**BOARD OF TRUSTEES**

**TOWN OF WESTCLIFFE**

**TUESDAY, JUNE 17, 2025**

**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**,** Mr. Dembosky, Mr. Jagow, Mr. Fulton, Mr. Nordyke, Ms. Patterson, and Mr. Wilhelm.

**PLEDGE OF ALLEGIANCE**

Mayor Wenke led the Pledge of Allegiance.

**OTHERS PRESENT**

Neal Marrs, Erin Christie, Melane Rella, Jerry Peters, Barry Keene, Bianca Trenker, Jacke Barnes, Steve Lasswell, Josh Wingfield, Lincoln Wingfield, Karen Jagow, Andy Mast, Bob Wolf, Kit Shy, and Amanda Cesar.

**TREASURER’S REPORT**

**REVENUE RECEIVED BALANCE OF ACCOUNTS**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **General Fund Checking:** | $ | 112,549.95 |  | $ |  310,516.52  |
| CSafe-GF Core 11: | $ | 1,022.74 |  | $ | 273,522.62 |
| CSafe-3% Tabor Reserve 13: | $ |  270.62 |  | $ |  72,352.68  |
| CSafe-General Fund Reserve-14 | $ | 1,666.66 |  | $ |  445,753.40  |
| CSafe-Tennis Ct.-Core-16 | $ | 81.34 |  | $ |  21,713.90  |
| **Tennis Court Checking:** | $ | 0.00 |  | $ |  5,219.32  |
| **Municipal Court Checking:** | $ | 0.00 |  | $ | 3,607.70 |
|  |  |  |  |  |  |
| **Conservation Trust Fund Checking:** | $ |  0.67  |  | $ |  15,840.44  |
| CSafe-CF Core 15 | $ | 170.58  |  | $ | 45,594.76 |
| **Capital Fund Checking:** | $ | 35,404.34 |  | $ |  590,712.48 |
| CSafe-CF Core 12: | $ | 3,908.56 |  | $ | 1,045,442.86 |

**EXPENDITURES**

|  |  |  |
| --- | --- | --- |
| **GENERAL FUND:** | **$** | **67,544.97** |
| **MUNICIPAL COURT:** | **$** | **0.00** |
| **TENNIS COURT:** | **$** | **0.00** |
| **CONSERVATION TRUST FUND:** | **$** | **0.00** |
| **CAPITAL FUND:** | **$** | **199,598.00** |

**APPROVAL OF CONSENT AGENDA**

1. Approval of minutes
2. Treasurer’s Report
3. Approval of Bills

**ACTION: Mr. Wilhelm** moved, and **Mr. Jagow** seconded to approve the consent agenda. Motion carried.

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**OLD BUSINESS**

None.

**NEW BUSINESS**

**a.**  **Consideration of a request to approve the signs for the Bluff Park.**

Ms. Barnes provided photos of the old pictures and then pictures of the proposed new signage. They are made from the same material as the mountain signs, needing very little maintenance.

**ACTION: Mr. Jagow** moved, and **Mr. Nordyke** seconded to approve the signs at Bluff Park. Motion carried.

 **b. Consideration of a request to approve the Boy Scouts of America Eagle Scout project at Memorial Park.**

Lincoln Wingfield provided photos of his project to honor WWII veterans. He wants to restore the already existing plaque and put in landscaping around it. The American Legion is paying for it.

**ACTION: Mr. Dembosky** moved, and **Mr. Wilhelm** seconded to approve the Boy Scouts of America Eagle Scout project at Memorial Park. Motion carried.

**c. Consideration of a request to resolve the property boundaries located at 219 Main Street, Lot 10, and Third**

 **Street**.

Mr. Mast reported that there are some encroachments of his property onto Town property. He was aware of them when he purchased the land, but now his insurance company wants them resolved. The land has been surveyed already, and a legal description has been created.

**ACTION: Mr. Dembosky** moved, and **Mr. Nordyke** seconded to approve a quit claim deed for $5.00 to resolve the property boundaries located at 219 Main Street, Lot 10, and Third Street. Motion carried.

**d. Complete Business Solutions IT report.**

This will be moved to next month’s agenda when there will be a full report with a quote.

**e. PUBLIC HEARING: For rezoning of Lot 6 in Shadow Ridge.**

VERBATIM TRANCSRIPT FOR PUBLIC HEARING:

WENKE: Public hearing rezoning Lot 6 in Shadow Ridge. So this is a public hearing, and it's open for the public to comment only on this. One person may speak for the public, people who want to comment. You have a 3 minute time maximum.

And so, anybody wants to comment on Lot 6 in Shadow Ridge, and they want to rezone it from residential to commercial. I’m sorry from commercial to residential.

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WILHELM: I have a question on a public hearing. Is that supposed to be done in a different format. And then we go back into our meeting.

RELLA: Yeah, it needs to be opened.

WENKE: I thought I just did that.

WILHELM: Well, you didn't say that you opened the public hearing.

WENKE: I thought I did.

WILHELM: Oh, you did. Sorry if you did, and I apologize.

WENKE: Item E is now open for public meeting to talk about -- to have a hearing about Lot 6 in Shadow Ridge from highway commercial to single family. I saw that. So, it's now an open meeting for those who want to comment on that. They go to the podium, and you've got 3 minutes.

WENKE: No one wants to comment, oh you do? Very good.

AMANDA CESAR: Amanda Cesar. I actually own a lot in Shadow Ridge, 55 Granite Court.

I'm for it. But the only thing that I wanted to make sure that people were aware of is that Shadow Ridge has CC&Rs that are going to require any rezoning.

Any rezoning the property owners within Shadow Ridge also have to agree. And for the CC&Rs it does say you have 67% of the community that needs to agree to any rezoning changes within the CC&Rs, and it says within the CC&Rs that lot one through 6 are.

RELLA: Two through six.

CESAR: Well. Lot one is still commercial as well. Lot one through 6, the covenants and restrictions within that community. We do not have an HOA so, but there are covenants that are still required to be followed within that community.

DEMBOSKY: I think town law trumps here.

PATTERSON: It’s a PUD, it doesn’t.

WENKE: I’m sorry, Christy?

PATTERSON: What it that? Well, when the PUD was established, they established their setbacks. They established their lots. You know what was, how things were zoned.

And then we accepted those. So, in this instance the town laws don't trump, because if they did, for example, they have way bigger setbacks on their single-family lots than we do, and we have to follow their lot, their lot requirements, or …

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DEMBOSKY: Because we accepted them at one time.

PATTERSON: Because we accepted that PUD in 2019 or 2002 or 3.

WENKE: Is there anybody here tonight representing Lot 6?

RELLA: No, he was noticed. But he's not here.

PATTERSON: Okay. So then, with we're being told right now, then, doesn't -- would we need to make a motion based off of if they received that 67%, so we don't have to do this all over again.

WENKE: We probably want to table this until they have that done and bring it back.

PATTERSON: Who's responsible for doing that?

AMANDA CESAR: The lot owner would be because I had to do it for the siding for my building that's currently there. We weren't aware of that. There was an issue with metal siding. So, we got 67% of the community to agree to our metal siding. And so we had all signatures within the community to represent that 67 letters out.

PATTERSON: You sent a letter out.

AMANDA CESAR: We did send a letter out. Got them all back. We've got everybody's names.

KIT SHY: It looks like we’re changing the CC&Rs not the subdivision.

AMANDA CESAR: Yeah. And I was just citing, but it does say …

KIT SHY: But it was in the CC&Rs. It wasn't in the zoning.

AMANDA CESAR: Right.

KIT SHY: You're changing -- this person is requesting a zone change.

AMANDA CESAR: Right. And it does say in the CC&Rs, if you change anything within the CC&Rs …

KIT SHY: The CC&Rs --they're 2 separate things. The town administers zoning. The owners enforce CC&Rs.

AMANDA CESAR: But the CC&Rs state what lots one through 6 are authorized to do. So what does that mean?

KIT SHY: As far as construction goes, and building like you're talking about. Not as far as the zoning.

AMANDA CESAR: Okay.

PATTERSON: So, then it …

KIT SHY: It seems to me like you followed the process by making public notice and having the opportunity for all the owners to come in and talk about the zoning issue.

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PATTERSON: Well, I'm pretty sure that this already has gone. I know it's already gone before the Planning Commission before it even got to here. So, I don't --I think Melane probably knows - what was Planning Commission's recommendation.

RELLA: That's why it's here. Because they recommended to approve it.

PATTERSON: Okay. So, I guess maybe we need some clarification on what the town governs versus what the subdivision governs, and I don't know who to ask that.

WENKE: I'm sorry, ma'am. I didn't catch your name.

AMANDA CESAR: Amanda.

WENKE: I'm sorry.?

AMANDA CESAR: Amanda

WENKE: Amanda. The CC&Rs and- and the zoning and Kit is bringing up maybe two -- so they are two separate things. I think you need to review your CC&Rs. Make sure that you have some authority over zoning, and if you do, then we'd be happy to hear from you again. In the meantime, we'll table this motion, and we'll wait until next month in July, third Tuesday of July to hear back from you. And we will also contact the owner of Lot 6.

DEMBOSKY: Okay, I guess there is no representative of the owner here tonight. Is that right?

RELLA: No, he's not here.

WENKE: Okay, so I'd like to table this item until July meeting.

PATTERSON: I have a question that maybe Melane and Erin can work on before that next meeting. Is there a way to find out. I don't know if that's a State governed thing where a CC&R -- what that includes versus, what zoning? Who represents zoning?

Or do we need to go back to the Shadow Ridge plat just so that we could get this -- I mean, this has been on our agenda now twice, and I feel bad that we're tabling it again.

RELLA: That it's something we've been trying to work with. But now that we don't have a lawyer right now, it's a little bit difficult. I mean, we've been working on it in the Planning Commission forever.

WENKE: So, there might be a motion …

DEMBOSKY: Hey, Paul, I think you need to close the public meeting.

WENKE: I am closing the public meeting.

CHRISTIE: Yeah, close the public.

WENKE: All right. I am closing the public hearing right now, and we will put this on the agenda for July.

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**f. Consideration of a request to rezone Lot 6 in Shadow Ridge from highway commercial to single family residence per the Planning Commission’s recommendation.**

The Board wants to table this until there is clarification on whether the CCRs in Shadow Ridge require 67% of the neighborhood to approve rezoning, which is what a homeowner spoke of in the public hearing. Mr. Shy thought that rule only applied to new buildings, not rezoning.

**ACTION: Mr. Wilhelm** moved, and **Mr. Jagow** seconded to table this agenda item. Motion carried.

**g. Consideration of a request to approve a Resolution #1-2025, Applying for the Local Planning**

 **Capacity Grant.**

Mr. Keene explained that in order to apply for the grant, a resolution needs to be approved as part of the application. He verified that there is money set aside in the grant for administrative support, so they could hire an administrative assistant to do the paperwork, rather than Town employees doing it.

This agenda item passed with a 5-2 vote, with Mr. Nordyke and Mr. Wilhelm voting Nay.

**ACTION: Mr. Jagow** moved, and **Mr. Dembosky** seconded to approve Resolution #1-2025, Applying for the Local Planning Capacity Grant. Motion carried.

 **h. Consideration of a request to approve the Façade Grant applications.**

 There was only one application that had already been examined by the review committee.

**ACTION: Mr. Dembosky** moved, and **Mr. Wilhelm** seconded to approve the Façade Grant application. Motion carried.

 **i. Consideration of a request to install two astronomical-themed signs at the Bluff Park.**

Mr. Jagow (on behalf of Dark Skies) reported that there are two signs with constellations that they would like to install – one facing North and the other facing South. Dark Skies will pay for them. They are made out of the same material as the other signs at the Bluff that require minimal maintenance.

**ACTION: Mr. Dembosky** moved, and **Mr. Nordyke** seconded to approve installing two astronomical-themed signs at the Bluff Park. Motion carried.

 **j. Westcliffe Parks Advisory Committee report.**

Mr. Dembosky (on behalf of the Parks Committee) reported that requests have been made by citizens to plant trees in Memorial Park. The Board expressed concern over the budget this year – at a previous budget workshop, there had been discussion of moving the trees to the 2026 budget year because of unexpected costs the Town has incurred recently. The Board will be having a future workshop before officially amending the budget, and will circle back to the tree costs ($20k). There was $40k budgeted this year for a Hermit Park toilet facility, which WPAC suggested be moved to next year’s budget as the project may cost more than that amount. In addition, Mr. Dembosky reported that the first Farmer’s Market went well – vendor locations complied with the plan agreed upon with the Town, and there was no damage to the grass.

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 **k. Consideration of a request to plant trees in Memorial Park.**

The Board wants to table this until the Parks Committee has more information on what type of trees they want to plant and the location.

**ACTION: Mayor Wenke** moved, and **Mr. Jagow** seconded to table this agenda item. Motion carried.

 **l. Consideration of a request to repair the playground equipment in the park.**

Mr. Marrs reported that CIRSA, the Town’s liability insurance company, said that the rock/gravel around the playground should be replaced with rubber mulch. This will cost around $30k to complete. So, the Board would like to wait until after a budget workshop to vote on this. In addition, Mr. Marrs reported that the playground inspection by an independent company will be scheduled soon, and other recommendations may be made, which is another reason to table this.

**ACTION: Mr. Jagow** moved, and **Mr. Wilhelm** seconded to table this agenda item. Motion carried.

**ADDITIONS TO THE AGENDA**

None

**STAFF & COMMITTEE REPORTS**

Town Clerk: Ms. Christie reminded the Board that she and Ms. Rella will be attending the CML Conference the week of June 23rd, so the office will be closed.

**PUBLIC COMMENT**

None.

**Mr. Jagow** moved, and **Mr. Nordyke** seconded to adjourn. Motion carried.

**ADJOURN**

Recorded by:

Erin Christie

Town Clerk