

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
MONDAY, AUGUST 2, 2021
REGULAR MEETING**

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CALL TO ORDER

Mayor Wenke called the meeting to order at 5:30 P.M.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance

OTHERS PRESENT

Randy Wilhelm, George Mowry, Deanna and Ed Stefanich, Bianca Trencher Wanda Jennings, Gabriel Shank, Kathy Reis, Remote attendees-Attorney Clay Buchner, Elliot Jackson and Lisa Frank

Financial:

- a. Treasurer's Report: Clerk Reis submitted written reports. With 58.3 percent of the year having elapsed, General Fund has collected 70.6 percent of budgeted revenues and spent 50.1 percent of budgeted expenditures. Capital Fund has collected 45.4 percent of budgeted revenues and spent 1.6 percent of budgeted expenditures. Sales tax for May
- b. was up by 30.83 percent, which is up 14.89 percent from the previous year-to-date.

Account balances:		July Expenditures Paid in August	
General Fund Checking:	\$ 460,312.05	\$	53,208.43
CSafe-GF Core 11:	\$ 133,445.90		
CSafe-3% Tabor Reserve:	\$ 35,002.26		
CSafe-General Fund Reserve-14	\$ 161,719.00		
Municipal Court Checking:	\$ 1,482.70	\$	0.00
Tennis Court Checking:	\$ 25,035.34	\$	0.00
Conservation Trust Fund Checking:	\$ 35,086.75	\$	0.00
Capital Fund Checking:	\$ 569,940.73	\$	4,648.78
CSafe-CF Core 12:	\$ 220,028.42		
Total C.D.'s plus interest:	\$ 203,357.40		

APPROVAL OF CONSENT AGENDA

- a. Approval of minute's
- b. Treasurer's Report
- c. Approval of Bills

Mr. Frickell moved and **Mr. Nordyke** seconded to the consent agenda. Motion carried.

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OLD BUSINESS

None

NEW BUSINESS

a. Consideration of appointing and swear in new trustees.

Three candidates were interviewed. Mayor Wenke stated based on those interviews, he would entertain a motion to appoint for the vacant seats.

ACTION: Ms. Snow moved and Ms. Cole seconded to appoint George Mowry as Trustee. Motion carried.

ACTION: Mr. Snow moved and Mr. Nordyke seconded to appoint Randy Wilhelm as Trustee. Motion carried.

Mr. Mowry and Mr. Wilhelm were sworn in as Trustees by Mayor Wenke.

b. Consideration of request to reschedule September and October's regular meetings.

September's meeting was rescheduled for Friday, September 3rd at 5:30 P.M., due to the observed holiday falling on the Monday, September 6th.

Clerk Reis reported that she will be on gone for the October meeting and offered to do the meeting via Zoom, the board agreed to allow that.

c. Consideration of request to approve Ord. #4-2021, authorizing into a lease with Jimmie Nugent.

The Town had entered into a lease for the property west of Lowe's this year. The ordinance is to comply with the Tabor laws.

ACTION: Ms. Cole moved and Mr. Frickell seconded to approve Ord. #4-2021, authorizing into a lease with Jimmie Nugent. Motion carried.

d. Consideration of request to approve Ord. 5-2021 amending Title 10, Chapter 16-Short Term Vacation Rentals.

Ms. Snow explained the changes were mainly to allow staff to move forward processing applications. There were some conflicts in the original ordinance. There were comments from some citizens that some items were too stringent or not applicable for our area.

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NEW BUSINESS CONTINUED

There were some major changes as follows:

The first is a procedural one, making it very clear that approval is at the administrative level, not requiring a Use by Special Review through the Planning Commission and the Board of Trustees as long as all the requirements and licensing are followed.

The second one requires all Short-Term Rentals regardless of zoning to apply for the license and permitting. All other lodging is regulated by other regulatory bodies. Short Term Rentals are not regulated by the State or others. It falls on the municipalities to regulate them to ensure all Short-Term Rentals meet safety standards.

The third change was to add a process for a short-term rental owner to appeal a negative decision by the zoning enforcement officer. The appeal would go to the Board of Adjustments.

Other minor changes were regarding visitors, for example, having them over for a cup of coffee or dinner; and removed the requirement for bear proof trash containers.

This is step two, it needs to go to Planning Commission and allow citizens to comment on.

Town Attorney Buchner applauded the Town for accomplishing this. A lot of municipalities wish they were this far in the process. What you have can be amended in the future for what fits your community.

Bianca Trencher made a few comments and had several questions. She would also like to be involved in the workshop.

ACTION: **Ms. Snow** moved and **Ms. Cole** seconded to approve Ord. 5-2021 amending Title 10, Chapter 16-Short Term Vacation Rentals. Motion carried.

- e. Clarify the take home vehicle for the Town Manager and clarify where the Town purchases fuel for Town usage.**

Mayor Wenke reminded the board that the take home vehicle was allowed as part of the Town Manager's compensation. The Town Manager is on call 24/7.

The Town has purchased fuel from Road and Bridge for many years for the Town's vehicles and equipment saving taxpayer dollars.

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NEW BUSINESS CONTINUED

f. Consideration of request to approve additional funds to the Façade Grant program. Bess Cole

Ms. Cole invited Deanna and Ed Stefanich to come into the room for her presentation and will welcome comments you.

Ms. Cole (Façade Grant committee member) explained that during the budget process the Board of Trustees to offer twenty-five thousand dollars (\$25,000) in grants to help the businesses to make changes to their store fronts. It was a very successful program; all the funds have been allocated. In the case if Bootleggers, there was some confusion, we didn't have the correct email for one of the members that was on the Façade grant committee and wasn't able to be part of it until after we had received all the applications and all the allocations had been made. There was also confusion regarding the application. Ms. Cole asked for this to be on the agenda to review this application and grant funds to Bootleggers to do some upgrades to their façade. After talking with Clerk Reis, there is money in the budget. I am asking the board to consider granting four thousand two hundred fifteen dollars (\$4,215.00) to upgrade their facade. This is a second application, the committee asked them to resubmit the application, the sign had been installed prior to the first application.

They thanked Ms. Cole for doing this, although they thought they were on the agenda as they have a process issue regarding their application between the committee members. They presented a packet of information to the board. They understood it may not be appropriate for this meeting and would like to leave it and be placed on next months agenda.

After further discussion and clarification for the new board members, the Town matches up to \$5,000 and it is a reimbursable grant being spent prior to the end of the year, the following motion was made.

ACTION: **Mr. Mowry** moved and **Mr. Nordyke** seconded to approve \$4,215.00 for the Bootleggers application. Motion carried.

g. Consideration of request to approve funds for Hermit Park parking lot improvements.

Town Manager explained initially we had budgeted \$120,000 for the 4th Street parking improvements (on the west side of the Sunflower Foods building) at 4th and Main, for parking, sidewalk, curb, gutter. We received two bids, the highest being \$44,141. I requested bids for other projects that were looming that would benefit the Town. Hermit Park has the large pavilion with an ADA ramp that isn't to code. To get the ADA ramp to code and get the parking lot surfaced. One bid is to finish the

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NEW BUSINESS CONTINUED

ADA ramp, the other one is to do the entire lot. If we can reallocate the remaining funds, we can get two parking lots done and still save \$3,500.

There was a concern regarding starting work in the parks prior to getting the Park Planning Master Plan completed. Town Manager Shank explained we could do just the ADA portion if the board would like. The park access is already established.

Another concern was, would the parking lot be damaged by equipment to resurface the tennis court? Town Manager Shank responded that the equipment would not damage the parking lot.

ACTION: Ms. Snow moved and Ms. Cole seconded to approve funds for Hermit Park parking lot improvements. Motion carried.

**h. Update on Round Mtn. Water & Sewer District Wastewater Treatment Plant.
Mayor Wenke**

Round Mtn. is at a serious point in terms of their ability to fund the state requirements to the new sewage treatment plant. The cost for the plant is about 14 million dollars. There have been meetings with our national elected officials as well as Action 22. They are hoping to find money in the state of federal budget for the 8 million to help fund this. If it isn't fixed Round Mtn. will be forced to terminate new applications for water and sewer taps, they have not approved this yet.

Mr. Wilhelm stated he is not here as a representative as Round Mtn.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk

She reminded the board about the special meeting August 16 at 10:00 a.m. to review and approve the 2020 audit. The auditor will participate via Zoom.

Clerk Reis gave a quick overview of the areas that herself, Wanda Jennings-Deputy and Municipal Court Clerk and Gabriel Shank-Town Manager/Building and Zoning handle.

We are waiting for DHM Design to return the signed contract to move forward with the Parks, Recreation, Trails, Open Space and Street Scape Master Plan.

Also, a letter was written to Jerry Livengood with Colorado Division of Water Resources requesting time to get through the park planning process to determine if it is feasible for the Town to by water rights to keep the pond the is by the Bluff on Adams Blvd.

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STAFF & COMMITTEE REPORTS CONTINUED

She also reported as reported last month, we will ask CDOT to move funds (\$78,318) from the TAP construction phase to the design phase.

b. Report from Town Manager

Town Manager Shank reported that the Airforce is deploying him for two weeks to help fight the fires in California.

Chip seal will be starting possible this week.

The contractor notified us that due to manufacturing issues, if he receives it prior to September, he will let us know. He will honor the price if the project can't be done until 2022 due to the product delay. The contract has not been signed yet.

I will have start dates by the next meeting for the 4th Street and Hermit Park parking lot project.

I would like to contact Larry Weber to fill in during my absence for building inspections. The board agreed. He also stated he has communication with the contractors and the office staff. The phone messages are sent to email, allowing me to respond.

c. Mayor's Report

Mayor Wenke brought up the idea of communication between other political entities (Round Mtn, Custer County, Town of Silver Cliff), possibly others. Maybe a workshop is in order with our board. After further discussion, the mayor asked that a workshop be scheduled for after the middle of August or September.

He also brought up public relations. Cathy Snow is writing a quarterly report, which helps. He felt we needed someone that knows how to respond negative comments and other things the Town is doing to help the community be aware of what we are doing using Facebook.

The board felt it would be good to look into this. Communication with the public is very important.

Ms. Snow moved and **Ms. Cole** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis, CMC
Town Clerk