



BOARD OF TRUSTEES MEETING

Thursday, December 14, 2023 at 5:00 PM

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

MINUTES

Call to Order. Mayor Havenar called to order the meeting of the Local Licensing Authority at 5 pm.

1. Application to Transfer Liquor License - Sundance Pit BBQ, Hwy 105. Justin Cline introduced himself and his business to the Board. He is requesting to transfer the former LaRosa license to Sundance Pit BBQ. He plans to offer takeout food sales beginning December 18. No person spoke against the application. Mayor Havenar closed the hearing. Collins noted that all material is in order of the application to transfer the license. MOTION (Ball, Padgett) to approve the transfer of the liquor license to Sundance Pit BBQ at 25 Hwy 105. Roll call vote – aye 6; nay 0. Motion passed.

A clip of the Palmer Lake melodrama “Romance at the Chautauqua” was shown. Trustee Nick Ehrhardt arrived.

Pledge of Allegiance

Roll Call. Present: Mayor Glant Havenar; Trustees Nick Ehrhardt, Shana Ball, Sam Padgett, Kevin Dreher, Jessica Farr, Dennis Stern.

Consent Agenda

MOTION (Farr, Dreher) to approve the consent agenda including 2) Minutes from November 9, 2023, Meeting; 3) Financials - Corrected Cash Position page for September; October; November; 4) Checks over \$15,000 - Renner Sports Surfaces (\$26,533.00); Meyer & Sam's (\$24,138.50); Timberline Electric & Control Corp (\$76,619.21); 5) Resolution 76-2023 to Re-Appoint Trustee Dennis Stern to the Pikes Peak Regional Building Advisory Board. Roll call vote – aye 7; nay 0. Motion passed.

Staff/Department Reports

6) Water; 7) Public Works including Roads & Park Maintenance; 8) Police

9) Fire – Chief Vincent provided an update on a carbon monoxide alarm earlier in the week that was a successful use of the alarm and call. Trustee Ball congratulated Firefighters Schubert and Berry for obtaining Firefighter 1 certification and thanked the Police Department for their involvement in the DUI enforcement program.

10) Administration; 11) Attorney

12) Administrator/Clerk – Collins provided an update on the Hwy 105 spring area noting that CDOT will plan funds for a different solution in 2024. Collins distributed a revised cash position page for the town

accounts and stated that fund policies will be worked on in 2024. It was explained that the County will distribute the final valuation for real property on/about December 20 and, if the valuation is reduced, the budget will need to be revisited early January. A special meeting date was noted for Wed., January 3, 2024. Collins mentioned the dates that the office is closed for the holidays.

Mayor Havenar stated that items will be taken out of order prior to the 6 PM public hearing.

16. Proposal/Direction to Staff Relating to Trail and Bridge Work (Parks Commission). Parks Chair Reid Wiecks reviewed the activity from the Commission and relayed the next steps anticipated for the trail and bridge activity. He provided a photo of the bridge installed and funded by Parks. Reid reviewed the permanent bridge designs offered by the Air Force cadets and the recommended 4-glu laminated beams with steel cable instead of wood. He explained the modification using logs from the reservoir instead of pine posts. He stated that the Commission voted for this design and the anticipated cost of \$14,000 can be covered by kiosk funds. The construction is anticipated to begin in spring of 2024. He reviewed the grants applied for. Reid requested a resolution from the Board to allow for installation of additional bridges. Trustee Stern inquired about the walking surface and suggested KDAT. Discussion took place about an overall plan from Parks for trails on the elephant rock property. It was noted that the resolution can include direction from the Board for next steps for the next few years. Reid offered a walking tour to Board members. The Board directed staff to bring back a resolution for the January 11 meeting.

15. Application for Public Display - Mural, Yak's Motorcycle Maintenance and Detail Shop. Mr. Creighton Smith explained the request for a mural due to a new garage door. He referred to the sample artwork in the packet of local artists. Trustee Ball inquired about signage if they used the logo. Mr. Smith stated that they hope to have an artist proposal soon. MOTION (Ball, Padgett) to approve the application for public display with a review of the final artwork. Roll call vote – aye 7; nay 0. Motion passed.

Public Hearing

13. Application for Conditional Use in CC Zone - Religious Institution (304 Hwy 105). Mr. Jeff Rudder, representing The Movement church, addressed the Board requesting a conditional use permit to conduct service at the TLCA. Mayor opened the floor for comments. Mr. Roger Moseley provided comments about Mr. Maddox not being the owner; about PPRBD placing a stop order on modifications to the interior; and Attorney Krob stated the scope of the hearing to the Board and public. Ms. Dusty Severn stated a concern that the TLCA was intended for community use and that this change is not the original purpose. Ms. Marty Brodzik inquired about allowed occupancy. Chief Vincent stated that occupancy is over 200 now but would be considered and established with an inspection. Further discussion ensued of what a conditional use entails and the inspections made as conditions. Mr. Kurt Ehrhardt explained his involvement in reviewing the site for possible remodel plans for TLCA. He asked about this use allowing anyone to live on the premises. Attorney Krob invited the applicant, The Movement church representative Jeff Rudder, to respond to whether the application is completed in truth and Mr. Rudder stated yes, and the purpose to conduct religious service. Mayor Havenar closed the hearing.

Business Items

14. Resolution 77-2023 to Approve Conditional Use in CC Zone - Religious Institution (304 Hwy 105). MOTION (Ball, Farr) to approve Resolution 77-2023 for a conditional use of a religious institution

at 304 Hwy 105. Roll call vote – aye 6; nay 1 (Padgett). Motion passed. Collins stated that the required PPRBD and Fire inspections will be scheduled.

17. Resolution 78-2023 to Approve Revised MOU with Awake Palmer Lake for Pickleball Project. Attorney Krob addressed the item in the MOU about escrow of funds and the liability to support a water line replacement when needed, item 2.1(c). Other options were discussed for modification. Ms. Marty Brodzik stated that the MOU does not match the grant application and raised several concerns to the Board. It was directed to communicate the modification with Awake Palmer Lake prior to Board action. MOTION (Ball, Dreher) to table Resolution 78 until the special meeting on January 3 with revisions. Roll call vote – aye 7; nay 0. Motion passed.

18. Resolution 79-2023 to Authorize Lease Agreement with CORE for EV Charger. Mr. Rob Osborne thanked the Board for considering the lease agreement for the EV charger. Trustee Dennis Stern confirmed that the model is a level 3 fast charging. MOTION (Ball, Farr) to approve Resolution 79-2023 to authorize the lease with CORE. Roll call vote – aye 7; nay 0. Motion passed.

19. Resolution 73-2023 to Accept Final Water Rate Study Report. Mayor Havenar stated this is the final product of the water rate analysis. MOTION (Farr, Ball) to approve Resolution 73-2023 accepting the final report. Roll call vote – aye 7; nay 0. Motion passed.

20. Resolution 80-2023 to Authorize IGA with CDOT for the Palmer Lake Spruce Mountain Road. Mayor Havenar stated this begins the design phase of the roadway improvement project. MOTION (Padgett, Dreher) to approve Resolution 80-2023 to authorize the IGA with CDOT. Roll call vote – aye 7; nay 0. Motion passed.

21. Resolution 81-2023 to Authorize Professional Service Agreement with GMS Consulting for Main Street Design Project. Collins stated that this project has \$150,000 from Multimodal grant funds, however, being an on-system project with CDOT will cost an additional \$68,000. MOTION (Dreher, Padgett) to approve Resolution 81-2023 to authorize the agreement with GMS for the design work. Roll call vote – aye 6; nay 1 (Farr). Motion passed.

22. Resolution 82-2023 to Authorize Agreement with Dukes Electric for Ped Bridge Lighting Plan. Collins reviewed the three quotes, and that Dukes Electric design was approved by the railroad. Ms. Marty Brodzik asked why lighting is required. She stated her concern about the high cost and that lighting is not needed. Collins noted that the lighting plan is for public safety purposes. Parks Commission Chair Reid Wiecks gave the background of Awake Palmer Lake not working with the railroad and Parks pursued the lighting plan. It includes trenching from the new power pedestal and running electricity to the east side of the pedestrian bridge to power the holiday lighting. MOTION (Dreher, Padgett) to approve Resolution 82-2023 to authorize Dukes Electric to install ped bridge lighting as approved. Roll call vote – aye 5; nay 2 (Stern, Farr). Motion passed.

23. Resolution 83-2023 to Authorize Demolition of Elephant Rock Structures. Collins noted the plans for the structures, beginning this year with asbestos testing, following with likely abatement and demolition. Estimates were reviewed. Discussion took place about the course of activity and funds available. Collins noted that each step will be brought back to the Board. MOTION (Farr, Stern) to approve Resolution 83-2023 to move forward. Roll call vote – aye 7; nay 0. Motion passed.

24. Ordinance 24-2023 to Adopt Final Version of Sign Code. Attorney Krob reviewed the major changes to the sign code, including non-conforming signs, health/safety issues, deviation vs. variance from the sign code, appeal process and removed election specific language to be covered as temporary

signs. MOTION (Ball, Dreher) to approve Ordinance 24-2023 as presented. Roll call vote – aye 5; nay 2 (Farr, Stern). Motion passed.

Mayor Havenar requested a short recess at 7:21 pm. At 7:31, Mayor called the meeting back to order.

25. Ordinance 25-2023 Relating to Motor Vehicles on Undeveloped Town Right of Ways. Ms. Brenda Woodward requested clarification regarding the use of an undeveloped right of way with a driveway agreement. Attorney Krob explained that nothing changes. He stated that this ordinance will either bring to light those that do not have a driveway agreement using undeveloped town right of way or those that do and the town will become aware. The ordinance alleviates liability to the town. Ms. Woodward also mentioned a food drive at the store from 12/16 through 12/30 for Tri-lakes Cares. Attorney Krob reviewed the scenario this ordinance may play out and the conditions of the driveway agreement. MOTION (Stern, Dreher) to approve Ordinance 25-2023. Roll call vote – aye 6; nay 1 (Farr). Motion passed.

26. Emergency Ordinance 26-2023 to Adopt the 2024 Budget. Attorney Krob reviewed changes in legislation to adopt a budget by year end, the extended date to certify the mill levy with review of the County final valuation, and that having an approved budget will not require another notice in January if amended. Ms. Marty Brodzik asked why it is an emergency ordinance and Attorney Krob explained the reason being publication requirements; as an emergency it is effective immediately. Ms. Brodzik began to speak about the 2022 figures and Attorney Krob stated that 2022 is not what is before the Board. She questioned the total ARP funds being carried forward. MOTION (Ball, Dreher) to approve Emergency Ordinance 26-2023 to adopt the 2024 budget as presented. Roll call vote – aye 6; nay 1 (Farr). Motion passed. The date of January 3, 2024, was noted for a special meeting for the budget.

27. Distribute/Review Revised Employee Handbook. Collins distributed a draft of revisions to the employee handbook to be considered in January.

28. Distribute/Review Draft of Proposed Master Fee Schedule. Collins distributed and briefly reviewed questions for revised fees for land use applications. A version will come back to the Board in January.

Public Comment

Mr. Kurt Ehrhardt stated that land use fees are part of the building process and are passed on to buyers. Mr. Ehrhardt apologized to the Board for his comments about the TLCA. He stated that his deal with Mr. Josh Mabe and his team on his Hwy 105 lot will not go forward and the parking for downtown must be addressed differently. Mr. BJ Decker expressed his concern about cutting staff hours from Police and Fire. He does not want to see crime increase. Mr. Dino Salvatori stated his concern about cutting Police hours and stated his additional sales tax should increase to help. Mr. Dan Lord requested that the Board not cut Police hours. Mr. Jacob Adams stated that he does not want to see Police cuts in the budget.

Board Reports. None.

Next Meeting (1/11/2024) and Future Items - Board Retreat?

A special meeting will be scheduled for January 3, 2024, a regular meeting on January 11 and 25, and a Board retreat scheduled for February 2, 2024.

Convene to Executive Session. 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) – Elephant Rock property lease terms for Star View Ranch, and possible public land sale; for personnel matter under C.R.S. 24-6-402(4)(f) - employment agreement; for conference with Town Attorney for the purpose of receiving legal advice under C.R.S. 24-6-402(4)(b) - PD complaint. MOTION (Farr, Stern) to convene to executive session at 8:49 PM. Roll call vote – aye 7; nay 0. Motion passed.

Reconvene to Open Session. MOTION (Padgett, Ball) to reconvene to open session at 10:21 PM. Roll call vote – aye 7; nay 0. Motion passed.

29. Action on Employment Agreement (Town Administrator). MOTION (Stern, Ehrhardt) to approve the employment agreement as presented. Roll call vote – aye 5; nay 2 (Padgett, Farr). Motion passed.

Adjourn. MOTION (Padgett, Ball) to adjourn at 10:24 PM. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk