



## **BOARD OF TRUSTEES MEETING**

### **Thursday, August 11, 2022 at 5:00 PM**

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

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### **MINUTES**

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**Call to Order.** Mayor Bass called the meeting to order at 5:01 pm.

#### **Pledge of Allegiance**

**Roll Call.** Present: Mayor Bill Bass, Trustees Nicole Currier, Sam Padgett, Jessica Farr, Glant Havenar, Karen Stuth. Excused: Trustee Darin Dawson.

#### **Consent Agenda**

MOTION (Havenar, Stuth) to approve the consent agenda including 1) Minutes from July 28, 2022 Meeting. Roll call vote – aye 6; nay 0. Motion passed.

#### **Staff/Department Reports**

2) Water; 3) Public Works including Roads & Park Maintenance – Trustee Farr noted the kiosk revenue of \$26,000 YTD.

4) Police – Trustee Havenar inquired about fentanyl activity; Chief Vanderpool responded. Request was made that the Board be noticed about high profile incidents going forward.

5) Fire – Chief McCarthy provided an update on the engines and the current Colorado Springs loaner.

6) Administration; 7) Attorney – none.

8) Administrator/Clerk – Collins provided an update on the master plan activity including upcoming public input meetings in September; the final report of the PER of the water system in September; the status of the codified municipal code and access once adopted; the activity making town forms fillable from the website; and a summary of upcoming meetings.

#### **Public Comment**

Mr. Chris Amenson inquired about time to comment on item 15. Mr. Paul Banta raised concern about an RV parked in the lot near the TLCA. Representatives of Tri-lakes Cares announced Hunger Awareness on September 23 and tee-shirts available for \$15 to support Hunger Action – contact [stephanief@tri-lakescares.org](mailto:stephanief@tri-lakescares.org) to order.

#### **Business Items**

9. Special Event Application - 2022 Palmer Lake 0.5K Race (10/09) - Awake Palmer Lake. Julia presented the 0.5k event on October 9 beginning at 9a explaining the activities and request to waive

the fee. MOTION (Havenar, Farr) to approve the event and waive the fee. Roll call vote – aye 6; nay 0. Motion passed.

10. Special Event Application - Masa Ito Concert (10/15) - Palmer Lake Arts Council. Ms. Jina Brenneman presented the concert event featuring an acoustic classical guitarist on October 15 and requested the fee be waived. Discussion took place about non-profit status and monies funding future Art Council events. MOTION (Currier, Padgett) to approve the concert event with required fee. Roll call vote – aye 5; nay 1 (Stuth). Motion passed.

11. Special Event Application - Cross Country Meet (9/7) - Lewis Palmer Middle School. Ms. Kari Ehresman explained the meet details for September 7 including parking and staggered start times. MOTION (Padgett, Currier) to approve the LPMS meet and waive the fee. Discussion took place about the expired date of insurance. MOTION amended (Padgett, Currier) to approve the meet and waive the fee pending timely insurance coverage. Roll call vote – aye 6; nay 0. Motion passed.

12. Resolution 39-2022 to Authorize IGA with El Paso County for November 8 Election. Collins noted the November 8 election with municipal seats of Mayor and three Trustees. MOTION (Havenar, Stuth) to approve Resolution 39-2022 to authorize agreement with the County. Roll call vote – aye 6; nay 0. Motion passed.

13. Resolution 40-2022 to Approve Use of Technology (Communication) Policy. Collins stated this is the final policy referenced to complete the employee handbook. MOTION (Farr, Padgett) to approve Resolution 40-2022 to approve the technology policy. Roll call vote – aye 6; nay 0. Motion passed.

14. Direction to Rezone Lakeview Estates from R3 to R10,000 (Action in 1992). Collins and Attorney Krob explained the activity to rezone to R10,000 in 1992 and failure to finalize the rezoning with an official ordinance. Recommendation was to notice all current property owners with a mailing of the upcoming ordinance to rezone to R10,000. Board members agreed to move forward as recommended.

15. Consider Ordinance to Allow Adult Use Cannabis Sales. MOTION (Havenar, Stuth) to table indefinitely. Discussion about indefinite took place. MOTION amended (Havenar, Stuth) to table after consideration of item 16. Roll call vote – aye 6; nay 0. Motion passed.

16. Consider Resolution to Put Ordinance for Adult Use Cannabis Sales to the Ballot. Attorney Krob explained the language drafted and what was reviewed by bond counsel as well as the options to consider – adopt ordinance in future after a vote by the public or provide ordinance language for public to consider when voting. Discussion took place about sales tax. Mr. Jim Parco explained potential tax impact to the town of 9.5% of sales. Trustee Havenar inquired how licensing is limited. Staff stated that restrictions are in the current code. Mr. Jim Parco provided additional information to limit stores. Ms. Jane Garrabrant inquired how long before the town can collect revenue on sales and it was replied a minimum of 60 days with MED providing conditional approval with local approval. Discussion took place about the adult use cannabis question along with a mill levy question and how public may interpret questions. Mr. Atis Jurka inquired if medical stores could also get retail license and response was licensing is not restricted if passed. Mr. Chris Amenson asked the Mayor whether he knows that marijuana is a schedule 1 drug; if he knew the supremacy clause of the constitution; and asked why cite the pledge if he does not follow federal laws. Mr. John Cressman suggested the Board put the question to the voters and keep it a simple yes/no on the ballot. Mr. Paul Banta agreed with Cressman that this is a voter issue and thanked the Board for their service. Mr. Jim Parco agreed with Cressman and Banta, stating this topic is not new to Colorado and to keep it simple for voters. He also

commented to Mr. Amenson's remarks about addiction, federal law – that 2012 Amendment 64 allows determination by the state and that 38 states have legalized marijuana. Mr. Roger Moseley reiterated to put the question as yes/no to the voters. Ms. Melissa Woodward stated the public should understand the ordinance relating to marijuana. Ms. Lisa Butler inquired about two stores being added or current stores being licensed for retail. Ms. Woodward responded that existing code is restricted to the two current stores and are not limited in licensing. Mr. Dino Salvatori stated is limited by location. Discussion took place with Board members about simplified language for the existing stores. MOTION (Havenar, Padgett) to put the question to the ballot and simplify the language with existing establishments. Roll call vote – aye 5; nay 1 (Stuth). Motion passed.

Mayor Bass addressed item 15, previously tabled. MOTION (Havenar, Currier) to table item 15 indefinitely. Roll call vote – aye 4; nay 2 (Farr, Stuth). Motion passed.

17. Consider Resolution to Put Mill Levy Increase to the Ballot. Attorney Krob reviewed the language options drafted. Discussion ensued about the amount of mill levy increase. Members discussed options of 12-15 mill with a step of 5-8 mill in another year vs. one amount up to a maximum of 20 or 22 mill. Ms. Lisa Butler asked what will happen if nothing passes in November. Board members replied that services that are currently lacking will need to be further cut back. Ms. Jane Garrabrant inquired about property tax when purchasing a home and stated she prefer to see one maximum amount instead of a staggered increase. Mr. Jim Parco recommended the Board consider a question with language that if retail marijuana does pass then up to a maximum mill levy. Mr. Eric Sepp suggested the Board consider additional monies from new development of Lakeview Estates and church property. Ms. Lisa Butler suggested the Board ask for what is needed. A few Board members expressed their individual opinions and others expressed feeling rushed to determine the language. Discussion took place about a special meeting to discuss just the mill levy language. A date of Monday, August 15 was determined to meet.

Mayor Bass recessed the meeting at 7:06 pm for the scheduled workshop. The workshop began at 7:20 pm. MOTION (Currier, Farr) to reconvene to the regular meeting at 9:55 pm.

## **Board Reports**

### **Next Meeting (8/25) and Future Items**

**Convene to Executive Session.** MOTION (Currier, Farr) to convene to executive session at 10:05 pm for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e) – town property, possible annexation; and for the purpose of conference with an attorney for the purpose of receiving legal advise on specific legal questions under C.R.S. 24-6-402(4)(b) - CORA request; and personnel matter under C.R.S. 24-6-402(4)(f) - Town Administrator. Roll call vote – aye 6; nay 0. Motion passed.

**Reconvene to Open Session.** MOTION (Currier, Padgett) to reconvene at 10:59 pm. Roll call vote – aye 6; nay 0. Motion passed.

**Adjourn.** MOTION (Currier, Padgett) to adjourn. Motion passed.