinance.



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14. Discussion and possible action on Resolution 24R20, a Resolution authorizing the Town Administrator and/or his designee to expend American Rescue Plan ACT (ARPA) Funds in the manner set forth herein

Mr. Davidson provided a Staff report.

Motion by Trustee McGinn, seconded by Mayor Pro Tem Secrist, to approve Resolution 24R20, a Resolution authorizing the Town Administrator and/or his designee to expend American Rescue Plan ACT (ARPA) Funds in the manner set forth herein by replacing the Protectors of Elizabeth with the two foodbanks located in Elizabeth.

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

15. Discussion and possible action on Resolution 24R21, a resolution authorizing the Mayor of Elizabeth to execute change order 3 with Core Engineering in furtherance of the Main Street Streetscape Project

Motion by Trustee Belongia, seconded by Mayor Pro Tem Secrist, Resolution 24R21, a resolution authorizing the Mayor of Elizabeth to execute change order 3 with Core Engineering in furtherance of the Main Street Streetscape Project.

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

MANAGEMENT REPORTS

- Town Administrator Patrick Davidson.
- Mr. Davidson let the Board know that Gold Creek has hired a new HOA Management group.
- Mr. Davidson let the Board know that Pine Ridge Apartments has received a temporary certificate of occupancy.
- Mr. Davidson had a quarterly meeting with CORE Electric.
- The Town will receive \$69,247.00 as backfill from House Bill 22-238.
- Mayor Payne asked if the new HOA Management company would be used by Legacy Village.
- Chief of Police Jeff Engel
- Officer Hunter is in his second phase of field training.
- Officer Sammauro will start his FTO training with Sergeant Bigler this week.
- Corporal Allen is working on the background investigation for the newest police officer candidate.



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- Officer Lamas completed his Field Training Officer (FTO) instruction and is now a certified FTO.
- Reserve Officer William Tannenbaum was the lead instructor for Officer driver training.
- Elizabeth Police Department has adopted a restrictive pursuit policy.
- Elizabeth Police Department will host a Practical Search and Seizure class at the end of May.
- Officer Steven Herbel will be attending OODA Loop training.
- Elizabeth PD participated in a simulated fatal DUI crash at Elizabeth High School.
- New patches have been ordered for the Police Department.
- Elizabeth School District recognized Officers Herbel and Burnley at the School Board meeting.
- Interviews will soon take place for the open Sergeant position.
- Public Works Director Mike DeVol.
 - Mr. DeVol let the Board know that a new employee will be starting in Public Works tomorrow.
 - Public Works employee Vince Pemberton just celebrated 10 years with the Town.
 - Trustee Schroder asked about activity down on the trail.
 - Community Development Director Zach Higgins.
 - Mr. Higgins discussed the Volunteer program launch event.
 - Mr. Higgins told the Board that Staff put together 2 Citizen Guide Brochures.
 - Trustee Einspahr said that the Volunteer program is a good addition.
 - Trustee Einspahr stated that the planned Block Parties will be great for the community.
- Town Clerk Michelle Oeser.
 - Ms. Oeser did not have anything to add to the written manager's report.

STUDENT LIAISON REPORT

- Shaye Lovato.
 - Ms. Lovato said the discussion on wards was very informative.
 - Ms. Lovato discussed the start of Red Ribbon Week at Elizabeth High School.
 - Ms. Lovato stated that the High School Prom will be on April 12th. The theme is Race to the Stars.
 - The National Honor Society is hosting a blood drive.
 - Red Ribbon Week schedule is as follows:
 - Monday – Live Drug-Free Day (wear red)



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- Tuesday – Sock it to Drugs (crazy sock day)
- Wednesday – Give Drugs a Boot (Country Day)
- Thursday – Double Up Against Drugs (twin day)
- Friday – No school

BOARD OF TRUSTEE REPORTS

- Trustee Mayer-Opl
 - Talked with young people from the Spring Fling.
 - Visited with new Legacy Village residents.
 - Attended the STARS Banquet. It was wonderful.
- Trustee McGinn
 - Attended the STARS Banquet. It was amazing.
- Mayor Payne
 - Had a marvelous night at the STARS Banquet.

MINUTES

19. Minutes of the Historic Advisory Board Meeting of March 4, 2024
20. Minutes of the Main Street Board of Directors Meeting of March 11, 2024
21. Minutes of the Planning Commission Meeting of March 19, 2024

ADJOURNMENT

Motion by Trustee Belongia, seconded by Mayor Pro Tem Secrist, to adjourn the meeting at 9:55 p.m.

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

Town Clerk Michelle Oeser

Mayor Tammy Payne