



TOWN OF ELIZABETH

TOWN OF ELIZABETH
Workshop on the Bulmer Property
Tuesday, January 28, 2025, at 6:00 PM UPDATED 1/27/25

BOARD OF TRUSTEES REGULAR MEETING
Tuesday, January 28, 2025, at 7:00 PM
Town Hall, 151 S. Banner Street

Conferencing Access Information: This is viewing-only access.

<https://us02web.zoom.us/j/87060010126?pwd=Jl2fuAP3VWjJfNORxxaigiMB2dDShy.1>

Join via phone at 1 669 900 9128 Meeting ID: 870 6001 0126

Meeting Passcode: 524135

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

This is a meeting of the Board of Trustees held in public. We welcome you here and thank you for your time and concerns. When you are recognized, please stand and state your name and address to the Board. Your comments will be limited to 3 minutes. The Board of Trustees may not respond to your comments during this meeting, but rather take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up. Personal attacks against Board Members, Administrative Staff, or Employees will not be recognized. If a response from Staff is requested, the Mayor will direct Staff to have a response at the next regularly scheduled Board meeting.

AGENDA CHANGES

CONSENT AGENDA

1. Minutes of the Regular Meeting of January 14, 2025.

PROCLAMATION

2. National School Choice Week Proclamation – Mayor Ternus

NEW BUSINESS

3. Discussion and Possible Action Regarding the appointment of a Board Representative to serve on Façade Grant Committee – Patrick Davidson
4. Discussion and possible action on the Ward 2 vacancy – Patrick Davidson

ACTION MAY BE TAKEN ON ANY AND ALL ITEMS LISTED ON THE AGENDA
ACCOMMODATIONS FOR DISABILITIES MAY BE MADE UPON REQUEST.

- [5.](#) Discussion and possible action on Ordinance 25-01, an Ordinance amending Section 6-1-30 of the Elizabeth Municipal code to exempt certain businesses from local business license and license fees and making conforming changes to Article II of Chapter 6 – Harmony Malakowski
- [6.](#) Discussion and possible action on Ordinance 25-02, an Ordinance amending Section 10-6-70 and repealing Section 10-6-30 of the Town of Elizabeth Municipal Code concerning curfew violations – Patrick Davidson
- [7.](#) Discussion and possible action on resolution 25R06, a Resolution authorizing the Mayor to execute an easement agreement for the Benefit of the Real Property commonly known as 525 Dale Court, Elizabeth Colorado – Patrick Davidson

MANAGEMENT MONITORING REPORTS

- [8.](#) Management Monitoring Reports

STUDENT LIAISON REPORT

9. Student Liaison Report – Landon Sherlock

BOARD OF TRUSTEES REPORTS

10. Board Reports

MINUTES

- [11.](#) Minutes of the Main Street Board of Directors Meeting of December 9, 2024.

ADJOURNMENT

MEETING PROTOCOL AND STANDARDS OF CONDUCT

Public Participation

Public comment is encouraged and will be listed as an agenda item at every regular Board meeting.

Each individual wishing to be heard during the public comment period will be given up to three (3) minutes to make a comment.

The public comment period will not be used to make political endorsements or for political campaign purposes.

Questions from the Board will be for clarification purposes only. Public comment will not be used as a time for problem solving or reacting to comments made but, rather, for listening to the comments of citizens without taking any formal action.

The Board may direct the Town Administrator to provide information requested by a speaker during the public comment period.

Speakers are not allowed to make belligerent, accusatory, impertinent, slanderous, threatening, abusive, or disparaging comments.

The Mayor may elect to defer public comment on a specific issue that appears on the regular agenda until that specific item is addressed.

The Mayor may call for order when sidebar conversations occur in the audience. Those conversations are distracting from the Board addressing the topics at hand.

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further participation at that meeting or removed from the Board Chambers pursuant to the Elizabeth Municipal Code and Colorado Revised Statutes.



BOARD OF TRUSTEES – RECORD OF PROCEEDINGS

January 14, 2025

CALL TO ORDER

The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, January 14, 2024, at 7:01 p.m. by Mayor Angela Ternus.

ROLL CALL

Mayor Angela Ternus, Mayor Pro Tem Tracy Hutchins, and Trustees Loren Einspahr, Shannon Downs, Dave Conley, and Michael Schroder were present. There was a quorum to do business.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Public Works Director Mike DeVol, Police Chief Jeff Engel, Planning / Project Manager Alexandra Cramer, Assistant Public Works Director James McErnie, Finance Officer Hannah Bruce, Town Attorney Corey Hoffmann, and Student Liaison Landen Sherlock.

PLEDGE OF ALLEGIANCE

Mayor Ternus led the Board in the Pledge of Allegiance.

PUBLIC COMMENT

Bill Mock – Elbert County Resident

AGENDA CHANGES

No agenda changes from the Administration.

No agenda changes by the Board.

Agenda set.

CONSENT AGENDA

1. Minutes of the Regular Meeting of December 10, 2024

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Einspahr, to accept the Consent Agenda as presented.

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

NEW BUSINESS

2. Discussion and Possible Action Regarding the Appointment of Gayle Gardner to the Historic Advisory Board

Ms. Cramer provided a Staff report. Ms. Gardner introduced herself and provided her background to the Board.



TOWN OF ELIZABETH

BOARD OF TRUSTEES

Motion by Trustee Einspahr, seconded by Mayor Pro Tem Hutchins, to appoint Gayle Gardner to the Historic Advisory Board.

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

3. Discussion and possible action on Resolution 25R01, a Resolution Establishing a Designated Public Place for the Posting of Meeting Notices Pursuant to C.R.S § 24-6-402(2)(c)

Ms. Oeser provided a Staff report.

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Schroder, to approve Resolution 25R01, a Resolution Establishing a Designated Public Place for the Posting of Meeting Notices Pursuant to C.R.S § 24-6-402(2)(c)

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

4. Discussion and possible action on Resolution 25R02, a Resolution amending Mill Levy

Ms. Bruce provided a Staff report.

Motion by Trustee Einspahr, seconded by Trustee Schroder, to approve Resolution 25R02, a Resolution amending Mill Levy.

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

5. Discussion and possible action on Resolution 24R03, a Resolution authorizing the Mayor to enter into a Personal Services agreement between the Town of Elizabeth and Patricia Ann Fontenot to provide victim advocate services to the Town of Elizabeth

Chief Engel provided a Staff report.

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Schroder, to approve Resolution 24R03, a Resolution authorizing the Mayor to enter into a Personal Services agreement between the Town of Elizabeth and Patricia Ann Fontenot to provide victim advocate services to the Town of Elizabeth.

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

6. Discussion regarding a contribution to Wreaths Across America

Ms. Oeser provided a Staff report. Board provided direction to Staff.



7. Discussion and possible action on Resolution 24R04, a Resolution authorizing the Mayor and/or Town Administrator to execute all required and necessary documents for Grant Applications to the RAISE Grant Program

Mr. Davidson provided a Staff report.

Motion by Mayor Ternus, seconded by Mayor Pro Tem Hutchins, to approve Resolution 24R04, a Resolution authorizing the Mayor and/or Town Administrator to execute all required and necessary documents for Grant Applications to the RAISE Grant Program with the change to the completion of sidewalks along E. Kiowa Ave. HWY 86 on the South side from approximately Elbert Street to County Road 17; from Elbert Street to the Bridge on the North side of HWY 86; reconfigure the traffic light at County Road 17 and sidewalk on the South and/or North side of HWY 86 from Elbert Street West to Legacy Circle.

By a roll call vote, the vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

8. Discussion and possible action on Resolution 24R05, a Resolution approving the First Amendment to the Scarlett Creek Minor Subdivision Agreement

Ms. Cramer provided a Staff report.

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Downs, to approve Resolution 24R05, a Resolution approving the First Amendment to the Scarlett Creek Minor Subdivision Agreement.

The vote of those Trustees present was 6 in favor and 0 opposed. The motion passed unanimously.

MANAGEMENT REPORTS

- Town Administrator Patrick Davidson:
 - Discussion on a Board retreat.
 - Discussion on hiring a Community Development Director.
 - Discussion on revisiting the Comp Plan.
 - Discussion on the Community and Senior Center.
 - Discussion on setting up a Saturday Board workshop.
 - Mayor Ternus asked that Friday memos be included in the Board packet.

- Chief of Police Jeff Engel:
 - A new Officer has been hired and is starting the Police Academy.
 - Officers are participating in ice driving training through CIRSA.
 - The Board directed Chief Engel to move forward in the process of looking at a contracted agency for police staffing review.



TOWN OF ELIZABETH

BOARD OF TRUSTEES

- Assistant Public Works Director James McErnie:
 - Staff did well in covering the unexpected snowstorm last week.
 - Advised people to prepare for the storm projected to come this weekend.
 - Stated that they are working with citizens on snow removal.
 - Provided an update on Main Street construction.

- Town Clerk Michelle Oeser:
 - Expressed kudos for Hannah thinking out of the box to sell both Humvees to the same individual.
 - Allison is working on getting year end items into Laserfiche.
 - Harmony has finished entering all of the new pay codes into Caselle.
 - Michelle has fished up the 2024 W2 taxes.
 - Many Thank You cards, calls, and emails have been received for the Senior Baskets.

- Town Attorney Corey Hoffmann:
 - Mayor Ternus asked about a possible moratorium on building permits.
 - Mayor Ternus asked for information regarding the Wards.

STUDENT LIAISON REPORT

- Student Liaison Landen Sherlock:
 - Went through his written report.
 - Stated that Students are happy, but starting to have Senioritis.
 - Discussed winter sports.
 - Mayor Ternus asked Mr. Sherlock how it went judging the Town Holiday Lighting Contest.

BOARD OF TRUSTEE REPORTS

- Ward 1:
 - Mayor Pro Tem Hutchins thanked Staff for the flowers.
 - Requested to be provided with Corey and Department Head contact information.

- Mayor Ternus:
 - Attended the swearing in of the new Elbert County Commissioners.
 - Asked Mr. Hoffmann about zoning for “Magic Mushrooms”.

MINUTES

12. Minutes of the Historic Advisory Board of November 4, 2024

EXECUTIVE SESSION



TOWN OF ELIZABETH

BOARD OF TRUSTEES

Motion by Mayor Ternus, seconded by Trustee Schroder, to adjourn the Regular Meeting at 9:55 PM and open an Executive Session to hold a conference with the Town's attorney to receive legal advice on specific legal questions regarding the property generally known as 525 Dale Court, pursuant to C.R.S. § 24-6-402 (4)(b).

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

Motion by Mayor Ternus, seconded by Trustee Schroder, to adjourn the Executive Session and return to the Regular Meeting at 10:08 p.m.

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

ADJOURNMENT

Motion by Mayor Pro Tem Hutchins, seconded by Trustee Schroder, to adjourn the meeting at 10:09 p.m.

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

Town Clerk Michelle Oeser

Mayor Angela Ternus



CHOOSE ELIZABETH

A Proclamation Commemorating Town of Elizabeth School Choice Week

WHEREAS, all children in Elizabeth should have access to the highest-quality education possible; and,

WHEREAS, our area schools are the 4th highest rated in the Denver metro area according to the Colorado Department of Education; and,

WHEREAS, Town of Elizabeth recognizes the important role that an effective education plays in preparing all students in Town of Elizabeth to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of Town of Elizabeth; and,

WHEREAS, Town of Elizabeth is home to a multitude of excellent education options from which parents can choose for their children; and,

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS, our area has many high-quality teaching and support professionals who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

THEREFORE, I, _____, Angela Ternus Mayor of the Town of Elizabeth, CO. do hereby recognize January 26 to February 1, 2025, as **TOWN OF ELIZABETH SCHOOL CHOICE WEEK**, and I call this observance to the attention of all of our citizens.



TO: Honorable Mayor and Board of Trustees
FROM: Alexandra Cramer, Planner/Project Manager
DATE: January 28th, 2025
SUBJECT: Discussion on Façade Grant Program Overview and Committee Appointment Request

SUMMARY

Staff is requesting the Board of Trustees to appoint a representative to serve on the Town of Elizabeth Façade Grant Program Review Committee. This program provides matching grants to downtown property owners for façade improvements, supporting our goals of downtown revitalization and historic preservation.

The Façade Grant Program was initially established to complement the Main Street Streetscape Project, enabling property owners within the downtown core to enhance their buildings during the ongoing construction period. This coordinated approach ensures beautification occurs in both public and private spaces along Main Street, maximizing the impact of our downtown improvements.

The program offers grants ranging from \$500 to \$5,000, with historic register properties required to provide a 25% match and all other eligible properties a 50% match. These grants fund various improvements including exterior painting, signage, windows, doors, and architectural details.

Interest in the program has grown significantly since its successful first round in Summer 2024, which funded three downtown improvement projects. For the upcoming winter round, we have already received inquiries from six different properties seeking funding, demonstrating the program's value to our downtown business community. Currently, \$7,500 remains in the budget for this year.

The program is overseen by a committee comprising representatives from the Main Street Board, Historic Advisory Board, and Board of Trustees. This committee meets twice annually - in February for March awards and potentially in July for August awards if funding remains available. Each meeting requires approximately 1-2 hours of time commitment.

STAFF RECOMMENDATION

Staff recommends the Board appoint a representative to serve on the committee and participate in the upcoming February review meeting.

ATTACHMENTS

2025 Façade Grant Program Guidelines

Program Boundary Map



2025 Town of Elizabeth Façade Grant Program

What is the Façade Grant Program?

The Town wishes to encourage and support building and business owners' investment in the upgrade of their existing building façade. The Façade Grant Program is a process where the applicant will match 25% of awarded grant funds for properties on the local historical register or 50% of grant funds to all other properties within the boundary who construct eligible improvements to the façades of their buildings. Applicants must use their own funds to match the grant. The award amount will range from \$500 to \$5,000 depending on the category of work being done.

Eligible Properties and Applicants

All businesses and/or property owners within the designated boundary as well as all buildings on the Town of Elizabeth local historic register are eligible for the Façade Grant Program. Any building with a current zoning or building code violation is not eligible for the program. All bills, charges, or taxes due to the Town of Elizabeth must be current. Any property owner, or business owner with building owner authorization, within the boundary and/or on the local historic register may apply for the grant. Grant funds are dispersed on a reimbursement basis once the completed work has been verified by Town staff as compliant with the plans in the approved application. Any deviation from the approved grant project must be approved by Town staff or may result in the total or partial withdrawal of the grant. An 'After' picture and receipts for the finished work must be submitted within 45 days of project completion for reimbursement.

Eligible Façade Improvements

Improvements include the following:

- Exterior painting and/or paint removal
- Reparation and restoration of brickwork, wood, masonry, and stucco
- Exterior lighting
- Permanent signage, such as a monument, projecting, or wall

- Reparation and replacement of architectural details or materials.
- Doors, including garage doors
- Windows
- Rehabilitation or compatible reconstruction of storefronts
- Removal and replacement of exterior finish (vinyl siding excluded from replacement materials)
- Patios, including base and railings
- Other architectural elements
- Sidewalks, curb, gutter, parking, and landscaping
- Energy conservation improvements
- Handicap accessibility improvements

Ineligible Façade Improvements include:

- Any improvements made prior to grant approval
- Improvements not seen from the public-right-of-way, Town trails, or not having significant visual impact
- Non-permanent fixtures (e.g. furniture, fixtures, benches, flower planters)
- Refinancing of existing debt
- Sweat equity (payment for applicant’s own labor)
- General or routine maintenance and cleaning
- General business operation expenses (payroll, taxes, utilities, etc.)

Eligible Project

Total redevelopment cost can include:

- Construction related expenses (materials and/or labor)
- Utility upgrade costs
- Building permits

Total redevelopment cost cannot include:

- Purchase price of building or property
- Regular building utility costs
- Security cameras
- Worker support (e.g. meals, transportation, uniforms, etc.)
- Insurance, taxes, loan servicing payments, etc.

PROJECT CRITERIA AND SELECTION

Applications will be evaluated by Town staff and presented to the Town of Elizabeth Façade Grant Program Committee. This committee is comprised of one member from each of the following boards: Main Street Board of Directors, Historic Advisory Board and Board of Trustees. Final grant approval is determined by the Town of Elizabeth Façade Grant Program Committee. The grant is limited to one grant award per property address per year. Grant awards are processed on a two-cycle basis. The first round of applications will be accepted from January 1 – January 31, with a March 1st award date. The second round of applications will be accepted from June 1 – June 30, with an August 1st award date.

See next page for scoring system of proposals.

All projects must also meet general design guidelines of commercial properties set by the Town of Elizabeth building and sign codes and it is the responsibility of the applicant to apply for these permits.

Scoring System	5	4	3	2	1	Rationale
Age of Building	121+ Years (Built Before 1902)	91-120 Years (Built 1931-1902)	61-90 Years (Built 1961- 1932)	31-60 Years (Built 1991-1962)	<30 Years (Built Since 1992)	Older buildings will have older façades. This criterion aims to support business in older buildings in the community as well as business retention efforts.
Impact	<ul style="list-style-type: none"> -Project eliminates a liability of the commercial district -Project restores historical/architectural significance of the property -Project strongly contributes to the retention or addition of a business downtown -Project will bring building up to code -Project will significantly increase pedestrian traffic 	<ul style="list-style-type: none"> -Project eliminates a liability of the commercial district -Project restores historical/architectural significance of the property -Project somewhat contributes to the retention or addition of a business downtown -Project will bring building up to code -Project contributes to safety of building and surroundings 	<ul style="list-style-type: none"> -Project restores historical/architectural significance of the property -Project somewhat contributes to the retention or addition of a business downtown -Project will bring building up to code -Project contributes to safety of building and surroundings 	<ul style="list-style-type: none"> -Project minorly contributes to the retention or addition of a business downtown -Project contributes to safety of building and surroundings 	<ul style="list-style-type: none"> -Project contributes to safety of building and surroundings 	This criterion aims to support projects that will have the greatest positive impact on the community.
Community Contribution	<ul style="list-style-type: none"> -Applicant is a good neighbor -Project area is kept clean and free of debris consistently -Applicant continuously participates in community-based activities and promotions -Applicant continuously promotes downtown Elizabeth and Elizabeth Main Street 	<ul style="list-style-type: none"> -Applicant is a good neighbor -Project area is kept clean and free of debris consistently -Applicant sometimes participates in community-based activities and promotions -Applicant sometimes promotes downtown Elizabeth and Elizabeth Main Street 	<ul style="list-style-type: none"> -Project area is somewhat clean and free of debris consistently -Applicant sometimes participates in community-based activities and promotions -Applicant sometimes promotes downtown Elizabeth and Elizabeth Main Street 	<ul style="list-style-type: none"> -Project area is somewhat clean and free of debris consistently -Applicant sometimes participates in community-based activities and promotions 	<ul style="list-style-type: none"> -Applicant rarely participates in community-based activities and promotions 	This criterion aims to support applicants that are general supporters of the community.

Total: _____/15

Applicant Process

- 1.** Contact the Town of Elizabeth’s Community Development Department prior to submitting application. The staff will explain the process and consult on the application process.
- 2.** It is highly encouraged, but not required to contact Main Street Colorado for a design consultation as they offer the service for free. Please contact Lary Lucas from the Department of Local Affairs at (720) 402-9303.
- 3.** Complete grant application. Complete applications will include:
 - a.** Application form
 - b.** Narrative of proposed project
 - c.** Illustrations of the proposed work or architectural drawings
 - d.** Photos of the site and its relationship to adjoining sites
 - e.** Color samples and texture of finish materials, where applicable
 - f.** Scope of Work is required.
 - g.** Planning Department comments/review, including Historic Preservation comments
 - i.** Round 1 deadline:
 - 1.** Last HAB meeting before deadline: January 6, 2025
 - ii.** Round 2 deadline:
 - 1.** Last HAB meeting before deadline: June 2, 2025
 - h.** Lease of property (if not owned by applicant) and letter of authorization from property owner (attached)

Other provisions:

- Affidavit legal residency (attached)
- Property Taxes, Special Assessments: No financial assistance will be provided from the Façade Grant Program if property taxes, or special assessments are in arrears.
- Deadline
 - Applications may only be submitted during the following grant funding cycles: January 1st – January 31st **or** June 1st – June 30th.
 - Town staff will review the applications and make a recommendation to the Town of Elizabeth Façade Grant Program Committee which has the final authority to approve or reject the application.
 - If an application is denied, it may be reconsidered if amended to address project deficiencies at the next grant funding cycle.

All applications must be physically returned to:

Town Hall
151 South Banner Street, P.O. Box 159 Elizabeth,
CO 80107

Or electronically sent to:

acramer@townofelizabeth.org

Construction Process

1. Renovation/rehabilitation work must be started within three (3) months of grant approval and completed within twelve (12) months of approval. Depending on the scope of a project, extensions may be requested on a case-by-case basis. Town staff reserves the right to cancel this agreement in the event of failure to comply with this schedule.
2. The applicant is responsible for obtaining all building permits and any other required permits for the work to be done. The applicant is responsible for conformance with all applicable safety standards and conditions.
3. The applicant agrees to maintain the property and improvements.
4. The applicant agrees to provide an 'after picture' of the improvements.
5. The Town of Elizabeth Façade Grant Program may promote an approved project including, but not limited to, displaying a Town of Elizabeth sign at the site, during and after the construction, and using photographs and descriptions of the project in Town of Elizabeth marketing materials.

Reimbursement

1. Once work is completed, the applicant must submit an 'after picture' and final receipts/bills within 45 days of project completion.
2. Town staff inspects and verifies completed work
3. Should the final product be consistent with the Committee's approvals, reimbursement of funds to the applicant will be authorized.



TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Patrick Davidson, Town Administrator
Michelle Oeser, Town Clerk
DATED: January 28, 2025
SUBJECT: Open Board Seat – Ward 2

BACKGROUND

Ward 2 is comprised of two (2) seats on the Board of Trustees. One seat is currently held by Trustee Loren Einspahr, who was elected in November 2022 and whose term will continue through November 2026. The other ward seat had no candidates during the November 2024 election and therefore is unfilled. The term of this seat is through November 2026.

On December 10, 2024, the Board of Trustees declared the vacancy of the remaining Ward 2 seat and sought applications to fill the position. Ultimately, no applications meeting the requirements to serve have been received by the Town Clerk, and the seat remains vacant. The seat must be filled on or before February 10, 2025, or the seat must be set for a Special Election.

ANALYSIS

The Board may re-open the application period to receive qualified applicants for the open seat. If this is the option chosen by the Board, Staff would recommend setting a new application deadline for either February 5th or February 6th, with the intention to hold interviews through a Special Meeting on February 7th and with the intent to fill the position that day if a candidate is selected.

In the alternative, the Board can set a date for an election to be held to fill the open seat. This can be accomplished during the January 28th meeting, or in the alternative, could occur during a Special Meeting to be held on February 7th [or any time before]. A possible range of dates, based on the date of the setting of the election, could be as follows:

- Selection and announcement of the Special Election date [Tuesday] by the Board of Trustees.
- Board determines the specific date of the Special Election – 60 to 90 days into the future.
- The next day Nomination Petitions must be available to pick up for circulation by Ward 2 eligible candidates.
- Nomination Petitions can be circulated for up to 20 days.
- Nomination Petitions are submitted to the Clerk for review.
- The Nomination Petitions remain subject to challenge, printing of ballots, UOCAVA and related matters based on the dates selected.

Lastly, the Board may cancel the Special Election if it is possible for the Board to fill the position in advance of the actual date of the election.

STAFF RECOMMENDATION

Staff make no recommendation due to public policy considerations and need to remain neutral in the political process.

BUDGET CONSIDERATIONS

Unknown. The Town has not yet held an election related to the new ward system. The overall costs of an election will be substantially less than a Town-wide election due to the limited size and scope of each of the Town's wards.

ATTACHMENTS

N/A



TOWN OF ELIZABETH

HARMONY MALAKOWSKI – DEPUTY TOWN CLERK

TO: Honorable Mayor and Board of Trustees
FROM: Harmony Malakowski, Deputy Town Clerk
DATE: January 28, 2025
SUBJECT: Business Licenses

SUMMARY

In 2022, the State of Colorado enacted Senate Bill 22-032. Beginning July 1, 2022, any business that does not have a brick-and-mortar presence in the Town, is not required to pay a fee for a business license. Since this Bill went into effect, Town Staff has not required businesses that do not have a brick-and-mortar presence in the Town to get a Town business license. This ordinance will update the Town Code to reflect current business practices. It also eliminates the requirement for commercial solicitors to get a business license as part of their solicitor's license process as solicitors in general do not have an "incidental presence". All other aspects of the Solicitor's License requirements are still in effect.

RECOMMENDATION

Staff recommends approval of Ordinance 25-01, an Ordinance amending section 6-1-30 of the Elizabeth Municipal Code to exempt certain businesses from local business license and license fees and making conforming changes to Article II of Chapter 6.

ATTACHMENTS

Ordinance 25-01

ORDINANCE 25-01

AN ORDINANCE AMENDING SECTION 6-1-30 OF THE ELIZABETH MUNICIPAL CODE TO EXEMPT CERTAIN BUSINESSES FROM LOCAL BUSINESS LICENSE AND LICENSE FEES AND MAKING CONFORMING CHANGES TO ARTICLE II OF CHAPTER 6

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. Section 6-1-30 of the Elizabeth Municipal Code is hereby amended to read as follows:

Sec. 6-1-30. – License required; exemption. No person shall engage or be engaged in the operation, conduct or carrying on of any retail profession, trade or business within the Town without first obtaining a license from the Town, except that businesses that have a state standard retail license and make retail sales within the Town, but have no physical presence or only an incidental presence in the Town are exempt from this requirement.

Section 2. Section 6-2-70, subsection (f) of the Elizabeth Municipal Code is hereby amended to read as follows:

Sec. 6-2-70. - Permits and identification badges for commercial solicitors

* * *

(f) Each employer who engages any other person for salary, compensation or other remuneration to engage in door-to-door commercial solicitation shall, before commencing such solicitation, register and pay the fee as provided by Section 6-2-80 below.

Section 3. Section 6-2-90 of the Elizabeth Municipal Code is hereby amended by the deletion of subsection (6).

Section 4. Section 6-2-100, subsection (a)(3) of the Elizabeth Municipal Code is hereby amended to read as follows:

Sec. 6-2-100. - Grounds for denying permit.

(a) The Town Clerk may deny the issuance of a permit for any of the following reasons:

* * *

(3) Failure of the applicant, his or her supervision or his or her employer to remit any sales tax due to the Town;

Section 5. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 6. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 7. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this _____ day of _____, 2025.

Passed by a vote of _____ for and _____ against and ordered published.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk



TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Patrick Davidson, Town Administrator
DATED: January 28, 2025
SUBJECT: Ordinance to Amend Section 10-6-70 and Repealing Section 10-6-80 of the Town of Elizabeth Municipal Code Concerning Curfew Violations

BACKGROUND

On November 18, 2024, the District Court for Elbert County, Colorado found the Town's curfew ordinance overly broad, and therefore unconstitutional. The Town Attorney has recommended and approved the attached Ordinance to bring the Town Code into conformity with the Court's ruling.

ANALYSIS

The Town retains the necessary police powers for the health, welfare, and safety of the community. A curfew ordinance is a valid exercise of the Town's police powers and is necessary and proper to protect minor residents in Elizabeth.

STAFF RECOMMENDATION

Staff recommends amending Section 10-6-70 and repealing Section 10-6-80 of the Town Code in conformity with the District Court decision in M.S. Concerning J.S. a Minor Child vs. The Town of Elizabeth, Case Number 2022CV30033.

BUDGET CONSIDERATIONS

N/A

ATTACHMENTS

An Ordinance Amending Section 10-6-70 and Repealing Section 10-6-80 of the Town of Elizabeth Municipal Code Concerning Curfew Violations

ORDINANCE 25-02

AN ORDINANCE AMENDING SECTION 10-6-70 AND REPEALING SECTION 10-6-80 OF THE TOWN OF ELIZABETH MUNICIPAL CODE CONCERNING CURFEW VIOLATIONS

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF ELIZABETH, COLORADO, THAT:

Section 1. Section 10-6-70 of the Town of Elizabeth Municipal Code is hereby amended as follows:

10-6-70. – Curfew.

(a) It is unlawful for any person who has not reached his or her eighteenth birthday, or for any parent, guardian or other person having legal custody of any minor who has not reached their eighteenth birthday to knowingly allow or permit a minor to be loiter or remain upon any public road, street or alley, ~~to be or remain~~ in any establishment open to the public, or ~~to be or remain~~ in any other public place in the Town after the hour of 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday, or after the hour of 12:00 midnight on any Friday or Saturday, or prior to the hour of 5:00 a.m. on any day except:

(1) When accompanied by a parent, guardian or other person having legal custody of such minor;

(2) For lawful employment when commuting directly to or from such employment and when carrying an employer's written and signed statement specifying the type, hours, and place of employment;

(3) When accompanied by a person who has reached his or her eighteenth birthday and who has in his or her possession the written and signed consent of the parent, guardian, or other person having legal custody of the minor;

(4) In a parked, standing or moving vehicle while accompanied by a parent, guardian, or other adult person;

(5) In a motor vehicle in interstate travel; or

(6) Engaged in any school, religious, civic, or social activity, directly going to or returning from any such activity or going to or from any other activities of any kind which are supervised or directed by a parent or adult person.

(b) It shall be an affirmative defense to a charge under this Section that, at the time of the violation, the minor was:

(1) Not loitering; or

(2) Exercising rights protected by the First Amendment of the United States Constitution, such as the free exercise of religion, freedom of speech, or the right of assembly.

(c) For purposes of this Section, to "loiter" or the act of "loitering" shall mean remaining idle in one (1) location, to be dilatory, to tarry or to dawdle and shall include without limitation standing around, sitting, kneeling, sauntering or prowling in a public place.

(d) For purposes of this Section, "knowingly" shall mean knowledge which a parent, guardian or other person having legal custody of a person who has not reached their eighteenth birthday should be reasonably expected to have concerning the whereabouts of such minor person.

Section 2. Section 10-6-80 of the Town of Elizabeth Municipal Code shall be deleted in its entirety.

Section 3. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 4. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this _____ day of _____, 2025.

Passed by a vote of _____ for and _____ against and ordered published.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk



TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees
FROM: Patrick Davidson, Town Administrator
DATED: January 28, 2025
SUBJECT: 525 Dale Court Easement / Encroachment

BACKGROUND

On September 29, 1997, the Town of Elizabeth entered into an Agreement with Norman and Myra Ullom regarding a garage that had inadvertently been constructed on the Town's property, namely Spruce Street. The Agreement provided that the garage could remain, until such time as it was either removed from the property or more than 50% of the garage was destroyed. To date, neither event has occurred.

In 2001, the land was subject to an Amendment to the Phillips Addition which created "Tract A" - the vacated portion of Spruce Street [caused by the garage]. Further, the Amendment appears to have conveyed Tract A to the Town without the reservation for the garage. Arguably, it could mean that these two documents are at odds with one another for purposes of ownership of the land and the status of the garage.

The owner of 525 Dale Court seeks to sell their property, and the garage is now at issue. The owner and prospective buyer need assurances that the Town will not force the removal of the garage. The Town's Attorney has worked with the owner's attorney to reach a potential agreement which maintains the status quo for the garage. Namely, the garage may remain in place, subject to *either* (1) the removal of the garage; or (2) the destruction of more than 50% of the garage. After which, the land located on Tract A reverts to being a portion of Spruce Street.

ANALYSIS

The proposed transaction provides the most reasonable means to maintain the status quo and allow for the sale of the property.

STAFF RECOMMENDATION

Staff supports the transaction, and the documents have been approved by the Town Attorney as to form.

BUDGET CONSIDERATIONS

N/A

ATTACHMENTS

Easement Agreement between the Town of Elizabeth and Quartzville Limited Partnership, LLLP

RESOLUTION 25R06

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT FOR THE BENEFIT OF THE REAL PROPERTY COMMONLY KNOWN AS 525 DALE COURT, ELIZABETH COLORADO

WHEREAS, the Town of Elizabeth previously entered into an *Agreement Regarding Conveyance*, dated September 29, 1997 authorizing and allowing the encroachment of a garage on the Town's property; and

WHEREAS, the Town of Elizabeth, and the successor in interest of the *Agreement Regarding Conveyance* find it necessary and proper to reaffirm the terms of said encroachment.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

SECTION 1. The Board of Trustees hereby authorizes the Mayor to execute an *Easement Agreement* for the benefit of the real property commonly known as 525 Dale Court, Elizabeth, Colorado.

PASSED, APPROVED, and ADOPTED this 28th day of January 2025, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of _____ for and _____ against.

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made and executed effective this _____ day of _____, 2025, by and between THE TOWN OF ELIZABETH, COLORADO (the “Grantor”), and QUARTZVILLE LIMITED PARTNERSHIP LLLP, a Colorado limited liability limited partnership (the “Grantee”).

WITNESSETH:

WHEREAS, the Grantor is the owner of a parcel of real estate located in the Town of Elizabeth, County of Elbert, State of Colorado, identified as Parcel No. 84181-21-008, and more particularly described as follows, to wit:

Section: 18 Township: 8 Range: 64 Subdivision: ELIZABETH PHILLIPS ADD Block: 26 Tract: A –
AMEND 1

which land is located on and within Town of Elizabeth right-of-way generally known as East Spruce Street (the “Burdened Land” or the “Easement Property”); and

WHEREAS, the Grantee is the owner of a parcel of real estate located in the Town of Elizabeth, County of Elbert, State of Colorado, identified as Parcel No. 84181-21-006, more particularly described as follows, to wit:

Section: 18 Township: 8 Range: 64 Subdivision: ELIZABETH PHILLIPS ADD Block: 26 Lot: 11A –
AMEND 1

Known and numbered as 525 Dale Court (the “Benefited Land”); and

WHEREAS, the Town as Grantor and Grantee’s predecessor in interest entered into that Agreement Regarding Conveyance dated September 29, 1997, and recorded on September 29, 1997 at Book 569, Page 417 of the records of the Elbert County Clerk and Recorder’s Office (the “Original Conveyance Agreement”), which Original Conveyance Agreement has been determined to have been merged into Town ownership by operation of law; and

WHEREAS, the Town as Grantor is amenable to memorializing the encroachment of the garage on the Town’s property consistent with the Original Conveyance Agreement by execution of this Easement Agreement, and

WHEREAS, the Grantor is willing to convey to the Grantee an easement on and across the Burdened Land for the existence of a garage (the “Encroachment”) attached to the house existing on the Benefited Land, serving the Benefited Land on the Burdened Land, which Encroachment is located on the eastern portion of the Burdened Land, and as further depicted on the diagram attached hereto as Exhibit A (“Encroachment Area”); and

WHEREAS, the Grantee is desirous of acquiring a formal easement from the Grantor to benefit the Benefited Land.

NOW, THEREFORE, in consideration of the foregoing and other consideration, the receipt and sufficiency of which is hereby acknowledged by the grantor, the Grantor and Grantee agree as follows:

1. The Grantor grants, transfers, and conveys to the Grantee an exclusive easement upon the Encroachment Area of the Burdened Land for the purposes of keeping, using, maintaining and repairing (but expressly excluding replacing as set forth below) the Encroachment.
2. This Easement acknowledges the existence and location of Encroachment on the Burdened Land and authorizes the Grantee the right of access on the Burdened Land to use, repair and maintain the Encroachment; provided, however, in the event (a) the Encroachment is moved off of the Burdened Land, or (b) more than fifty percent (50%) of the Encroachment is destroyed, then such Encroachment may not be reconstructed or replaced by the Grantee and this Easement Agreement shall then automatically terminate.
3. The Grantor covenants with the Grantee that the easement hereby granted and the terms of this Easement Agreement shall benefit and burden, and run with, the Benefited Land for the purposes herein set forth and be binding upon the Grantee, their heirs, successors, and assigns, and shall burden and run with the Burdened Land and be binding upon the Grantor, their heirs, successors and assigns until terminated as provided herein.
4. Grantee further covenants and represents in favor of Grantor, and its successors and assigns, as follows:
 - a. Grantee shall protect the Easement Property from damage caused, in whole or in part, by acts or omissions of Grantee, its agents, assigns, and successors in interest.
 - b. The maintenance of the Easement Property shall be the sole responsibility of the Grantee.
 - c. Grantee shall not cause or permit to be caused by any of its agents, assigns, and successors in interest, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property.
 - d. Grantee shall indemnify and hold harmless the Town as Grantor, including its officers, employees, agents or servants from any and all suits, actions, and claims of every nature and description caused by, arising from or on account of any act or omission of the Grantee, or of any other person or entity for whose act or omission the Grantee is liable, with respect to the Easement Property.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Easement Agreement the day and year first above written.

GRANTOR:

THE TOWN OF ELIZABETH, COLORADO

Angela Ternus, Mayor

ATTEST:

Michelle M. Oeser, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney

The foregoing Easement Agreement was acknowledged before me this _____ day of _____, 2025, by Angela Ternus, as Mayor of the Town of Elizabeth, Colorado.

Witness my hand and official seal.

My commission expires: _____

Notary Public

GRANTEE:

QUARTZVILLE LIMITED PARTNERSHIP LLLP

By: _____
Name: _____
Title: _____

The foregoing Easement Agreement was acknowledged before me this _____ day of _____, 2025, by _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

From: [Patrick Davidson](#)
To: [Angela Ternus](#); [Tracy Hutchins](#); [Loren Einspahr](#); [Michael Schroder](#); [Shannon Downs](#); [Dave Conley](#)
Cc: [Patrick Davidson](#)
Subject: Weekly Update 1-17-2025
Date: Friday, January 17, 2025 4:04:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Mayor, Mayor Pro Tem, and Members of the Board of Trustees. Here is your weekly update.

Community and Senior Activity Center. Staff have reached out to DOLA to let the State know the Town will not be using the awarded grant funds for the design phase of the Center, and that the \$200,000 can be released by DOLA. For purposes of the 2025 Approved Budget, account number 31-80-3450 in the amount of \$400,000 [half grant and half cash match] will remain static within the budget. Staff will cease work on completing the operations manual, the 501(c) status, marketing, and the requisite RFPs for this project. All documents created from the 2021 start of the project through the current date will, of course, be maintained should a future need arise.

Board Retreat. Michelle and I have received potential dates for a Board retreat. The Mayor has indicated the only date she is not available for the retreat is February 1st. Trustee Schroder has indicated he is available until the middle of February. If there are specific dates that either do or do not work for your attendance at the proposed retreat, please let either Michelle or I know. Once possible dates are provided, we can then continue to look at a facilitator and a location. Michelle has been able to identify locations within Elizabeth, within Elbert County, as well as Parker and Castle Rock. CML will be providing me a list of facilitators within the next few days, and I have reached out to begin contacts with a few that are regionally known. I will be able to provide a better update once dates are secured.

Community Development Director Interviews. If any Member of the Board of Trustees is interested in assisting in conducting interviews for the Director position, please let me know. The Mayor has indicated her availability for just about any date other than January 27th and January 28th. While the hiring of department heads is within the scope of my duties, I am always hesitant to make such an important decision which impacts the Town without the advice of the Board of Trustees.

Development Moratorium. It was mentioned during the last Board meeting, that the idea of a development moratorium might be discussed at the retreat. In the meantime, members of the Board may wish to consider the type or nature of the moratorium. For example, does it apply to all projects; does it apply to zoning changes; does it apply to the issuance of building permits; does it apply to post-building permit but prior to construction; and does it apply to change of use? This is important in several ways. As you may know, the process of converting raw land to a finished product runs through a series of steps with the advisory agencies, the

planning commission, community development and others. There may be projects actively in the “pipeline” or about to enter the “pipeline” that could be impacted by the moratorium, hence the reason for drawing this to your attention now.

Impact Fee Adjustment. The impact fees for 2025 have been adjusted from their October 2023 level. The overall result is that impact fees for a residence increased by about \$200.00 for new construction. Tap fees [water, sewer, and renewable] remained the same, and will be recalculated in July 2025. This information will be posted on the website and sent to developers.

RAISE Grant Update. Staff and our consultants were able to update the plans for the RAISE grant and meet the Wednesday deadline for basic submittals. The grant calculations take into consideration (1) inflation adjustments to prior calculations; (2) grant administration costs; (3) construction oversight costs; (4) projected inflation through the 2027-2028 construction year; the costs of a pedestrian bridge over Gold Creek to meet the Legacy Circle requirements; and known adjustments in price for the CR17 intersection. The total grant request will likely be \$7,984,120 for the entire project proposed by the Board. Once submitted, we should have a final decision this June/July timeframe.

Ward 2 Opening. As you are aware, the Town has received no additional applications for Ward 2, nor has the Board sought to re-open the application period. The 60-day period in which to fill the open board seat will expire on February 10th, at which time the Board will need to plan on an election. That discussion should be held on February 11th. Since the election only involves Ward 2, the costs of the election should be substantially reduced from prior elections. Sufficient time likely exists if the Board seeks to re-open the application period during the January 28th Board meeting and accept applications through February 5th for a special meeting on February 7th to make the appointment. Or, with Corey’s consent, it may be possible to accept applications through February 7th with a special meeting on February 10th to fill the position.

Town Closed. Monday, January 20th is a recognized Town Holiday, so Town hall will be closed.

Have a great weekend!

Patrick

Patrick G. Davidson, Town Administrator
151 S. Banner Street
Elizabeth, CO 80107
(720) 351-4504
pdavidson@townofelizabeth.org





TOWN OF ELIZABETH POLICE DEPARTMENT

CHIEF OF POLICE JEFF ENGEL

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ELIZABETH POLICE DEPARTMENT ACTIVITY STATISTICS REPORT

Period: 01/01/2025 to 01/18/2025



ELIZABETH POLICE DEPARTMENT'S MISSION STATEMENT:

“The Elizabeth Police Department is committed to service excellence in protecting life and property, impartial enforcement of law, and building community with those who live, work, and visit the Town of Elizabeth.”

The following is an informational breakdown of EPD police activity from **01/01/2025 at 12:01 a.m. to 01/18/2025 at 11:59 p.m.** This information is compiled from our Records Management System (RMS), identified as New World (NW), as well as Douglas County Regional Dispatch (DCRD) records.

**All suspects/defendants are presumed innocent until proven guilty in a Court of Law. **



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Total Calls for Service:

522

Traffic Stops:

Total Stops:	Penalty Assessments:	Written Warnings:	Verbal Warnings:	Assists to Other Agencies
104	41	58	3	2

Other Calls for Service:

Call Type:	Number of Calls:
911 Rapid SOS	5
Alarm-Bank	1
Alarm-Business Burglary	6
Animal Bite	1
Animal Complaint	2
Assist to Fire Department	2
Assist to Other Agency	8
Business Check	50
Citizen Assist	7
Citizen Contact	23
Crime Prevention	8
Dead Animal	1
Fireworks	1
Flock	2
Follow Up	25
Found Property	1
Harassment	4
Increased Patrol	175
Informational Report	2
Juvenile Complaint	1



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Medical Assist	13
Motorist Assist	8
Municipal Ordinance Violation	4
Motor Vehicle Accident with Property Damage	6
Motor Vehicle Accident with Hazards	1
Motor Vehicle Accident with Unknown Injuries	2
Park Check	2
Parking Complaint	11
Report Every Drunk Driver Immediately	3
Repossession	1
School Education	3
Suicidal Subject	1
Suspicious Circumstance	6
Suspicious Person	1
Suspicious Vehicle	13
Theft	1
Traffic Complaint	1
Traffic Hazard	6
Traffic Stop	104
Unknown Trouble	2
Vehicle Trespass	1
VIN Verify	2
Warrant Pickup	1
Welfare Check	3
Wildlife	1



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Open Patrol Division Criminal Investigations:

Case Number:	Call Type:	Details:
23-5311	Financial Crimes	Investigation into financial crimes that was reopened due to new information.
24-2832	Financial Crimes	Investigation into fraud at a local business.
24-4382	Sex Offense	Investigation into a sex offense involving juveniles.
24-4865	Child Abuse	Investigation into an alleged child abuse that occurred in Town.
25-0504	Theft	Investigation into a theft that occurred at a local business.

Open Community Services Division Municipal Ordinance Violations:

Case Number:	Call Type:	Notes:
24-3188	Municipal Ordinance Violation	Investigation into abandoned vehicles on a property in Town.
24-4492	Municipal Ordinance Violation	Investigation into accumulation of debris on a property in Town

**Please note that limited information regarding open investigations is available. This is to protect the integrity of the investigations. **



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Closed Case/Incident Reports:

Case/Incident Number:	Call Type:	Details:
24-6342	Motor Vehicle Accident	EPD responded to a vehicle vs. a deer. There were no injuries, and a crash report was taken.
24-5930	Animal Cruelty & Harassment	EPD received a call for a male suspect who had attacked a service dog. After identifying the suspect, there was insufficient evidence to pursue criminal charges.
24-4350	Financial Crimes	EPD closed a case involving fraud. While the victim did lose money, the bank was able to recover the lost cash. After investigation, a suspect was unable to be identified.
24-6350	Driving Under the Influence of Alcohol	EPD received a report of an alleged intoxicated driver. EPD located and contacted the motorist, who was found to be intoxicated. The suspect refused to consent to a test of their blood, and a search warrant for the blood was completed and executed.
23-5823	Extortion	EPD investigated an alleged extortion regarding explicit pictures being sent and subsequent threats being made. The victim did not want to fully cooperate with the investigation and the suspect remained unidentified.
25-0029	Warrant Arrest	EPD received a Flock camera hit regarding a vehicle that was associated with a misdemeanor warrant. EPD located the vehicle and upon clearing the driver, it was discovered that they had three (3) warrants for their arrest.



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		The driver was arrested and booked into the Elbert County Jail.
25-0030	Traffic & Drug Violations	Related to the above Flock hit. The driver of the vehicle also had open containers of drugs as well as being a revoked driver. Since the suspect was already in custody for the warrants, they were issued a state summons for the secondary offenses.
25-0093	Civil Assist	EPD was requested to standby for a child custody exchange.
25-0089	Informational Report	EPD had responded to a residence in Town numerous times for a vicious animal. During the investigation, concerns for the welfare of the residents were raised. A report was filed with the Elbert County Department of Human Services (DHS).
25-0056	Motor Vehicle Accident	EPD responded to reports of a semi-truck that had struck a powerline. The operator of the semi-truck was issued a municipal summons for a traffic offense.
25-0214	Motor Vehicle Accident	EPD responded to a local school on report of a two car crash. The driver that violated the model traffic code was issued a municipal summons for a traffic offense.
25-0248	Motor Vehicle Accident	EPD responded to a single vehicle crash where a car had slid off the roadway. During the investigation, it was found the driver had driven too fast for the conditions and was issued a municipal summons for a traffic offense.
25-0147	Dog Bite	EPD responded to a reported dog bite. The owner refused assistance or medical attention. A dog bite report was



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		completed and sent to the Elbert County Health Department
25-0193	Motor Vehicle Accident	EPD responded to a single vehicle crash where a car had slid off the roadway. During the investigation, it was found the juvenile driver had driven too fast for the conditions and was issued a municipal summons for a traffic offense.
25-0271	Domestic Violence	EPD responded to a reported domestic violence call. After investigation, there was insufficient evidence to support criminal charges.
25-0372	Medical Assist	EPD responded to a local school on report of a student who had been stabbed with a pencil. After investigation, it was determined that the student had engaged in horseplay and had inflicted the wound accidentally on themselves.
25-0192	Motor Vehicle Accident	EPD responded to a hit and run motor vehicle crash. There was limited evidence, and the identity of the run driver remains unknown.
25-0405	Motor Vehicle Accident	EPD responded to a two-vehicle crash. After investigation, the driver who violated the model traffic code was issued a municipal summons for a traffic offense.
25-0371	Wildlife	EPD located a wounded deer on the side of the road. The deer was critically injured and needed to be euthanized. An EPD Officer euthanized the deer to prevent further suffering.
25-0434	Motor Vehicle Accident	EPD responded to a car vs. deer crash. The deer was injured, however not fatally. A crash report was taken.



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25-0450	Motor Vehicle Accident	EPD responded to a two-vehicle crash. The crash occurred between family members, and no summons was issued.
25-0210	Traffic Complaint	EPD received a report of a vehicle who had run a school bus stop sign. EPD identified the driver of the vehicle and issued them a municipal summons for a traffic offense.
25-0500	Herbel Susp. Circ.	EPD responded to a local school on a student complaint. The student was referred to school counseling and the Elbert County Department of Human Services (DHS)
24-5861	Municipal Ordinance Violation	EPD Community Services Division closed a case regarding violations of the Town code. The resident came into voluntary compliance.



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TOWN OF ELIZABETH POLICE DEPARTMENT

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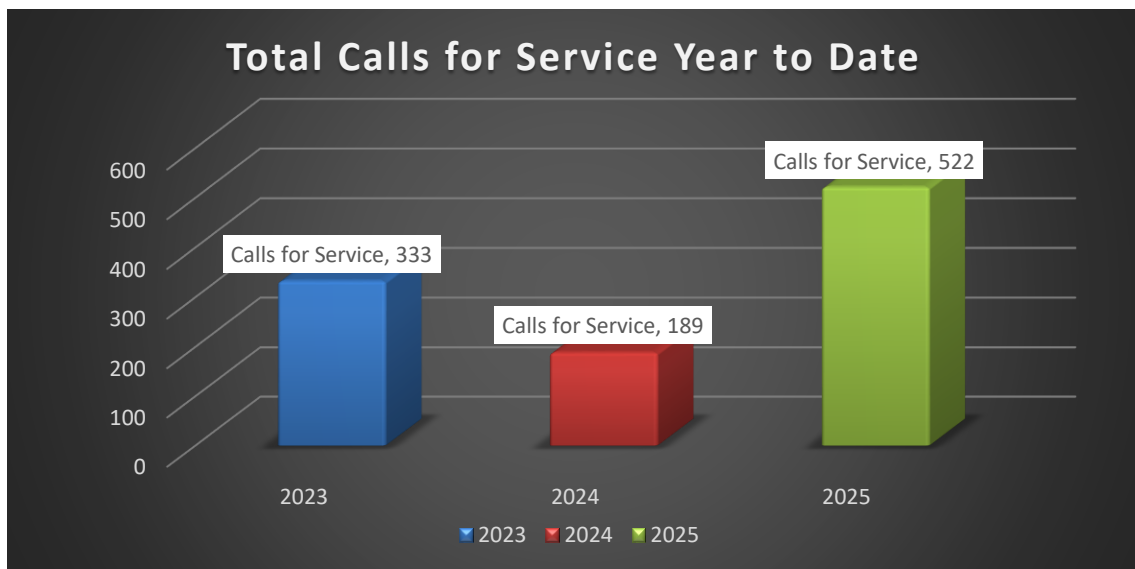
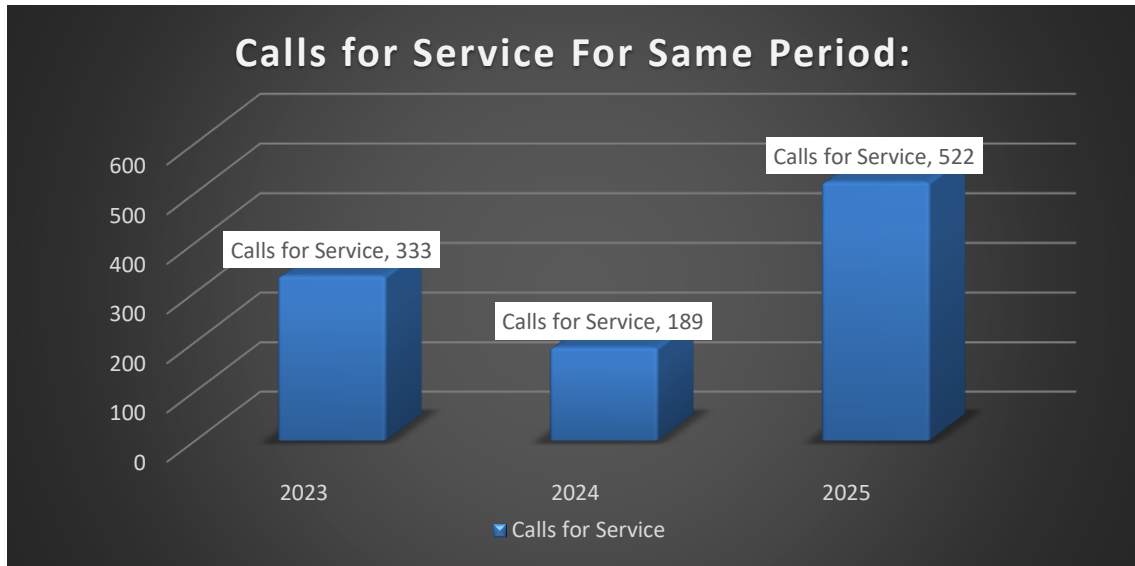
425 S. Main St., P.O. Box 1527, Elizabeth, Colorado, 80107

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Historical Data:



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TOWN OF ELIZABETH POLICE DEPARTMENT

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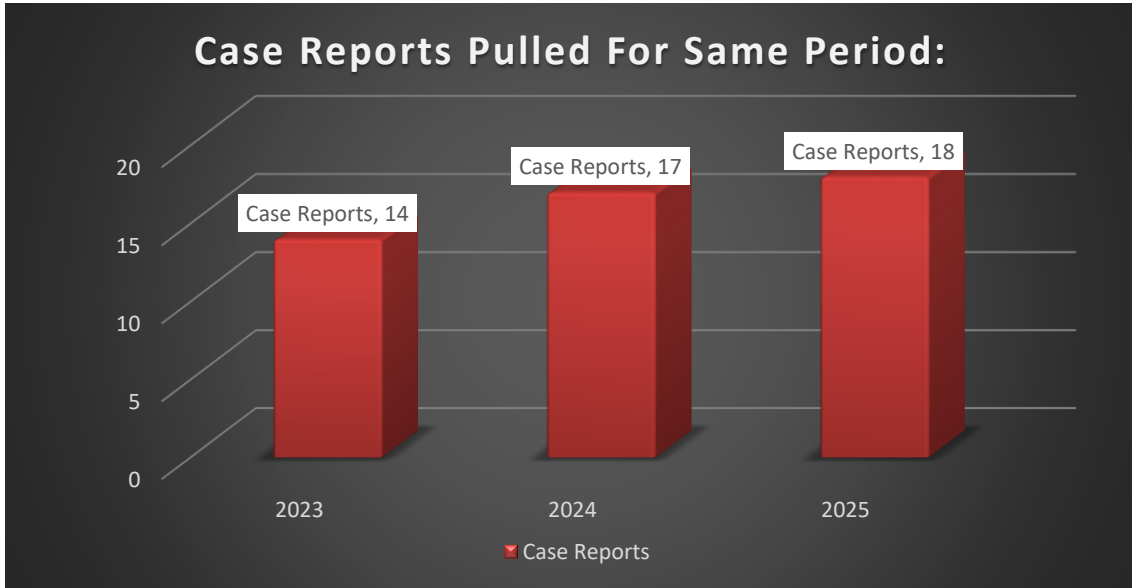
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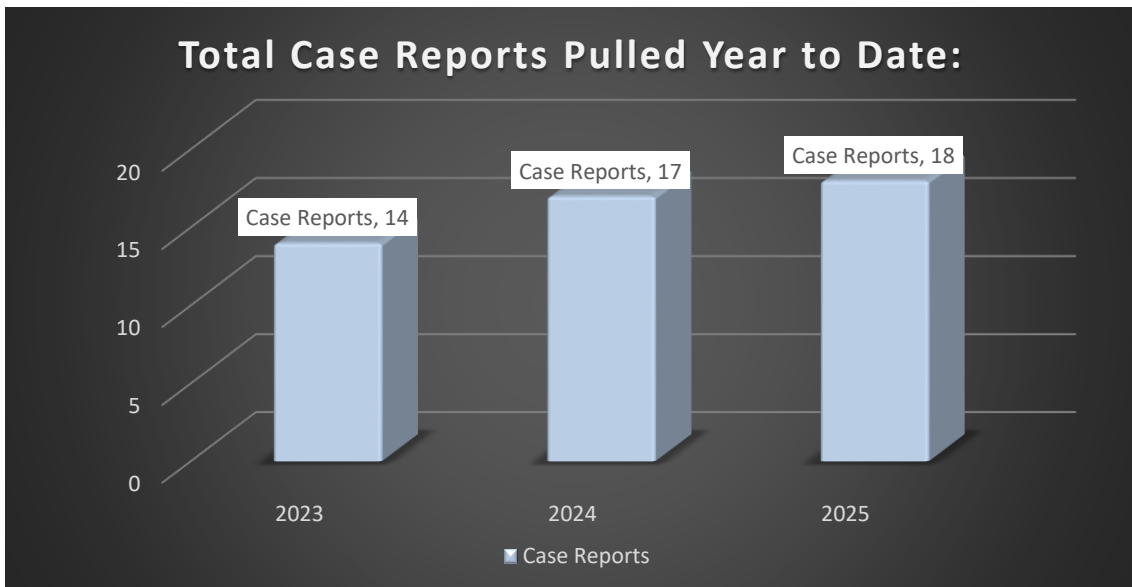
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Case Reports Pulled For Same Period:



Total Case Reports Pulled Year to Date:



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TOWN OF ELIZABETH

MICHAEL DEVOL/PUBLIC WORKS DIRECTOR

TO: Honorable Mayor, Mayor Pro-Tem and Town Board of Trustees
FROM: Mike DeVol, Public Works Director
DATE: January 28, 2025
SUBJECT: Public Works Monitoring Report

***Town Street Paving Improvements Project:**

1. Ongoing projects for the year 2025.

***Town Main St. Decorations:**

1. Will remain down for Mainstreet Streetscape project.

***Town Wells, Tanks and Effluent:**

1. Denver D-1 Well has been pulled for maintenance and video camera recording. Once the Video has been evaluated for Well casing condition, PW will decide what type of treatment if any needs to take place before reinstalling. Inspection of the pump, cable, and air lines will take place before reinstallation.

***Town Water Line (NON) Emergency Repair:**

1. 476 S Paddock St (rental) a neighbor reported a frozen water line leaking. PW arrived to find a garden hose had not been drained or disconnected and in turn froze. PW turned off service at the curb stop. PW contacted and met the property owner. The property owner did not know the renter had moved and turned the gas off, so there was no heat in the house for over a month. The property owner closed the valve in the basement and PW turned the service back on to allow owner to assess the number of frozen pipes using his valve.

***Town Hall/ Repairs/ Landscaping Plan:**

***Town Walkway Repairs:**

***Town Street Maintenance/Striping Projects:**

1. Striping will take place in the spring/summer of 2025 as needed.

***Town Snow Plowing and Street Sweeping: SNOW SEASON IS UPON US!!**

1. The Town Newsletter included Town Plowing Code and Snow Route "NO PARKING" information.



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MICHAEL DEVOL/PUBLIC WORKS DIRECTOR

2. PW has been plowing and applying salt/sand as needed. Clean-up continues as storms subside.
3. PW continues educating property owners of their responsibilities and the Town's actions during and after storms.

*Town New Wells at Ritoro/Gold Creek Valley:

1. The new Wells building is complete, and PW is planning an Open House Grand Opening in the spring of 2025.
2. Landscaping will take place in 2025 depending on item #1. PW will work with the 4 adjacent property owners for their approval of the landscape sketch to ensure that we conceal as much of the building as possible from their views.

*Town Trail Project:

*Gold Creek Lift Station Improvements:

1. Completion of project has begun warranty period and filing completion with CDPHE Permitting.

*Eligibility Surveys for Water and Wastewater Capitol projects have been completed for 2024 and accepted by Colorado Department of Public Health and Environment (CDPHE). The eligibility surveys allow for the town to be in line for any funding that may be available for future projects.

*Gold Creek Wastewater Treatment Plant (GCWWTP)

The state sampling of the plant after maintenance all came back at 98% removal of all constituents that are required. It was an excellent slow start up of Train 2 and the plant is back at 100% capacity.

Maintenance has been concluded on Train 2 of the plant. PW did a slow 2-week plant start up on Train 2 of the plant to allow bugs/bacteria to acclimate and begin their life cycle. The combination of Bug population, Dissolved Oxygen and liquid temperature are the biggest contributors to a happy healthy working bug population as they work chemical free to complete the process of naturally treating the water.

1. NO CHANGES AS OF THIS REPORT-On going Project/ The new fine screen replacement unit has been installed. The new screen has been in automated operations for three months with no issues. Epoxy painting of replaced parts continues as weather allows before being placed back in service.



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MICHAEL DEVOL/PUBLIC WORKS DIRECTOR

2. PW has been working on Plant maintenance by drawing down (treating in Train 1) all liquid levels of Train 2/South side of the treatment plant for inspection and repairs as necessary. The Clarifier for Train 2 has been completely emptied, hosed and vacuumed out for a clean working area. The clarifier drive motor tested out fine as well as the gear reduction box. There is wear and damage to the Drive Shear Pin and Paddle arms that distribute settled sludge to the bottom of the clarifier for removal through pumping and sent to digestors for final degradation and trucked to farm fields as fertilizer. PW should have the Clarifier back up and fully operational by the end of September dependent on parts shipping.
3. Just a quick review of the Wastewater Plant: It is designed to treat 500,000 gallons of Raw Sewage per day. Train 1 and Train 2 share that equally. Train 1 currently is treating 190,000-200,000 gallons per day while maintaining our minimal 85% reduction constituent removals (currently 93%-99% removal) that are set by CDPHE in our Permit (excellent test for me as an operator and all equipment). Currently we are operating one Train at basically 80% capacity and operating very well. This is a test never completed before as our available capacity is 500,000 gallons. When the time comes that the wastewater Plant is treating at 80% (400,000 gallon) of the Total Capacity the Town must start to show Plant Expansion Plans to CDPHE. The current WTP upgrade Budget is currently in good shape for funding. Reference of constituent removal: Please see attached Laboratory Sampling Analysis for actual numbers while completing maintenance of one train. Note all numbers/results are shown as milligrams per liter (mg/L) this equates from metric to Standard as parts per million (ppm). Plant is 100% Biological/Bacteria (Bugs) NO CHEMICALS

Bio-chemical Oxygen Demand (BOD) minimum 85% removal (current average 99% removal)

Total Suspended Solids (TSS) minimum 85% removal (current 93%-99% removal)

Nitrogen/Ammonia (NH₃) minimum 85% removal (current 99% removal)

E. Coli maximum 115 parts per million (ppm) (current <1 ppm) U.V. Light neuters bacterial for no reproduction and does not kill the bacterial which in turn means no chemicals and cost savings to the Town residents.

*Town Clean Up Day/ Paint Round-Up/Arbor Day

1. Town Clean Up Day Results are as follows:
2. Electronics:
 - a. Batteries – 58 lbs.
 - b. Computer Materials – 374 lbs.
 - c. Display Materials – 2,144 lbs.
 - d. Mixed Electronics – 1,400 lbs. Total Cost - \$2,708.45
3. 7 – Roll-Off Dumpsters (2 Metals) (5 Garbage). Total Cost - \$2,331.75



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MICHAEL DEVOL/PUBLIC WORKS DIRECTOR

4. Flat Fee for 4 hours shredding of documents or paper. Total Cost - \$1,222.95
Grand Total - \$6,263.15

*Town Public Works News

1. Public Works has one Water/Wasterwater position open for 2025.

*Town Farmers Market:

1. Event Park Name is Running Creek Park, and the events have ended for the year.

*Town Parks and Right of Way

Upcoming Projects:

1. PW has begun for 2024 the following Annual Reporting:
2. Annual Biosolids has been completed for 2023 and sent to CDPHE.
3. Regulation 85 Nutrient Monitoring/Accepted by CDPHE
4. PW has completed a round of PFAF's (radiation/radiological). Results have been reported to CDPHE.
5. Water Augmentation and Recording
6. Water Lead and Copper sampling
7. Water Constituents Metals Sampling
8. Annual DMR (Daily Monitoring Report) Gold Creek Wastewater Plant
9. Tree City USA Application/ Accepted and approved by Tree City USA/Pending
10. Trail DOLA findings and Inspections/ Addition of Willow Cuttings Planted
11. PW has completed Highway User Tax Fund (HUTF) reporting and data processing.
12. PW is completing Lead and Copper testing per CDPHE guidelines for 2023/2024
13. Flushing of the entire town's water supply system is completed every 6 months.

Mike DeVol
Town of Elizabeth
Public Works Director
GCWWTP Operations
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TOWN OF ELIZABETH

CLERK'S/FINANCE OFFICE MANAGER'S REPORT

January 28, 2025

The Clerk's / Finance report reflects updates provided by individual Staff members.

Hannah

- Invoices are getting wrapped up for the 2024 fiscal year. I have been working with each department to ensure we get everything turned in so we can have the most accurate year end numbers.
- Workers' Compensation reports have been completed and filed for both the State and CIRSA.

Allison

- Food Truck License applications are coming in as everyone receives my reminder email. We also have some newcomers applying, so that is exciting.
- Passport appointments are picking up again with customers from Parker, Aurora, Centennial and more wanting to get passports for their summer vacations. We are fully booked out for the next two months regularly, now.
- I have a lot of water accounts to set up in the next few weeks for people moving into Legacy Village. Now that all of the homes are built, they are selling fast.

Harmony

- I have been continuing to work on end-of-year items regarding records. This includes setting up files for the new year and shredding or deleting records that have met their retention requirements.
- I have been attending training for passports, court, and digital accessibility.
- I have been in touch with CivicPlus regarding our new website. I am hopeful that after an upcoming meeting we will have a better timeline for the release to the public.

Michelle

- Patrick and I have been working on getting all the information gathered and submitted for the Federal/CDOT Grant application.
- I have been subpoenaed the first week of February (2nd time) for a trial in the 23rd Judicial District. I am hoping the case is settled this time.
- I am excited to be attending, for the first time, the 2025 International Institute Municipal Clerks Conference. This conference has attendees from all over the United States and beyond.



TOWN OF ELIZABETH

MAIN STREET BOARD OF DIRECTORS

MAIN STREET BOARD OF DIRECTORS – RECORD OF PROCEEDINGS December 9, 2024

CALL TO ORDER

The Regular Meeting of the Elizabeth Main Street Board of Directors was called to order on Monday, December 9, 2024, at 8:36 AM by Vice President Brandon Jeffress.

ROLL CALL

Present were Vice President Brandon Jeffress, and Directors Jeff Struthers, Michael Hussey, Kurt Prinslow, and Carrie Wedel. President Linda Bulmer and Director Tedd Lipka were not present. There was a quorum to conduct business.

Also present were Community Development Director Zach Higgins, Planner/Project Manager Alexandra Cramer, Permit Technician Dianna Hiatt, and Deputy Town Clerk Harmony Malakowski.

PUBLIC COMMENT

There was no public comment.

AGENDA CHANGES

No agenda changes from Staff.

Vice President Brandon Jeffress wanted to add an item to the end of the agenda for a presentation to Zach Higgins.

Agenda set.

CONSENT AGENDA

1. Minutes of the Regular Meeting of July 8, 2024

Motion by Director Hussey, seconded by Director Wedel, to approve the Consent Agenda as presented.

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

NEW BUSINESS

2. Discussion with DOLA Main Street via Zoom – Annual Visit



TOWN OF ELIZABETH

MAIN STREET BOARD OF DIRECTORS

Representatives from the DOLA Main Street program had their annual visit with the Main Street Board of Directors outlining services they offer and the successes of this past year.

3. Discussion and possible action regarding 2025 meeting schedule

Motion by Director Wedel, seconded by Director Prinslow, to accept the 2025 meeting schedule as presented.

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

4. Discussion and possible action regarding the 2025 Workplan and Budget

Motion by Director Hussey, seconded by Director Wedel, to accept the 2025 Workplan and Budget as presented.

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

5. Discussion regarding Main Street Mini Grant Funds

Motion by Director Wedel, seconded by Director Hussey, to move forward with using the grant funds towards a mural project to be placed on the Oddfellows building.

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

STAFF REPORT

- Community Development Director Higgins provided updates regarding:
 - Streetscape
 - Gesin Lot RFP
 - 2024 Ornaments
 - Training and the upcoming conferences available for attendance
 - Historic Advisory Board historic district
 - This will be his last meeting with Main Street Board of Directors

BOARD REPORTS

- Director Prinslow wanted an update regarding the next steps for the Main Street archway. Discussion followed.
- Vice President Jeffress made a presentation and provided a gift to Director Higgins regarding his service to the Main Street Board of Directors.

ADJOURNMENT

Motion by Director Hussey, seconded by Director Prinslow, to adjourn the meeting at 10:45 AM. The vote of those Directors present was unanimously in favor. Motion carried.



TOWN OF ELIZABETH

MAIN STREET BOARD OF DIRECTORS

President Linda Bulmer

Deputy Town Clerk Harmony Malakowski

