

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
TUESDAY, JUNE 9, 2020
REGULAR MEETING**

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CALL TO ORDER

Mayor Wenke called the meeting to order at 5:30 with citizens participating via Freeconferencecall.com

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance

OTHERS PRESENT

Ron Beckner-Saddle Club, Deanna Stefanich-309 Main, Tory Willman-213 Main, Tracy Ballard-The Valley Beat, Elliot Jackson-Wet Mtn. Tribune, Jay Printz, Ed Stefanich and Kathy Reis

Financial:

- a. Treasurer's Report: Clerk Reis submitted written reports. With 41.7 percent of the year having elapsed, General Fund has collected 41.5 percent of budgeted revenues and spent 30.5 percent of budgeted expenditures. Capital Fund has collected 10.1 percent of budgeted revenues and spent 4.1 percent of budgeted expenditures. Sales tax for April was up by 48.68 percent, which is up 35.43 percent from the previous year-to-date.

Account balances:

General Fund Checking:	\$ 151,130.59
CSafe-GF Core 11:	\$ 146,660.44
CSafe-3% Tabor Reserve:	\$ 21,353.80
CSafe-General Fund Reserve-14	\$ 161,304.86
Municipal Court Checking:	\$ 1,382.70
Tennis Court Checking:	\$ 12,489.15
Conservation Trust Fund Checking:	\$ 36,219.07
Capital Fund Checking:	\$ 33,212.06
CSafe-CF Core 12:	\$ 297,448.43
Total C.D.'s plus interest:	\$ 201,344.70

APPROVAL OF CONSENT AGENDA

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

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

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OLD BUSINESS

a. Consideration of request of extending the Declaration of Emergency.

Clerk Reis contacted CML and DOLA regarding needing the Declaration of Emergency to qualify for revenue loss grant funding if it should become available. Neither CML or DOLA could not answer that. At this point there aren't any grants available for backfill of revenue for the Town.

It was determined after some discussion the Declaration of Emergency will not be extended. If needed it can be re-instated.

NEW BUSINESS

a. Consideration of request to approve Ord. 2-2020 amending Title 4, by the addition of Chapter 8 Seasonal Outdoor Seating for Food Service Establishments Core Business District.

The State of Colorado has encouraged municipalities to allow outdoor dining. This ordinance from Creede, our attorney modified it for Westcliffe. The ordinance will go into effect immediately after being approved and signed. This will allow our restaurants in the core district to expand into the street.

ACTION: Mr. Clince moved and Mr. Frickell seconded to approve Ord. 2-2020 amending Title 4, by the addition of Chapter 8 Seasonal Outdoor Seating for Food Service Establishments Core Business District. Motion carried.

b. Consideration of request to approve a Modification of Premises for Bootleggers Mercantile at 309 Main Street.

This is a permanent Modification of Premises application. Deanna Stefanich representing Bootleggers Mercantile explained it is 12'x 12' area on the east side of the building in front of the restrooms in Jess Price Park. They would like to put tables out there. The area in front of the building was approved during the new liquor application process. Alcohol will be served in both areas. There will be a fence around both areas.

It was suggested that the Town sell the abandoned alleyway on both sides of the restrooms to Bootleggers. It needs more consideration in the future. Mayor Wenke asked that this be put on the July Planning Commission agenda for discussion.

ACTION: Mr. Clince moved and Mr. Frickell seconded to approve the Modification of Premises for Bootleggers Mercantile at 309 Main Street. Motion carried. Mr. Johnston-Nay

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NEW BUSINESS CONTINUED

c. Consideration of request to approve a Temporary Modification of Premises for Chappy's at 213 Main Street.

Colorado Department of Liquor has expedited the process for this during the pandemic. There isn't an end date to the application as it is temporary. The state will pull it back when they feel the situation warrants it.

Ms. Willman representing Chappy's stated she would like to put a fenced platform in the street. This would allow for sixteen more seats. With the additional seating, six seats will be gained.

Chappy's may begin serving in the outdoor dining as soon as this is approved.

The question came up regarding gift shops being allowed to move into the street. Mayor Wenke explained that would be a separate matter for the board to discuss. There isn't an ordinance allowing this.

Another concern was liability insurance. Attorney Printz stated it is a requirement in the ordinance that was just approved.

The Town will purchase barriers to use for this, the barriers can be used in the future for other Town uses.

ACTION: Mr. Clince moved and Mr. Frickell seconded to approve the Temporary Modification of Premises for Chappy's at 213 Main Street. Motion carried.

d. Consideration of request to approve funds for the rodeo and Special Event Liquor Permit July 17th & 18th-Ron Beckner.

Mayor Wenke reported that the Rodeo Club had received \$500.00 from the Town earlier this year through the grant process. The Town had approved \$7,500.00 to the Rotary Van Service, they will not be needing all of that due to Covid-19. Clerk Reis has talked to them and was told that the Town could reallocate the \$3,000.00. The Town could give it to the Rodeo. Mr. Beckner said \$3,000.00 would be perfect.

The question is, will the rodeo happen? Mr. Beckner stated they put together Wet Mtn. Valley Westcliffe Stampede -PRCA Rodeo guidelines, that will be presented

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to our county health officials. We are looking for as much cooperation as we can from that group. There are several references we used here, PRCA Coronavirus Ground Rules Safety Rules and Guidelines, 2020 Cape Creek Rodeo Covid ground rules (the first rodeo to get approved) out of Arizona, The Custer County Public Health application for a variance and the Pueblo County variance and the Colorado Department of Health-guidance for recreational, parks, sports and outdoors.

With the variance there is the ability to have people in the stands but, will also have people sitting in a drive-in type movie environment. A contract has been secured with a company for a giant jumbotron, KLRZ has the capability to transmit the live production. There will be an area set up on the east side of stands where people can drive in and have a 20 x 15 area separated by 7' on each side of the vehicle from another. This will allow them to get out of the car, tune into the radio and watch on a 11' x 20' screen, social distancing and be able to hear it.

There will be sections set-up in the stands for groups of 10, we will ask families to sit together and encourage people to wear masks. Sanitation stations will be set up, cleaning crews. Everything will be disinfected after each performance. The bathrooms will be cleaned every hour.

Rodeos that have happened thus far have not had audiences. The hope is that by the third weekend in July this will be different. They are prepared to have a non-audience event; this is why the money is needed. Top rodeo performers have contacted us and said they will be here if the rodeo goes forward.

A variance has not been applied for yet by the Custer County Public Health. It will be applied for once the WMVSC has all the documents to present to them. The new deadline to make a decision to proceed will be the first of July to see what kind of variance is approved.

It was discussed whether the WMVSC could keep the \$3,000.00 if the rodeo doesn't happen. After further discussion, the board agreed they could keep the funds for needed improvements, such as water and bathrooms.

ACTION: Mr. Nordyke moved and Mr. Clince seconded to approve a donation of \$3,000.00 to the Wet Mtn. Valley Saddle Club. Motion carried.

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Mayor Wenke stated normally the Clerk approves these however, Clerk Reis felt due to the situation this should be reviewed and approved by the Board of Trustees. The Board of Trustees are also the Local Licensing Authority.

Mr. Beckner reported that keg beer is not available due to the situation therefore, only canned beer will be sold. The dance will not be held.

There was a concern about people not being responsibly social distancing after drinking. Mr. Beckner's response was that we are asking people to be responsible adults. Signage will be up everywhere and announcements will throughout the event asking people to be respectful.

ACTION: Ms. Snow moved and Ms. Cole seconded to approve the Special Event Liquor Permit July 17th & 18th. Motion carried.

e. Consideration of request to approve a digital kiosk at 3rd and Main by the Custer County Chamber.

Mr. Beckner representing the Chamber is asking permission to put a digital kiosk on the south west corner at Third and Main. The kiosk is to show a map of the entire county – every business and non-profit, trails, etc. This will be a touch screen. The kiosk will get the people out of their car and hopefully they will walk through town.

Mayor Wenke was concerned about a rock being thrown through it and will businesses be able to buy an ad to put on it. Mr. Beckner said I'm not sure what we can do about the rocks, it is a durable kiosk, it has internal heating and internal cooling. We won't be selling ads. The Chamber is in discussion with the Tourism Board in hopes to have a partnership. The Tourism Board currently promotes every business. They are offering it at no charge. Why would the Chamber charge when a business gets it free? The Chamber does many other things that bring people into town, such as the car show, the Beckwith Ranch event, the Christmas parade. They would like to add the Sangre Music Festival.

Mr. Beckner further explained that by partnering with the Tourism Board, the kiosk will provided county wide information that people can access. The plan is to put it on the corner of Third and Main on the south west corner at Highway 69 and 96. We have talked with the owner of the building, he has no problem with it being up against the building, and will also provide the electricity.

One concern was the kiosk would be in CDOT right-of-away. The Planning Commission had reviewed the request and recommended approval.

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Another concern was that the kiosk may not cause tourists to stop, it may not be a good idea. Mr. Beckner's hope is that it will catch their attention, causing them to park, look, walk and shop in the business district.

He further explained that approval is needed if it is put on the outside of the wall in the Town right-of-way. The cost and maintenance will be paid for by the Chamber of Commerce.

Mayor Wenke would like to make sure that CDOT doesn't have any concerns or objections.

Another question was regarding the Town's sign code. There have been issues with back lit signs in the past. It isn't a sign; it is a computer. The attorney will need to review the ordinance to see if it allows this and may need amended.

The Chamber currently doesn't have the funds to purchase it. The thought is to have the businesses donate, the screen saver would say, "This is brought to you by (businesses that donate).

Mayor Wenke stated the ordinance will need amended to allow it. Mr. Beckner left the meeting.

It was suggested to attach this on the building, making this a non-issue. Ms. Snow reported that they wanted to place it by the half wall.

The question was should it be tabled until it has been determined where it will be put. If it is on private property all that needs to be addressed is the sign ordinance, if it is on Town property the Board of Trustees need to approve it. We need more clarification of where it is going to be placed, etc. Mayor Wenke asked the staff to contact Mr. Beckner regarding this.

Attorney Printz pointed out there are other signs that are back lit in businesses on Main Street. After more discussion it was decided to table this.

Mayor Wenke asked that the staff look at different communities' sign code and put this on the next Planning Commission agenda.

More discussion ensued regarding reviewing Title 10 and other code to help our businesses.

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NEW BUSINESS CONTINUED

ACTION: Mayor Wenke moved and Mr. Nordyke seconded to approve a digital kiosk at Third and Main on the southwest corner on Town Property by the Custer County Chamber of Commerce and to modify the Town sign code to allow it. Mayor Wenke and Mr. Nordyke agreed to withdraw the motion. Motion withdrawn.

f. Consideration of request to form a Home Rule Town research committee-Brian Clince.

Mr. Clince explained that he has been looking at this. There are 97 municipalities in the state that are Home Rule. We would need to create a Home Charter lining out what direction we want our Town to go. It is a long drawn out process. At this time, he is willing to withdraw this. CML would do a presentation for this. We aren't ready to do this right now. It would need to be voted on by the voters, the next election is in 2022. The board agreed to put it on the September agenda.

g. Consideration of approving the Colorado Retirement Association participation agreement.

The name has been changed; therefore, our agreement needs amended. There is a Roth option now being offered for the employees allowing them to pay the tax now rather than later, there isn't a cost to the Town. The staff agreed that it would be good for them in the future.

ACTION: Ms. Snow moved and Ms. Cole seconded to approve the Colorado Retirement Association participation agreement and the opt in option for the Roth Deferral Plan. Motion carried.

h. Presentation of projected 2020 revised budget

Clerk Reis reported this is just a beginning point and estimate of the revenues that we may lose and reflects budget possible budget cuts. We don't have enough data points at this point. We don't know the full extent of the revenue losses we may have. In the beginning most tourism-based communities estimated 25% to 75% revenue loss. We have already lost park usage fees; the Highway Users Tax will be down. We are hoping not to go into the Town's reserves due to not knowing what 2021 will bring. The Mayor suggested we look at this at the budget workshop in the fall. We will have a revised budget at that time.

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Ms. Snow felt we haven't seen the financial impact yet due to the cancelation of all the different events.

i. Consideration of request to approve a State of Colorado Intergovernmental Agreement (Non-Expenditure)

Mayor Wenke reported that this is just informational. The Custer County Commissioners will sign it. Both Towns will have to approve it.

j. Consideration of request to approve Ord. 3-2020 amending the Westcliffe Zoning Map.

Mayor Wenke explained this is for the de-annexation of the Haga property. Clerk Reis contacted Ileen Squire; Silver Cliff has approved the annexation.

ACTION: Mr. Clince moved and Mr. Nordyke seconded to approve Ord. 3-2020 amending the Westcliffe Zoning Map. Motion carried.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk

Park Usage Fees- Clerk Reis asked if the board wanted us to waive all park usage fees during the pandemic. We consulted with Attorney Printz; we can't process permits for groups over ten at the time due to the State rules. The board agree that we should not waive the fees.

Elected Officials Training – Every two years we are required to have this training. Sam Light with CIRSA can do a video conference on several dates in June. After discussion the board felt this should be rescheduled for the fall.

b. Report from Town Manager

Mr. Stefanich reported we are contracted with Rocky Mtn. Chip Seal some areas of Town beginning next week. We surveyed the streets and these are the ones that need it the most.

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STAFF & COMMITTEE REPORTS CONTINUED

The Summit Park restrooms are being finished, some electric, plumbing, trim and ramps need to be completed. This should be done by the end of the month and is dependent upon the contractors.

We are also scheduled to finish the Pocket Park by July 4th.

Weeding and seeding are completed in the parks. The above items are priority for the rest of the month.

Mayor Wenke felt we should do at least 2 miles of chip seal each year. Trustee Clince asked if there could be some dirt work done on the area of south west side of town for the undeveloped lots.

Mr. Wenke asked the record to reflect that Valley Ace Hardware will be paying for work done by Rocky Mtn. Chip Seal on their property while they are here.

c. Report from Mayor Wenke

He would like to schedule a special meeting to have a resolution considered to approve a mural for Valley Ace Hardware. Two pictures were given to the board members. The board of trustees all thought the pictures were great. Mayor Wenke will have to step down as a citizen for this. The Special meeting was schedule for Friday the 12th at 4:00 pm.

Mr. Clince moved and **Mr. Nordyke** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis
Town Clerk