



BOARD OF TRUSTEES MEETING

Thursday, March 09, 2023 at 5:00 PM

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

MINUTES

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

Pledge of Allegiance. Pledge was led by Trustee Ehrhardt.

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

Presentations

1. Fountain Creek Watershed, presentation by Alli Schuh. Ms Alli Schuh, Director, provided the background to the formation of the Fountain Creek Watershed, the purpose, the 14-year history, projects completed, and the assistance provided to municipalities.
2. Review of Elephant Rock Property Proposal (Willans). Mr/s Richard and Lindsey Willan provided a brief review of the original proposal of the Eco spa on the elephant rock property along with the background of activity since the initial Board direction to work with Carter Payne to occupy the property. At this time, Lindsey suggested further development involve a steering committee and further described what has changed from the original proposal. They have reduced the amount of property to about 3.6 acres if the town/parks consider holding 50 percent, including the pool area for the spa, the amphitheater area, the gymnasium for an activity center and want to start late spring/early summer. It was requested that they be allowed to lease to own. Richard offered to secure areas broken if the town wants to refurbish/hold. They agreed to restrictions on the property for future use. Mayor opened the floor to the public. Ms. Nikki McDonald suggested the town use the existing structure now as a wedding venue. Mr. Gene Kalesti stated the property is a gem and supports Nikki's comments. He suggested the town create leadership to run the venue. Ms. Amanda Hinnen supports the remarks and encouraged finding a fit sooner than later, estimating about \$1.5 ml to repair what exists. Ms. Samantha Deeder explained she is a resident of just two years and a member of Parks and supports the synergy of the ideas proposed. She suggested the town retain buildings and use them as a center and hire someone to run it on commission only and split all revenue. She stated it is a shame to tear down anything and only sell the small portion for the spa development. Ms. Phyllis Head remarked that the natural habitat needs to be embraced.

Consent Agenda

3. Minutes from February 23, 2023 Meeting. MOTION (Ball, Stern) to approve the minutes. Roll call vote – aye 7; nay 0. Motion passed.

Staff/Department Reports

4. **Water.** Collins noted that the previously hired water tech did not work out and the Water department will hold off advertising for another month.
5. **Public Works including Roads & Park Maintenance.** Supervisor Jason Dosch stated that two parks maintenance staff were hired. He thanked Awake Palmer Lake for funding the electrical work that CORE will be completing at the ped bridge in the next couple weeks. He reported that the lighting plan for the bridge is being worked on and explained the stimulus funds for the bridge repair work will be used instead for mill and overlay work (due to high bid in 2022). The design work for the elementary school project is underway and plan to issue bid requests in 2024. Additional roadway projects were reviewed.
6. **Police**
7. **Fire.** Collins noted that Fire received Gary Sinise grants funds in excess of \$25k for radio equipment and stated that interviews took place the prior Fri-Sat., for the Fire Chief position.
8. **Administration**
9. **Attorney.** Krob noted no report.
10. **Administrator/Clerk.** Collins provided an update on the water analysis activity, expecting a model capital improvement plan as early as April. The library doorframe repair is scheduled for 3/13. Board members received a copy of the amended 2023 budget for carryover, which will be on the 3/23 agenda. A reminder was made to register for upcoming Chamber events.

Public Hearing

11. **Rezoning Parcels to R-10,000 (Action from 1992).** Collins provided the background on the 1992 activity to rezone the lakeview area parcels. Action was taken with the Planning Commission and the Board of Trustees to rezone from R-3 (about 5,000 sq ft lots) to R-10,000 (10,000 sq ft lots) but an ordinance was not completed with the Board. Mayor Havenar opened the hearing to the public. Ms. Cyndee Henson inquired about the zoning difference. No other person spoke on the rezoning. Mayor Havenar closed the hearing.

Business Items

12. **Ordinance to Adopt Rezoning to R-10,000.** MOTION (Farr, Ball) to approve Ordinance 7-2023 to adopt the rezone to R-10,000. Roll call vote – aye 7; nay 0. Motion passed.
13. **Direction on Ordinance to Regulate Snow Placement (Ch. 12 version or Ch. 10 version).** Supervisor Jason Dosch was invited to speak about the issues he experiences with snow placement. He explained that some use heavy equipment to push snow on the roadway, across road to right of way, leave in piles, which all create various hazards. After he clears snow, often it is blown back into the roadway. Trustee Stern inquired about enforcement. It was noted that without an ordinance, there is nothing that the Police can address, as previously stated by Sgt Lundy at the prior meeting this item was introduced. Discussion took place about safety concerns. It was noted there are two versions of an ordinance – a short version to address just placement of snow, and a long version that addresses additional responsibility of a landowner about snow on private property. Mr. Roger Moseley supported Supervisor Dosch and stated it is the responsibility of the citizen to place snow appropriately. Ms. Cyndee Henson offered kudos to Supervisor Dosch for a great job. Mr. Tim Eckert stated it is okay for some property owners to place snow on his property. Discussion took place about this ordinance helping to address hazardous issues for the town roadways and right of ways, not to make an issue of random blown snow on other property. Discussion also took place about the penalty of the long version – general penalty for ordinance violation up to \$2600. Attorney Krob explained the general penalty and allowing the municipal judge flexibility for tickets. Mayor

Havenar confirmed the majority leaning to the long version of the ordinance to finalize for the next meeting.

14. Direction on Ordinance to Amend Short Term Rental Code. Discussion took place about the suggested modifications based on prior Board discussion as well as reconsidering the initial application fee to a pro-rated fee going forward. Mr. Roger Moseley stated he is concerned about inspections and off-street parking. Board members directed to incorporate the changes discussed and include a copy of the application packet (including the checklists) for further review at the next meeting.
15. Direction to Utilize a Cost Reimbursement Agreement for Development Review. Discussion took place about implementing a cost reimbursement agreement with applicants for town consultant time reviewing development plans. A sample agreement was reviewed. The Board agreed to bring a final version to the next meeting.
16. Discussion/Direction for Planner Consultant (Review Development). Discussion took place about the review of this item with the Planning Commission, a recommendation to involve a Planner consultant in the review of development plans. Collins noted with an RFP timeline, in the interim, that town staff involve CMI on current proposals. Mr. Roger Moseley stated that he does not want to see a pro-development consultant involved nor does he want a consultant who is involved in, or has a relationship with, the development. Collins stated town consultants are unbiased with review pursuant to town code. The Board agreed to begin this process and agreed to use CMI in the interim only.
17. Distribute PPRBD Revised Building Code Material; Set Hearing to Consider Adoption. Trustee Stern provided background to the upcoming code revision. It was noted that PPRBD will attend the next meeting, first reading, to present the changes, and the second reading and public hearing will be at the 4/13 meeting.

Public Comment

Mr. John Graham, Board President for District 49, made a public apology to Mayor Havenar and explained the actions that took place at a district meeting where mistaken identity took place of Mayor Havenar. He clarified that Mayor is welcome at all school events. Mayor Havenar accepted the apology. Ms. Amanda Hinnen inquired about presenting a proposed plan for the elephant rock property. Mayor Havenar stated the Board would accept written proposals at this time and invited them to be sent directly to members.

Board Reports. Mayor Havenar reported legislative review at PPACG and mentioned a few new bills to watch for Fire. She also stated a Hwy 105 discussion will take place with CDOT and Monument. Trustee Stern stated he is settling into the PPRBD advisory role, noting the code revisions.

Next Meeting (3/16 retreat; 3/23) and Future Items

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 parameters; sale of town property; and for conference with town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402 (4)(b) - litigation and/or possible claims against town. MOTION (Padgett, Farr) to convene to executive session at 7:11 pm. Roll call vote – aye 7; nay 0. Motion passed.

Adjourn. MOTION (Farr, Stern) adjourned at 8:35 pm.



Mayor Glant Havenar



ATTEST: Dawn A. Collins, Town Clerk