



BOARD OF TRUSTEES MEETING

Thursday, July 11, 2024 at 6:00 PM

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

LIVE STREAM available at Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Pledge of Allegiance - Led by Kenna Gitchel

Presentation

1. Update on EcoSpa at Elephant Rock - Presented by Richard and Lindsay Willan

Consent Agenda - *Items under the consent agenda may be acted upon by one motion. If, in the judgment of a board member, a consent agenda item requires discussion, the item can be placed on the regular agenda for discussion and/or action.*

- [2.](#) Minutes from June 27, 2024 Meeting

Staff/Department Reports

- [3.](#) Water
- [4.](#) Public Works including Roads & Park Maintenance
- [5.](#) Police
- [6.](#) Fire
- [7.](#) Administration
8. Attorney
9. Administrator/Clerk

Business Items

- [10.](#) Resolution 38-2024 to Approve Appointment (Alternate) to Parks and Trails Commission
- [11.](#) Resolution 39-2024 to Establish Farmers Market Application Fee
- [12.](#) Ordinance 7-2024 to Amend Regulations for Peddlers Permit
- [13.](#) Consider Coordinating November 5 Election with El Paso County

14. Direction to Explore DOLA Administrative Funds for Feasible Location of Public Safety Facility

15. Direction on Elephant Rock Property - Asbestos Removal for Demolition

Public Comment - *Public comments are encouraged to be emailed to the Town office at info@palmer-lake.org with the subject line of Public Comment (24 hours prior to meeting) and shall be distributed and read at the meeting. Otherwise, please step to the microphone, state your name and address for the record, and address the Board on matters not on the agenda. Please note that the Board will not take action on your comment but may refer it to staff and/or a future meeting agenda. Public members are allowed up to 3 minutes for comments. Thank you!*

Board Reports

Next Meeting (July 25) and Future Items

Convene to Executive Session - For the purpose of discussing a matter that is subject to negotiation related to a possible annexation, pursuant to Section 24-6-402(4)(e), C.R.S.

Reconvene to Open Session

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.



BOARD OF TRUSTEES MEETING

Thursday, June 27, 2024 at 6:00 PM

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

MINUTES

Call to Order. Mayor Havenar called the meeting to order at 6 PM.

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

Pledge of Allegiance - Led by Mr. Matt Ehrhardt.

Consent Agenda. MOTION (Farr, Stern) to approve the consent agenda including items 1) Minutes from June 13, 2024 Meeting; 2) Checks over \$15,000 - Bradley Excavating (\$45,526.24); CIRSA (\$35,602.73); 3) Financials (May). Roll call vote – aye 5; nay 0. Motion passed.

Staff/Department Reports

4. Attorney. Attorney Krob reported on an accessibility bill effective July 1 for the town website, in which the staff are planning for. Staff will follow up to ensure that all requirements are met.

5. Administrator/Clerk. Collins highlighted a few items on the May financials. She reported that the insurance assessment of town property took place and explained projects taking place. The CORE EV chargers will be completed and invites for a ribbon cutting will be distributed. Status of the pickleball court installation was given. Comments were made about the location of ballot collection boxes nearest Palmer Lake for the fall election.

Public Hearing

6. Application for Conditional Use Permit for Landscape Yard in C2 Zone (Greater Grounds) - *continued by Planning Commission to July 17 meeting.* MOTION (Farr, Dreher) to continue the hearing as requested. Roll call vote – aye 5; nay 0. Motion passed.

7. Application for Replat, Lot Line Adjustment (Meadow Lane). Mr. Nick Ehrhardt recused himself from the discussion and action on the item. Mr. Matt Ehrhardt explained the request to adjust a lot line. No person spoke for or against the item. Mayor Havenar closed the hearing.

Business Items

8. Resolution 32-2024 to Approve Lot Line Adjustment, Meadow Lane. MOTION (Farr, Dreher) to approve the replat as presented. Roll call vote – aye 4; nay 0; abstain 1 (Ehrhardt). Motion passed.

9. Resolution 33-2024 to Approve Appointment to Parks and Trails Commission. Collins stated Mr. Caleb Stone was recommended for appointment at the special meeting on Tuesday. MOTION (Farr,

Ehrhardt) to approve the resolution appointing Mr. Stone to fill the vacancy. Roll call vote – aye 5; nay 0. Motion passed.

10. Resolution 34-2024 to Approve Extended Temporary Conditional Use Permit with Condition (Diacut /Hayco). Mr. Bruno Furrer and Mr. Loren Burlage explained the screening requirements discussed with the Planning Commission, including 5.5 ft high and 36 ft wide to screen equipment. Attorney Krob noted the extended date to complete the screening and the expiration of the temporary conditional use on 5/31/2025 to consider permanent regulations for the zoning code. MOTION (Stern, Farr) to approve extension of the temporary conditional use as presented. Roll call vote – aye 5; nay 0. Motion passed.

11. Authorize Additional Funds for PLES Project. Mr. Mark Morton, GMS Engineering, explained the process of the bid request and submittal by West Fork Construction. He reviewed the additional funds needed to cover small additions to the scope of the project and contingency. Discussion took place about the fund balance in the general fund and water enterprise fund. Ms. Marty Brodzik inquired about the 12% applied to the water fund. She stated she will address it with staff. The estimated timeline for the project was reviewed.

12. Resolution 35-2024 to Authorize Award of Contract for PLES Water Line and Roadway Improvement. Mayor Havenar asked Attorney Krob about taking items 11 and 12 together. MOTION (Stern, Dreher) to approve the base bid and alternate bid award to the responsible bidder with the additional funds from the fund balance as presented. Roll call vote – aye 4; nay 1 (Farr). Motion passed.

13. Resolution 36-2024 to Approve a Memo of Understanding with Funky Little Theater Co. Mayor Havenar explained the agreement to support the Theater. MOTION (Farr, Ehrhardt) to approve the MOU. Roll call vote – aye 5; nay 0. Motion passed.

14. Resolution 37-2024 Regulating Carrying of Firearms. Mayor Pro Tem Stern explained the Senate Bill relating to concealed carry being allowed in sensitive areas. Discussion took place about local control. Trustee Ehrhardt expressed his opinion supporting less guns. MOTION (Stern, Dreher) to approve the resolution to allow concealed carry in specific areas. Roll call vote – aye 4; nay 1 (Ehrhardt). Motion passed.

15. Ordinance 5-2024 Creating Ch. 5.06 Relating to Special Events. Mayor Havenar reviewed prior discussions of the draft code. MOTION (Stern, Ehrhardt) to approve Ordinance 5 regulating special events. Roll call vote – aye 5; nay 0. Motion passed.

16. Ordinance 6-2024 Creating Ch. 5.10 Relating to Farmers Market. MOTION (Dreher, Stern) to approve Ordinance 6 regulating farmers markets. Roll call vote – aye 5; nay 0. Motion passed.

17. Discussion/Direction for Peddlers Permit Regulation. Discussion ensued generally about background checks on applicants. A final amended version with the modification to an annual permit will be brought back to a future meeting.

18. Update on Advisory Committee Elephant Rock Vision. Collins noted the presentation of the Advisory Committee vision is scheduled for July 10. Trustee Farr stated on record that not providing the material prior to the workshop as requested is disrespectful of the Board. Trustee Ehrhardt explained the concern of material being picked apart without hearing the presentation.

Public Comment. Mr. Atis Jurka commented about firearms, requesting that sensitive areas be specified or posted because some people are sensitive to guns in general.

Board Reports. Trustee Nick Ehrhardt reported the positive trail building activity. Trustee Kevin Dreher commented that the Walnut/Greeley parking looks great and suggests replacing rock with larger rock when we have it. Trustee Dennis Stern mentioned his attendance to the Pikes Peak Regional Advisory meeting and that residential permits are up. Mayor Havenar said the Board of Health meeting was review of financial audit and budget.

Next Meeting (July 10 workshop - presentation from Advisory Committee; July 11) and Future Items

Convene to Executive Session. Attorney Krob added possible acquisition of real property and to direct negotiators, pursuant to Sections 24-6-402(4)(a) and (e), C.R.S. MOTION (Farr, Stern) to convene to executive session at 7:33 pm. Roll call vote – aye 5; nay 0. Motion passed.

A) For the purpose of discussing a matter that is subject to negotiation and to direct negotiators with regard to possible development incentives pursuant to Section 24-6-402(4)(e), C.R.S.

B) For the purpose of discussing a matter that is subject to negotiation related to a possible annexation, pursuant to Section 24-6-402(4)(e), C.R.S.

Reconvene to Open Session

Adjourn. MOTION (Farr, Stern) to adjourn at 8:28 pm. Motion passed.

Mayor Glant Havenar

ATTEST: Dawn A. Collins, Town Clerk

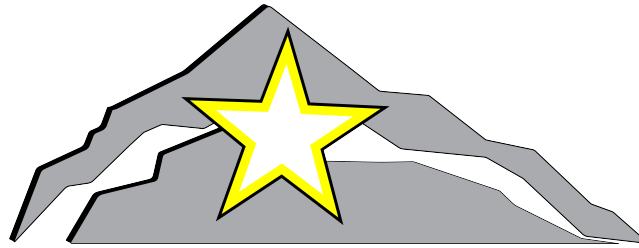
Town of Palmer Lake Monthly Water Usage

**Month
Year June
 2024**

	Gallons	Acre Ft
Surface Water	3,008,000	9.23
Well A2	0	0
Well D2	3,016,000	9.26
Total	6,024,000	18.49
Avg. Gal/Day	201,000	0.62

Release To Lake 8.40 AF Max Allowed = 8.4 AF / Month
Release Glen Park Evaporation 0 AF
Water system 0 AF

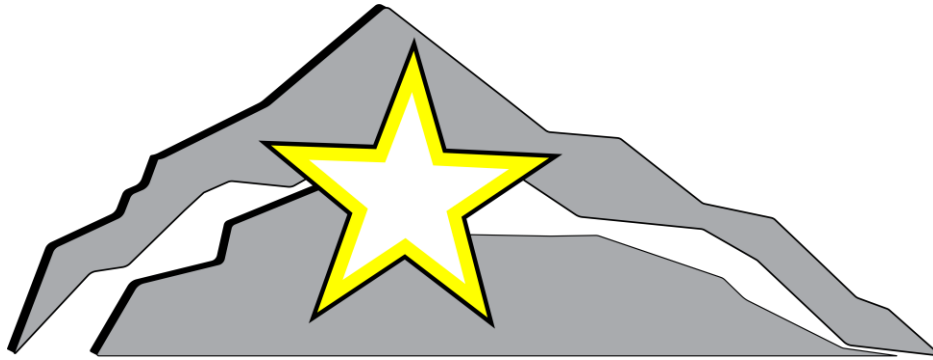
Total 8.4 Af



Town of Palmer Lake

Board of Trustees Summary Sheet

	June 2024
Title	Public Works Monthly Report
Date	July 11, 2024
Contact	Stacy DeLozier
Summary	<p>Grade and Mag Roads Dust control Cut drainage ditches on roads around PL City Limits Cold Patch Asphalt Potholes Clean out various road culverts Clean out/ cut ditch in Glen Park for road water runoff Cut tree limbs/ brush from roadways and parks Continue to add to large slash pile in PW yard Replace and repair applicable road signs Perform routine maintenance on all equipment Empty trash cans at Lake Rec. area, parks and trailhead daily Maintain Trailhead parking Kiosk daily Attended lots of various meetings Bridge lighting has a bulb out, called Porch Electric for repair Bridge bathroom project has started first phase Several onsite meetings about new Pickleball Courts, slabs poured Coordinate placement of Port A Potty's around town and move when needed for Parks Summer cleaning around the shop/yard Helped with lots of small projects at Town Hall, PLFD and PLPD Core EV chargers project is almost done, needs final inspection, then "ribbon cutting ceremony" Assist with Parks and Youth Corp at ER trail building - completed Assist Water Dept on Epworth/ Greeley water main project - completed Several street cut permits issued throughout town limits Playground maintenance and inspection Refurbished wooden Parks signs Work with parks and ATL on projects Completed monthly repair/ maintenance on Parks equipment/mowers CIRSA safety audit and town building assessment completed</p>
Training	Ongoing weekly/ monthly safety training and meetings
Other Activity	Working with John Chavez and Matt Petit on Upper Glenway/ Pie Corner road project. Project should start by the end of July



Town of Palmer Lake

Board of Trustees Summary Sheet

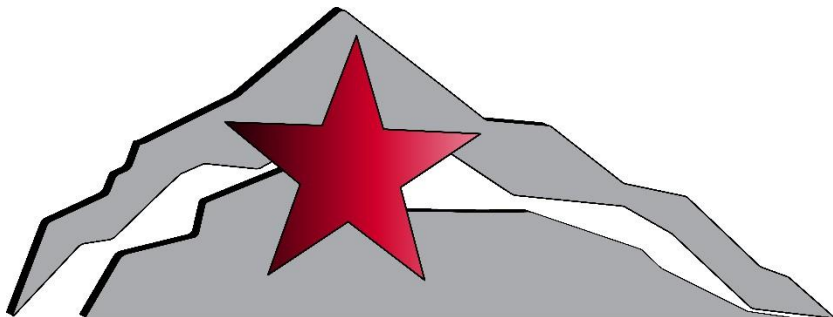
	May & June 2024
Title	PARKS Report
Date	7/11/2024 Board meeting; 7/9/2024 Parks meeting
Contact	Parks & Trails Commission
Summary of Volunteer Hours	Labor (clean up, maintenance) : 160.50 hr. Clerical (email, calls, grants, spreadsheets) : 13.50 hr. Miscellaneous Meetings (other than Parks) : 41.0 hr.
Total Volunteer Time	Total = 215 hours
Upcoming Activity	Parks Workshop 7/23



Board of Trustees Summary Sheet

	July 2024
Title	Police Monthly Report
Action	N/A
Date	06/01-06/30/2024
Contact	*Chief A. Lundy
Summary	In the Month of June 2024, the PLPD made 81 traffic stops and issued 66 citations. Also, in the month of June 23 reports were taken and there were 5 traffic accidents.
Training	All Officers with PLPD completed a Community Policing course and an Active Shooter course. PLPD officers Olson and Bentley attended less lethal 40mm operation training with the Monument Police Department. Several officers attended A.C.T. courses with the El Paso County Sheriff's Office.
Other Actions	PLPD conducted a blood drive that was successful and had a nice turn out. The annual fishing derby went off without issue. PLPD updated the fleet, adding 3 used vehicles while retiring 3 vehicles which were mechanically unsound for duty. PLPD finally added an Intoxilizer machine to be used by all agencies of North El Paso County and South Douglas County. PLPD is in conversations with a Chaplain who may be employed for the Town in a volunteer advocate position.

	PLPD is under duress due to lack of staffing and increased criminal activity. Despite this, PLPD officers have stepped up to cover the road with the departure of 2 full time command staff officers. Their replacements are much anticipated.
Active investigations	PLPD officers are actively investigating several thefts in the Meadow Lane area, drug activity in the 600 block of Hwy. 105, and a hit and run accident in front of 702 Hwy. 105.
Calls for service	Officers responded to 355 calls for service this month.
S.T.E.P.	S.T.E.P. was instituted in March of 2021 and has made a great impact on police operations and overall street safety of Palmer Lake. Accidents are more infrequent and speeds through town have slowed dramatically during these shifts. This program has provided a consistent avenue for extra duty while keeping speeds down and the streets safer for residents.



PALMER LAKE FIRE DEPARTMENT

Board of Trustees Summary Sheet

Title	Fire Department Report- June 2024
Date	11 July 2024
Contact	John Vincent, Chief
Summary	<p>Fire Department RMS on-boarding continues.</p> <p>1 Firefighter returned from a 2-week deployment in Texas.</p> <p>1 Firefighter returned from a 2-week deployment to Cortez, Colorado.</p> <p>Structure Fire Academy is on-going.</p> <p>Mitigation project at Elephant Rock continues.</p> <p>Provided personnel and equipment to USFS Burn Operation at Monument Fire Center.</p>
Training	No report (Lt. Berry Deployed)
Photographs	N/A
Other Action	
Code Enforcement	N/A



Board of Trustees Summary Sheet

	June - July 2024		
Title	Administration		
Date	7/11/2024		
Contact	Admin personnel		
Kiosk Revenue	June Collections for the Kiosk		
	\$ 8,829.80	Gross Collections	(1666 Transactions)
	\$ 499.80	Fees	
	\$ 70.00	Monthly T2 Svc charge	
	<u>\$ 9,399.60</u>	Net Collections - June	
	YTD Collections 2024 - YTD Transactions: 4665		
	\$ 24,724.50	Gross Collections	
	\$ (1,399.50)	Fees	
	\$ -	Supplies (Kiosk Paper)	
	<u>\$ (420.00)</u>	Monthly T2 Svc charge	
\$ 22,905.00	Net Collections		
\$ (1,819.50)	Total Fees and Maintenance	8%	
Contact Us (online)	Submitted Time	First Name	Subject
	6/15/2024	Chad	Asphalt Company
	6/17/2024	Jason	Rent Pavilion
	6/17/2024	Jenner	Pavilion 7/16
	6/20/2024	Kristen	Palmer Lake Reservations
	6/20/2024	Kiara	Pavilion Rental
	6/24/2024	Natasha	Pavilion
	6/24/2024	Randi	Lake Pavilion
	6/25/2024	Dawn	Pavilion
	6/27/2024	Kellie	El Paso County Clean Sweep Event
	6/27/2024	Ed	Park & Recreation Division
	6/29/2024	Chelsea	Upper Glenway Water Project
Land Use permits Issued	June 2024 Type: Single Family; Qty: 3 Other; Qty: 4 Total water taps issued: 1040		

Business Licenses

BUSINESS LICENSE STATUS CHANGES BY BUSINESS TYPE	2024	2024
	Jun	Jun
Business Type	STR	other
New Licenses	0	5
Licenses Renewed	3	11
Licenses Expired	0	2
Businesses Closed	0	0
CURRENT BUSINESS LICENSES BY BUSINESS TYPE (New + Renewed)		
	37	154
TOTAL CURRENT BUSINESS LICENSES (New + Renewed)		191

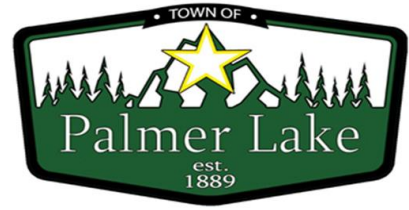
SCHEDULED TO RENEW IN AUGUST:

BUSINESS NAME
Alpine Essentials LLC
Front Range Cabinets Distributors, Inc.
Ion Developer, LLC
Journeys End Gamers Fellowship LLC
Lynn Roth Imagery
Monumental Microderm, LLC dba Monumental Medspa
Reliable Roofing and Restoration
Shaw Industries, Inc.
Soli Deo Gloria Estates, LLC

Water Billing

Year	Month	# of Water Accounts	# of Gallons Sold	# of Shutoffs
2022	Jan-Dec	1015	41,405,900	11
2023	Jan-Dec	1018	44,855,150	7
2024	Jan	1019	3,498,000	0
	Feb	1019	3,031,550	0
	March	1019	2,889,000	0
	April	1019	3,401,100	0
	May	1019	34,103,000	0
	June	1021	4,560,620	0
	YTD		51,483,270	0

<p>Grant Activity Updates</p>	<table border="1"> <thead> <tr> <th data-bbox="232 212 337 310">Dept</th> <th data-bbox="337 212 578 310">Name</th> <th data-bbox="578 212 841 310">Grant Purpose</th> <th data-bbox="841 212 987 310">Grant Amount</th> <th data-bbox="987 212 1149 310">Match/ Cost Sharing</th> <th data-bbox="1149 212 1568 310">STATUS/NEXT STEPS</th> </tr> </thead> <tbody> <tr> <td data-bbox="232 310 337 380"><i>Police</i></td> <td data-bbox="337 310 578 380"><i>Gary Sinise - ATV</i></td> <td data-bbox="578 310 841 380">ATV with upfit - cage, light bars, decals</td> <td data-bbox="841 310 987 380">\$31,627</td> <td data-bbox="987 310 1149 380">0</td> <td data-bbox="1149 310 1568 380">Application submitted 7/1</td> </tr> <tr> <td data-bbox="232 380 337 512"><i>Police</i></td> <td data-bbox="337 380 578 512"><i>HVE (High Visibility Enforcement)</i></td> <td data-bbox="578 380 841 512">DUI enforcement, STEP extra duty</td> <td data-bbox="841 380 987 512">\$8,000</td> <td data-bbox="987 380 1149 512">0</td> <td data-bbox="1149 380 1568 512">Awarded June 17th (up from \$7k last year). PD fills the HVE shifts as they come and then requests reimb.</td> </tr> <tr> <td data-bbox="232 512 337 554"><i>Fire</i></td> <td data-bbox="337 512 578 554"><i>El Pomar</i></td> <td data-bbox="578 512 841 554">chipper</td> <td data-bbox="841 512 987 554">\$56,873</td> <td data-bbox="987 512 1149 554">0</td> <td data-bbox="1149 512 1568 554">Application submitted</td> </tr> <tr> <td data-bbox="232 554 337 663"><i>Fire</i></td> <td data-bbox="337 554 578 663"><i>EMS</i></td> <td data-bbox="578 554 841 663">3 Life Pack AEDs with capnography</td> <td data-bbox="841 554 987 663">\$12,945</td> <td data-bbox="987 554 1149 663">\$3,439</td> <td data-bbox="1149 554 1568 663">Awarded \$12,945</td> </tr> </tbody> </table>	Dept	Name	Grant Purpose	Grant Amount	Match/ Cost Sharing	STATUS/NEXT STEPS	<i>Police</i>	<i>Gary Sinise - ATV</i>	ATV with upfit - cage, light bars, decals	\$31,627	0	Application submitted 7/1	<i>Police</i>	<i>HVE (High Visibility Enforcement)</i>	DUI enforcement, STEP extra duty	\$8,000	0	Awarded June 17th (up from \$7k last year). PD fills the HVE shifts as they come and then requests reimb.	<i>Fire</i>	<i>El Pomar</i>	chipper	\$56,873	0	Application submitted	<i>Fire</i>	<i>EMS</i>	3 Life Pack AEDs with capnography	\$12,945	\$3,439	Awarded \$12,945
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<p>Staffing Activity</p>	<ul style="list-style-type: none"> • Conducting interviews for Accounting Clerk • Accepted offer for Code Compliance (starts next week) • Advertisement to hire f/t Parks Maintenance 																														



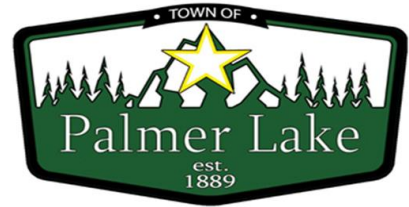
Item 10.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: July 11, 2024	ITEM NO.	SUBJECT: Resolution to Appoint Alternate Member to Parks and Trails Commission
Presented by: Town Administrator Dawn Collins		

Recommended Action

Approve Resolution to appoint alternate member as recommended by Parks and Trails Commission on Tue., 7/9. Resolution will be added and distributed to the Board.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: July 11, 2024	ITEM NO.	SUBJECT: Resolution to Establish Application Fee for Farmers Market
Presented by: Town Administrator Dawn Collins		

Recommended Action

Approve Resolution to establish application fee of \$100 for farmers market application.

Background

With adoption of the farmers market code, a fee for the application should be established. Staff suggests keeping the fee in line with special event applications, considering it is a similar review process. The fee is also consistent in being lower than neighboring town (at \$200).

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 39-2024

A RESOLUTION TO ESTABLISH A FEE FOR FARMERS MARKET APPLICATIONS

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, the Town Board of Trustees recently adopted regulations to allow farmers markets within the Town on certain conditions and following review of an appropriate application by the Town; and

WHEREAS, the Board desires to establish proper fees to reflect the costs associated with receiving, reviewing, and administering applications to conduct farmers markets within the Town of Palmer Lake.

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

1. The Board of Trustees for the Town of Palmer Lake hereby adopts a \$100 fee for applications for a Farmers Market and directs that in the Master Fee Schedule for 2024 be amended to reflect this addition.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 11TH DAY OF JULY 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

TOWN OF PALMER LAKE, COLORADO

ORDINANCE NO. 7 -2024

**AN ORDINANCE AMENDING AND REPLACING IN ITS ENTIRETY CHAPTER 5.12
OF THE PALMER LAKE MUNICIPAL CODE LICENSING AND REGULATING
PEDDLERS WITHIN THE TOWN**

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town; and

WHEREAS, Chapter 5.12 of the Town Code sets forth the provisions licensing and regulating peddlers within the Town; and

WHEREAS, the Board of Trustees has determined that it wishes to update the provisions of Chapter 5.12; and

WHEREAS, The Board of Trustees has received, reviewed and considered proposed revisions to the existing provisions of Chapter 5.12 as reflected in the redline attached as Exhibit A; and

WHEREAS, the Board of Trustees has concluded that it is in the best interest of the health, safety and welfare of the Town to accept and approve the suggested revisions to Chapter 5.12, resulting in a revised Chapter 5.12 that reads in its entirety as set forth in Exhibit B, attached.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:**

1. The Palmer Lake Municipal Code is hereby amended by replacing Chapter 5.12 Peddlers, in its entirety with the provisions set forth in Exhibit B, attached.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 11th DAY OF JULY, 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor

EXHIBIT A
- CODE OF ORDINANCES
Title 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.12. PEDDLERS

CHAPTER 5.12. PEDDLERS¹

5.12.010. Permit and license required.

It is unlawful for any person to engage in the business of peddler, as defined in section 5.12.020, within the limits of the town without first obtaining a permit pursuant to the provisions of this Chapter 5.12, or a ~~and~~ business license pursuant to Chapter section 5.04, therefore as provided herein.

(Code 1973, § 5.12.010; Ord. No. 8-1954, § 1, 1954)

5.12.020. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler means and includes any person, whether a resident of the town or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, services for hire, or making sales and delivering articles to purchasers, or who, without traveling from place to place shall sell or offer the same for sale or hire from a wagon, ~~automotive vehicle, railroad car,~~ or other ~~vehicle or~~ conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provision of this chapter. The term "peddler" includes the terms "hawker" and "huckster."

(Code 1973, § 5.12.020; Ord. No. 8-1954, § 2, 1954)

5.12.030. Permit and license—Application; contents.

Applicants for permits and licenses under this chapter must file with the town ~~clerk~~clerk a sworn a completed application in writing, which shall give the following information:

- (1) Name and address of the applicant;
- (2) Permanent home address and full local address, if any, of the applicant;
- (3) A brief description of the nature of the business and the goods or services to be sold and in the case of farm products, whether the products are grown by the applicant;
- (4) If employed, the name and address of the employer;
- (5) The ~~length-specific of times~~ for which the right to do business is desired;

¹State law reference(s)—Municipal authority to license, tax, regulate, suppress and prohibit peddlers, C.R.S. § 31-15-501(1)(g).

- (6) If a vehicle is to be used, a description of the same, together with the license number or other means of identification;
- (7) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense, ~~and~~ the punishment or penalty assessed therefore;
- (8) Such other matters as may be from time to time deemed necessary or desirable by ~~the town clerk~~ the board of trustees.

(Code 1973, § 5.12.030; Ord. No. 8-1954, § 3, 1954)

5.12.040. Permit and license—Investigation and issuance.

- (a) Upon receipt of such application, the town clerk, or designee, shall cause investigation of the applicant's business and moral character to be made for the protection of the public good.
- (b) If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the town clerk shall deny the request and notify the applicant in writing of such disapproval and that no permit and license will be issued.
- (c) If, as a result of such investigation, the applicant's character or business responsibility are found to be satisfactory, the town clerk shall endorse approval and execute a permit in favor of the applicant for the carrying on of the business applied for upon payment of the prescribed license fee, and issue a license for the calendar year. Such license shall contain the signature and seal of the ~~issuing officer~~ town clerk or designee and shall show the name ~~and address~~ of said licensee, the ~~type of license issued, and the~~ kind of goods or services to be sold thereunder, ~~the amount of fee paid,~~ the date of issuance, and the length of time the same shall be operative, as well as the ~~license number or other~~ identifying description of any vehicle used in such peddling. The town ~~clerk or designee~~ clerk shall keep a permanent record of all licenses issued within a calendar year.

(Code 1973, § 5.12.040; Ord. No. 8-1954, § 4, 1954)

5.12.050. Permit and license—Fees.

There shall be due and payable for each license or permit issued hereunder, the sum defined in the master fee schedule.

(Code 1973, § 5.12.050; Ord. No. 8-1954, § 5, 1954)

5.12.060. License nontransferable.

No license issued under the provisions of this chapter shall be transferred to or used by any person other than the one to whom it was issued.

(Code 1973, § 5.12.060; Ord. No. 8-1954, § 6, 1954)

5.12.070. Use of streets.

No peddlers shall have any exclusive right to any location in the public streets, nor shall any be permitted in a stationary location, nor shall ~~any~~ be permitted to operate in any congested area where ~~their~~ operations might impede or inconvenience the public. For the purpose of this chapter, a licensed peddler may participate in

~~accompany a special events and farmers markets as determined by a special event coordinator or farmer's market manager respectively. The judgment of a police officer the town clerk exercised in good faith shall be deemed conclusive as to whether the area is appropriate for peddlers, congested or the public impeded or inconvenienced. A party holding a business license with the town is not required to apply for a peddlers permit.~~

(Code 1973, § 5.12.070; Ord. No. 8-1954, § 7, 1954)

5.12.080. Exhibition of license.

Peddlers are required to exhibit their license at the ~~time of service request of any citizen.~~

(Code 1973, § 5.12.080; Ord. No. 8-1954, § 8, 1954)

5.12.090. Chapter enforcement.

It shall be the duty of any police officer of the town to require any ~~person party seen~~ peddling, and who is not known by such officer, to be duly licensed to produce a peddler's license ~~or business license,~~ and to enforce the provisions of this chapter against any person found to be violating the same.

(Code 1973, § 5.12.090; Ord. No. 8-1954, § 9, 1954)

5.12.100. Violations record.

The police ~~official department of the town~~ shall report to the town clerk all convictions for violations of this chapter and the town clerk, ~~in his record for each license issued,~~ shall record the reports of violations therein.

(Code 1973, § 5.12.100; Ord. No. 8-1954, § 10, 1954)

5.12.110. Revocation.

- (a) Permits and licenses issued under the provisions of this chapter may be revoked by the ~~board town clerk of trustees of the town, after notice and hearing,~~ for any of the following causes:
- (1) Fraud, misrepresentation, or false statement contained in the application for license;
 - (2) Fraud, misrepresentation, or false statement made in the course of carrying on his ~~or her~~ business as peddler;
 - (3) Any violation of this chapter;
 - (4) Conviction of any crime or misdemeanor involving moral turpitude;
 - (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of peace or to constitute a menace to the health, safety, or general welfare of the public.
- (b) Notice of the ~~revocation~~ hearing ~~or~~ for ~~an appeal of a~~ revocation of license shall be given in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed postage prepaid to the licensee at ~~their~~ ~~his~~ last known address at least 15 days prior to the date set for hearing.
- (c) An appeal hearing to a revocation will be scheduled before the Board of Trustees. The decision of the Board of Trustees shall be final.

(Code 1973, § 5.12.110; Ord. No. 8-1954, § 11, 1954)

5.12.120. Expiration; ~~renewal fee.~~

~~All annual~~The peddler's licenses and permits issued under the provisions of this chapter shall expire ~~one at the end of a calendar year, from the date of issue, other than annual licenses and permits which expire on the date specified therein. There shall likewise be due and payable for the renewal of each license and permit issued hereunder the sum defined in the master fee schedule.~~

(Code 1973, § 5.12.120; Ord. No. 8-1954, § 12, 1954)

EXHIBIT B
- CODE OF ORDINANCES
Title 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.12. PEDDLERS

CHAPTER 5.12. PEDDLERS¹

5.12.010. Permit and license required.

It is unlawful for any person to engage in the business of peddler, as defined in section 5.12.020, within the limits of the town without first obtaining a permit pursuant to the provisions of this Chapter 5.12 or a business license pursuant to Chapter 5.04.

(Code 1973, § 5.12.010; Ord. No. 8-1954, § 1, 1954)

5.12.020. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Peddler means and includes any person, whether a resident of the town or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying, or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, services for hire, or making sales and delivering articles to purchasers, or who, without traveling from place to place shall sell or offer the same for sale or hire from a wagon, vehicle or other conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provision of this chapter.

(Code 1973, § 5.12.020; Ord. No. 8-1954, § 2, 1954)

5.12.030. Permit and license—Application; contents.

Applicants for permits and licenses under this chapter must file with the town clerk a completed application in writing, which shall give the following information:

- (1) Name and address of the applicant;
- (2) Permanent home address and full local address, if any, of the applicant;
- (3) A brief description of the nature of the business and the goods or services to be sold and in the case of farm products, whether the products are grown by the applicant;
- (4) If employed, the name and address of the employer;
- (5) The specific times for which the right to do business is desired;

¹State law reference(s)—Municipal authority to license, tax, regulate, suppress and prohibit peddlers, C.R.S. § 31-15-501(1)(g).

- (6) If a vehicle is to be used, a description of the same, together with the license number or other means of identification;
- (7) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefore;
- (8) Such other matters as may be from time to time deemed necessary or desirable by the town clerk.

(Code 1973, § 5.12.030; Ord. No. 8-1954, § 3, 1954)

5.12.040. Permit and license—Investigation and issuance.

- (a) Upon receipt of such application, the town clerk, or designee, shall cause investigation of the applicant's business and moral character to be made for the protection of the public good.
- (b) If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the town clerk shall deny the request and notify the applicant in writing of such disapproval and that no permit and license will be issued.
- (c) If, as a result of such investigation, the applicant's character or business responsibility are found to be satisfactory, the town clerk shall endorse approval and execute a permit in favor of the applicant for the carrying on of the business applied for upon payment of the prescribed license fee and issue a license for the calendar year. Such license shall contain the signature and seal of the town clerk or designee and shall show the name of said licensee, the kind of goods or services to be sold thereunder, the date of issuance, and the length of time the same shall be operative, as well as the identifying description of any vehicle used in such peddling. The town clerk or designee shall keep a permanent record of all licenses issued within a calendar year.

(Code 1973, § 5.12.040; Ord. No. 8-1954, § 4, 1954)

5.12.050. Permit and license—Fees.

There shall be due and payable for each license or permit issued hereunder, the sum defined in the master fee schedule.

(Code 1973, § 5.12.050; Ord. No. 8-1954, § 5, 1954)

5.12.060. License nontransferable.

No license issued under the provisions of this chapter shall be transferred to or used by any person other than the one to whom it was issued.

(Code 1973, § 5.12.060; Ord. No. 8-1954, § 6, 1954)

5.12.070. Use of streets.

No peddler shall have any exclusive right to any location in the public streets, nor shall any be permitted in a stationary location, nor shall any be permitted to operate in any congested area where their operations might impede or inconvenience the public. For the purpose of this chapter, a licensed peddler may participate in special events and farmers markets as determined by a special event coordinator or farmer's market manager. The

judgment of the town clerk shall be deemed conclusive as to whether the area is appropriate for peddlers. A party holding a business license with the town is not required to apply for a peddlers permit.

(Code 1973, § 5.12.070; Ord. No. 8-1954, § 7, 1954)

5.12.080. Exhibition of license.

Peddlers are required to exhibit their license at the time of service.

(Code 1973, § 5.12.080; Ord. No. 8-1954, § 8, 1954)

5.12.090. Chapter enforcement.

It shall be the duty of any police officer of the town to require any party peddling, and who is not known by such officer, to be duly licensed to produce a peddler's license or business license, and to enforce the provisions of this chapter against any person found to be violating the same.

(Code 1973, § 5.12.090; Ord. No. 8-1954, § 9, 1954)

5.12.100. Violations record.

The police department shall report to the town clerk all convictions for violations of this chapter and the town clerk shall record the reports of violations therein.

(Code 1973, § 5.12.100; Ord. No. 8-1954, § 10, 1954)

5.12.110. Revocation.

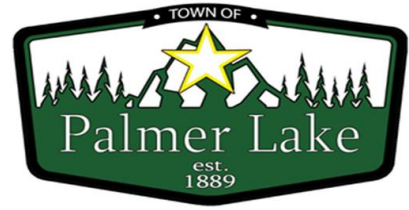
- (a) Permits and licenses issued under the provisions of this chapter may be revoked by the town clerk for any of the following causes:
 - (1) Fraud, misrepresentation, or false statement contained in the application for license;
 - (2) Fraud, misrepresentation, or false statement made in the course of carrying on his or her business as peddler;
 - (3) Any violation of this chapter;
 - (4) Conviction of any crime or misdemeanor involving moral turpitude;
 - (5) Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of peace or to constitute a menace to the health, safety, or general welfare of the public.
- (b) Notice of the revocation hearing or for an appeal of a revocation of license shall be given in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed postage prepaid to the licensee at their last known address at least 15 days prior to the date set for hearing.
- (c) An appeal hearing to a revocation will be scheduled before the Board of Trustees. The decision of the Board of Trustees shall be final.

(Code 1973, § 5.12.110; Ord. No. 8-1954, § 11, 1954)

5.12.120. Expiration.

The peddler's permit issued under the provisions of this chapter shall expire at the end of a calendar year.

(Code 1973, § 5.12.120; Ord. No. 8-1954, § 12, 1954)



Item 13.

**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

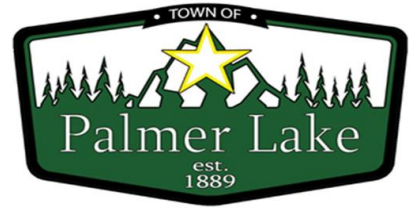
DATE: July 11, 2024	ITEM NO.	SUBJECT: Coordinating Local Election with El Paso County
Presented by: Town Administrator Dawn Collins		

Recommended Action

Direct staff to complete and return the form to coordinate the November 5 election with El Paso County.

Background

With Town Board terms up in December, staff anticipates coordinating the election with El Paso County. Confirm there are no ballot issues to assemble and staff will return the form to the County Clerk.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

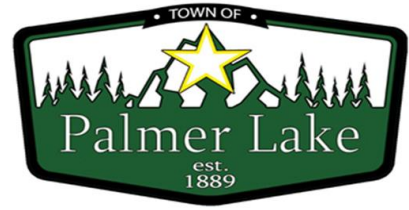
DATE: July 11, 2024	ITEM NO.	SUBJECT: Explore DOLA Funds to Consider Feasible Location for Public Safety Facility
Presented by: Town Administrator Dawn Collins		

Recommended Action

Direct staff to explore funds for feasible location for a joint public safety facility within town boundaries.

Background

Discussion has often been raised with Board members about the best location for a joint public safety facility. Staff suggests exploring available DOLA funds to research a feasible location for a facility.



**TOWN OF PALMER LAKE
BOARD OF TRUSTEES - MEMO SUMMARY**

DATE: July 11, 2024	ITEM NO.	SUBJECT: Direction for ER Property
Presented by: Town Administrator Collins		

Recommended Action

Direction for next steps on property, if needed.

Background

With the presentation of the vision for elephant rock property, this item is a placeholder for any direction by the Board, if needed.

The former direction from the Board to remove asbestos in 7 structures in preparation for demolition resulted in quotes (up to \$100k) that may require an update to be considered.