

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 1 -

CALL TO ORDER

Mayor Wenke called the meeting to order at 5:30 p.m.

ROLL CALL

The following members were present: Mayor Wenke, Mr. Frickell, Ms. Cole, Mr. Nordyke, Mr. Bistodeau and Ms. Parkes

ABSENT: Ms. Gluschke

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance

OTHERS PRESENT

John Genovese, Marilyn Hennessy, Bob Fulton, Paul and Patty Edhgard, Tracey Ballard, Angie Arterburn, Jordan Hedberg, Jay Printz, Mike Carter and Kathy Reis

Financial:

- a. Treasurer's Report: Clerk Reis submitted written reports. With 58 percent of the year having elapsed, General Fund has collected 62.3 percent of budgeted revenues and spent 52.4 percent of budgeted expenditures. Capital Fund has collected 11 percent of budgeted revenues and spent 33.9 percent of budgeted expenditures. Sales tax for May was up by 14.65 percent, which is up 17.71 percent from the previous year-to-date. The current Bills List is attached.

Account balances:

General Fund Checking:	\$ 79,701.99
CSafe-GF Core 11:	\$ 144,450.66
CSafe-3% Tabor Reserve:	\$ 21,030.74
Municipal Court Checking:	\$ 2,182.70
Tennis Court Checking:	\$ 6,720.25
Conservation Trust Fund Checking:	\$ 32,624.07
Capital Fund Checking:	\$ 36,549.39
CSafe-CF Core 12:	\$ 146,274.23
Total C.D.'s plus interest:	\$ 346,937.52

APPROVAL OF CONSENT AGENDA

- a. Approval of minute's, Treasurer's Report and Approval of Bills

Mr. Bistodeau moved and **Ms. Cole** seconded to allow and pay all bills. Motion carried.

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 2 -

OLD BUSINESS

- a. Consideration of request to approve Resolution 4-2019 for the sale of property on Powell Street in Block 22.**

This is just a formality; the decision was made by motion at the July meeting.

ACTION: Mr. Bistodeau moved and Ms. Cole seconded to approve Resolution 4-2019 for the sale of property on Powell Street in Block 22.

- b. Consideration of accepting the highest bid for selling 305 Main Street.**

One qualified bid was submitted by Rockwell Carr. The bid was read as follows: "I bid the amount of \$153,500.00. Attached please find verification of funds issued by Barclays Bank and cashiers check in the amount of \$5,000.00 for deposit. Thank you, Rockwell Carr."

The Mayor read the verification of funds letter and found it to be sufficient. The Board of Trustees and staff thanked Mr. Carr.

ACTION: Mr. Nordyke moved and Mr. Frickell seconded to accepted the bid. Motion carried.

Mr. Carr had a couple of questions. One being, will the Town provide Title Insurance. Attorney Printz stated that the Town will provide a General Warranty Deed and Title Insurance at the Town's expense.

The second thing, I understand it is being sold as in current condition. Is the Town prepared to state to me that there are no none significant defects? Attorney Printz responded that the Town will to the best of their knowledge we will stipulate no known significant defects that we haven't previously disclosed to you.

NEW BUSINESS

- a. Presentation for the Arts Hullabaloo-Angie Arterburn.**

Ms. Arterburn explained that Arts Hullabaloo is a three-day event with different activities all weekend. We would like to have a sidewalk chalk art demonstration by a professional artist (sponsored by the Rebecca's Fund), on the corner of 2nd Street on the east sidewalk. It would be family oriented art work. Westcliffe Home and Ranch didn't have any issues of it being in that location.

The Board Trustees didn't state any concerns.

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 3 -

NEW BUSINESS CONTINUED

b. Sheriff quarterly report.

Sheriff Byerly reported that 35% of all calls were in Westcliffe. The department was more active in the second quarter due to more people in town. There were 6 DUI stops, 163 traffic stops in the second quarter in the town.

In 2018 the from January to July there were 32 DUI's, the numbers are the same for 2019 in that same time frame. The liquor establishments have been calling in if there are problems with overserving issues.

He reported there are some citizens that have started a business giving rides to folks that may have had too much to drink.

Sheriff Byerly also talked about needing to increase the contract with the sheriff's department by 3% for 2020 due to cost of doing business. He also talked about the possibility of moving dispatch services to Fremont County. We are having staffing problems, currently running with 3 dispatchers to cover 24/7. Being a stressful job, it is hard to fill with the wages we can afford to pay. It could be that our dispatch run part-time and switching the uncovered time to Fremont. Fremont County uses the same system we do, so it would be a relatively easy transition. It isn't just about money; the dispatchers can't work 260 hours a month each. The decision will be made prior to your next meeting and will be made public.

c. Consideration of request to participate in an Inter-Governmental Agreement between the Town of Westcliffe, Town of Silver Cliff and Custer County to develop a Broadband Design Plan.

There is not an agreement to sign to date. At this point this is just informational, the IGA should be available soon.

Jordan Hedberg with the Wet Mountain Tribune reported that there will be a story in next weeks paper regarding the work Centurylink is doing in the area.

John Genovese agreed to assist the three entities in sorting this out. He stated there should be one point of contact to get the information needed. Mr. Genovese had previously worked for Centurylink and is very familiar with them.

It was decided that Mike Carter and John Genovese get the information needed and schedule a meeting with Centurylink and the two Towns and County. Also Mr. Carter will get the information as to what they are doing prior to issuing a permit prior to excavating in the Town.

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 4 -

NEW BUSINESS CONTINUED

- d. Consideration of request to approve Ord. 6-2019 submitting a ballot question to increase sales tax on the Special Municipal Election November 5, 2019.**

Mayor Wenke read the ordinance into the record. There was a concern on the language as it may be confusing.

ACTION: Mr. Frickell moved and Ms. Cole seconded to approve Ord. 6-2019 submitting a ballot question to increase sales tax on the Special Municipal Election November 5, 2019. Motion died and was amended.

A friendly motion was made to amend as follows: I would like to change the sales tax narrative to read Shall the Town of Westcliffe, Colorado increase the town sales tax from 2% to 3%, this is a 1% increase. Mr. Frickell and Ms. Cole accepted to amended the motion as follows.

ACTION: Mr. Frickell moved and Ms. Cole seconded to approve Ord. 6-2019 submitting a ballot question to increase sales tax on the Special Municipal Election November 5, 2019. Change the narrative to read “Shall the Town of Westcliffe, Colorado increase the town sales tax from 2% to 3%, this is a 1% increase”. Motion carried.

- e. Staff quarterly reports.**

This will be moved to the September meeting.

- f. CML staff reports.**

This has been moved to the September meeting.

- g. 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. Section 24-6-402(4) (e).**

There wasn't a need to go into executive session for this subject.

An Executive session was called for a personnel matter under C.R.S. Section 24-6-402(2) (f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 5 -

NEW BUSINESS CONTINUED

elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

ACTION: **Mr. Bistodeau** moved and **Mr. Nordyke** seconded to move into executive session for a personal matter allowed by C.R.S. Section 24-6-402(2) (f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Motion carried.

At 7:25 p.m. the regular meeting was recessed. Executive Session was convened at 7:26 p.m.

Regular Meeting

At 7:50 p.m., Mayor Wenke reconvened the regular meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Ms. Parkes, Mr. Frickell, Mr. Nordyke, Mr. Bistodeau, Ms. Cole, Mike Carter, Jay Printz and Kathy Reis. For the record, Mayor Wenke asked that if any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record.

The board directed the Town Clerk to put ads in both local papers, Pueblo West, Mountain Mail, Daily Record, Indeed.com, Facebook and on the CML website. The search committee will be Mayor Wenke, Mike Carter, Mr. Nordyke and Mr. Bistodeau.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk – Kathy Reis

1. **Tennis Courts**-We are taking a year long process to get user groups and raise more matching funds to re-apply for the grant in 2020.
2. **Lowe's**-is under investigation by the Colorado State Liquor Enforcement for selling under cost. This is due to a complaint from a citizen. I will let you know the results. If they are charged, the renewal application will come before you. I can't approve it administratively.

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 6 -

STAFF & COMMITTEE REPORTS CONTINUED

3. **Water Augmentation** phone conference call was cancelled. Attorney Printz clarified that it would be rescheduled.
4. **Ms. Gluschke** turned in her laptop. We have not received her resignation letter yet. A new Mayor Pro-Tem will need to be appointed at the next meeting. You can decide whether or not to put an ad in the paper. You will have 60 days from the date the seat becomes vacant. Mayor Wenke understood the Board of Trustees need to approve the appointment and announced he would like to appoint Jim Bistodeau as Mayor Pro-Tem at the next meeting.
5. **Office equipment**-We plan on putting the information on Facebook to sell miscellaneous items we are no longer using.
6. **CML District 13** meeting and dinner is September 5.
7. **Minutes**-A sample of a simplified financial section was presented, the board was fine with the changes.

b. Report from Building and Zoning – Mike Carter

1. **Chip Seal**-Is complete. Rain created issues preventing getting everything done as we would have liked. We did a seal coat was done this year. We didn't get to do all that we wanted due to the rain. I recommend that this be done on all chip seal in the future. We are planning on getting the rest done, which will require getting a different broom that was provided by the county. The closet broom that we can rent is in Denver. The remainder of the material was used to seal coat other streets. This extends the life of those streets by three to five years.
2. **Bluff restroom**-Plumbing is in and backfilled. The footer for the foundation is scheduled to go in tomorrow. Once that is done, the rest will go in quickly. Construction Solutions is doing the work.
3. **Tennis Courts**-The courts have been repaired for this year.
4. **Turf Project Town Hall**-The project is almost complete. We will be putting the turf down next week.
5. **Weed Mowing**-Notices were mailed covering more than 100 lots. The majority of those have been mowed. We ended up mowing a couple of the lots that weren't mowed.
6. **Safe Routes to School Project**-It may not be done until the spring due to the CDOT approval process. We don't want to do this in cold weather.
7. **Trees**-The trees on the south side of the 200 block are not doing well. The south side doesn't get any sun in the winter and salt ends up being put in the tree wells, which kills the trees. We can't ask the owners not to put salt on the sidewalk, causing a liability. One option would be to put a 3' high tree box around them. The tree well could be used as benches with brick, concrete, etc. The Mayor ask for an estimate before the next board meeting.
8. **Verizon Tower**-Verizon is waiting to get fiber before they can put it in.

Mr. Frickell commended Mr. Carter and his crew for doing a great job on the seal project, the Town looks so much better.

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
WEDNESDAY, AUGUST 7, 2019
REGULAR MEETING**

-Page 7 -

PUBLIC COMMENT:

Mr. Fulton requested the stop sign at Edwards and 3rd be changed from north-south to east-west. People go faster due to the chip seal. Attorney Printz said public notice in the paper needs to be given prior to the change.

Mr. Frickell moved and **Mr. Bistodeau** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis
Town Clerk