



## **BOARD OF TRUSTEES MEETING**

**Thursday, May 12, 2022 at 5:00 PM**

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

---

### **MINUTES**

---

**Call to Order LOCAL LICENSING AUTHORITY.** Mayor Bass called to order the local licensing authority at 5:03 PM. Mr. Onan Floyd was introduced along with added partner, Gale Goodman-Floyd. He explained the request for a liquor license changed into his name – Under the Rose Inc., dba Journey's End, from The Ugly Mug due to the purchase of the property. Deputy Clerk Stambaugh stated all criteria is in order for the eligibility of the applicant.

1. Change of Entity Member - The Ugly Mug LLC - Remove A. Gatti. MOTION (Stuth, Padgett) to approve the change of entity member removing Alicia Gatti. Roll call vote – aye (6); nay (0). Motion passed.

Change Entity Name - Under the Rose Inc (dba Journey's End). MOTION (Stuth, Padgett) to approve the change of entity name to Under the Rose Inc., dba Journey's End. Roll call vote – aye (6); nay (0). Motion passed.

Change of Entity Member - Under the Rose Inc - Add G. Goodman-Floyd. Trustee Havenar inquired about the background for Ms. Goodman and staff confirmed it was checked and in order. MOTION (Stuth, Padgett) to approve the change of entity adding Gale Goodman-Floyd. Roll call vote – aye (6); nay (0). Motion passed.

Mayor Bass congratulated the new entity to the liquor license and moved on to the regular meeting.

#### **Pledge of Allegiance**

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

#### **Introductions/Presentations**

2. State of Municipal Court, Judge Ciccolella. The Judge offered some background of his 30 years in his seat as Municipal Judge and reviewed the court activity. He provided a few suggestions to the Board including an ordinance prohibiting texting – handheld use of mobile phones while driving and to adopt a current model traffic code (currently in process). Judge advised of federal laws that will impact drivers with CDL and reviewed his response in court to the parking tickets.

3. Palmer Lake Economic Development Group (PLEDG) Presentation of Four Pillars. Trustee Stuth provided background to developing PLEDG and reviewed the purpose and plans for economic development and the brand promise/experience of Palmer Lake, explaining the four pillars (art, dining,

outdoor, history) and reviewed a four-part strategic plan. Jina Brenneman explained the current activity of the arts group. Trustee Havenar and Lani Moore reviewed the upcoming events.

Mayor Bass thanked Trustee Stuth and Havenar and all volunteers for their diligent work.

**Consent Agenda.** MOTION (Havenar, Stuth) to approve the consent agenda of 4) Minutes from April 28, 2022 Meeting. Roll call vote – aye (6); nay (0). Motion passed.

**Staff/Department Reports.** Reports were reviewed – 5) Water – it was noted that by mid-April, the town is out of priority and unable to add water to the lake; 6) Public Works including Roads & Park Maintenance (noting Parks report on the tabletop); 7) Police; 8) Fire – Chief McCarthy added that the Fire department accepted a donated stretcher as well as used bunker gear; 140 hours of training were complete; and the crew successfully managed a car fire Friday evening. Trustee Stuth inquired about concern of the reservoir access road and Chief stated it is being patrolled. The Board suggested to add signs at each gate and at the trailhead. Chief noted he prefer closing the roadway, a resident from the public disagreed with his position. 9) Administration (noting the land use report on the tabletop and the parking kiosk revenue of \$4400); 10) Attorney – no report.

11. Administrator/Clerk. Collins thanked all the attendees to the ribbon cutting ceremony on Saturday, especially Mr. Wayne Russert for restoring the two exterior signs to the Town Hall, staff for managing the set up, and Mayor Bass and Trustees Havenar and Stuth for participating. Collins reported that quotes are still being worked on for the library repair of eaves/roof. Review of the guiding principles and policies is taking place for the Master Plan and the RFP is being finalized to accept proposals for the elephant rock property.

**Public Comment.** Mr. Roger Mosely, resident of 30 years, expressed concern of safety with the short-term rental code using conditional use in residential zoning for square footage for multifamily living and pointed out discrepancies of the code.

Rachel introduced herself and her business, Luna Hair and Company, new to the Town.

### **Public Hearing**

12. PUBLIC HEARING (Continued) - Application for ROW Vacation, Loveland Slope (171 Shady Ln). Mr. Gene Kalesti provide a brief summary to the Trustees and Attorney Krob clarified a few remarks provided for the record. Mayor Bass addressed Mr. Paige (179 Shady Ln) regarding the corner of his property to assist in developing Fowler Branch. Surveyor Jim Brinkman identified the total square footage of approximately 1900 square feet. Discussion took place about a required easement for utilities as well as drainage. Attorney Krob offered the suggestion to add the corner access for Fowler Branch. Ms. Pattie Brooks reiterated the use of the undeveloped right of way by the Brooks family to their cabin on Fowler Branch. Discussion took place about an exchange of property in the amount up to half the right of way – about 975 square feet to dedicate to town. Mr. Randy Perry stated his plans for access to lots 9 and 10 from Fowler Branch. Discussion took place about a late-comers agreement for the developer.

Mayor Bass recessed for a break at 7:35 PM.

### **Business Items**

13. Ordinance 8-2022 to Vacate ROW (Loveland Slope). Discussion continued of an appropriate motion to include the elements discussed for the vacation. MOTION (Havenar, Padgett) to approve Ordinance 8-2022 to vacate the undeveloped Loveland Slope ROW with the condition to add a deed

restriction to Block 9 (179 Shady Lane) to dedicate up to 974.5 square feet of the corner to the town at the time of developing Fowler Branch; and include a utility and drainage easement to the ROW. Roll call vote – aye (6); nay (0). Motion passed.

14. Ordinance 9-2022 to Amend Section 5.10 Relating to Short Term Rental. Staff noted that the code will continue to be reviewed as applications for STR are accepted and consider Mr. Mosely's feedback to the adopted ordinance. MOTION (Farr, Currier) to approve Ordinance 9-2022 to amend the short-term rental code. Roll call vote – aye (6); nay (0). Motion passed.

15. Resolution 29-2022 to Accept the Final High Street Drainage Study. The final study was provided to the Board members on their tabletop. Mr. Mark Morton of GMS Engineering explained the third alternative – a phased approach to the underground solution for stormwater management. Collins reported that ARPA funds were applied for to address a first phase of this work. MOTION (Havenar, Padgett) to approve Resolution 29-2022 including the third alternative. Roll call vote – aye (6); nay (0). Motion passed.

16. Resolution 27-2022 to Award the Erosion Repair Project (Pedestrian Bridge). Review of the quotes included the recommended contractor Munson Landscaping for an amount not to exceed \$9,675. Mr. Hulsmann stated that Awake Palmer Lake will assist with funds for the repair. MOTION (Havenar, ??) to approve Resolution 27-2022 awarding the project to Munson Landscaping. Roll call vote – aye (5); nay (1 - Farr). Motion passed.

17. Resolution 28-2022 to Award the Exclusion Fence Project (Pedestrian Bridge/RR). Review of the quotes included a recommendation to award the work to Peak Fencing. Mr. Hulsmann stated that Awake Palmer Lake will not fund the work due to the location of the fence. Collins noted there are available funds saved from the Town Hall project and elephant rock improvement funds in excess of the needed \$30,000. Extensive discussion took place about the desired placement versus the approved contract drawings. Hulsmann offered Awake the Lake funds to fight the railroad for proper placement. Collins expressed concern to complete the obligation of the contract to close the project, as the fence location on the approved drawings does not impact the current use of the area. Discussion ensued about the original intent, considering a change order to be brought to the railroad, and ongoing pressure from the railroad to complete and close the project otherwise possible closing the bridge by PUC. Collins stated the project could be closed with this requirement and begin a new project to identify use of the area to consider. MOTION (Bass, Farr) to approve Resolution 28-2022 to award to Peak Fencing. Roll call vote – aye (1); nay (5 – Farr, Currier, Havenar, Stuth, Padgett). Motion failed. Discussion continued about modification of the original drawings to be issued as a change to the railroad. MOTION (Bass, Havenar) to approve Resolution 28-2022 with the condition that prior to the installation, an attempt with new drawings for placement two feet from the original fencing be presented to the railroad. Roll call vote – aye (5); nay (1 - Currier). Motion passed.

18. Restate & Encourage Water Conservation Guidelines. Discussion took place about reminding the public to conserve water.

#### **Board Reports**

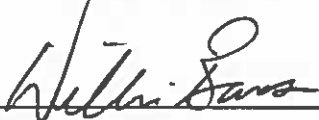
**Next Meeting (May 26) and Future Items (Review Initiative Dates).** Collins distributed the draft schedule of meetings to review initiatives.

---

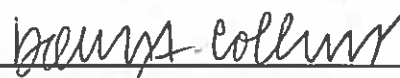
**Convene to Executive Session** for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. 24-6-402(4)(e) – possible property trade/sale. MOTION (Stuth, Farr) to convene to executive session at 9:07 PM. Roll call vote – aye (6); nay (0). Motion passed.

**Reconvene to Open Session.** MOTION (Currier, Stuth) to reconvene to open at 9:37 PM. Roll call vote – aye (6); nay (0). Motion passed.

**Adjourn.** MOTION (Havenar, Farr) to adjourn at 9:38 PM. Motion passed.



William Bass, Mayor



ATTEST: Dawn A. Collins, Town Clerk