

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
MONDAY, OCTOBER 17, 2022
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, Mr. Frickell, Ms. Snow, Mr. Wilhelm and Mr. Mowry

ABSENT: Mr. Nordyke

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance

OTHERS PRESENT

Ellen and Don Wilcox, Charley Ellison, Charles Jagow, Chris Davis, Hannah Crawford, Maria and Ed Aulich, Rich Aulich, Jessica Morales, Jessica Brilla, Angela Moreles, Ashley King, Nicholas Aulich, Dave, Robert Hill, Wanda Jennings, Neil Marrs and Kathy Reis. Zoom-Tracy Ballard, Elliot Jackson, Clay Buchner.

TREASURER’S REPORT

REVENUE RECEIVED IN		BALANCE OF ACCOUNTS
General Fund Checking:	\$ 110,883.68	\$ 522,757.59
CSafe-GF Core 11:	\$ 360.94	\$ 425,315.82
CSafe-3% Tabor Reserve:	\$ 78.62	\$ 44,099.14
CSafe-General Fund Reserve-14	\$ 401.08	\$ 363,506.54
Municipal Court Checking:	\$ 0.00	\$ 2,282.70
Tennis Court Checking:	\$ 0.00	\$ 28,178.70
Conservation Trust Fund Checking:	\$ 1,284.70	\$ 42,162.21
Capital Fund Checking:	\$ 421,256.23	\$ 594,229.85
CSafe-CF Core 12:	\$ 480.38	\$ 221,782.46
Total C.D.’s plus interest:	\$ 0.00	\$ 203,968.17

EXPENDITURES FOR OCTOBER 2022:

GENERAL FUND:	\$	62,435.56
MUNICIPAL COURT:	\$	0.00
TENNIS COURT:	\$	0.00
CONSERVATION TRUST FUND:	\$	0.00
CAPITAL FUND:	\$	384,304.59

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes-October 3rd special, and September 19, 2022, regular meetings.
- b. Treasurer’s Report
- c. Approval of Bills

Mr. Wilhelm moved and **Mr. Mowry** seconded to approve the consent agenda. Motion carried.

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OLD BUSINESS

None

NEW BUSINESS

- a. PUBLIC HEARING for a new Hotel-Restaurant liquor license at 108 S. 3rd, St., Suite A for Chuds, LLC dba Chuds Pizza and Burgers.**

There wasn't any public comment regarding the application.

- b. Consideration of a request to approve a new Hotel-Restaurant liquor license at 108 S. 3rd, St., Suite A for Chuds, LLC dba Chuds Pizza and Burgers.**

There was a misdemeanor reported on one of the Individual History Records for harassment. The applicant received a deferred sentence, which is part way through that.

ACTION: Ms. Snow moved and Ms. Cole seconded to approve the issuance of a new Hotel & Restaurant License for Chud's, LLC., dba Chud's Pizza and Burgers located at 108 S. 3rd, Westcliffe, CO. 81252 on the basis of the following findings. Motion carried.

1. Public Notice of the hearing on the Application was published and posted on the property as required by Colorado law;
2. The applicant is qualified to obtain a liquor license pursuant to C.R.S. Section 44-3-307;
3. The premises are in a location eligible to conduct the proposed liquor-licensed business pursuant to C.R.S. Section 44-3-313 and the zoning laws of the Town;
4. The applicant is entitled to possession of the premises for which the application is made.

- c. Consideration of a request to approve an encroachment on the south side of Granada for a cluster of mailboxes.**

The Planning Commission recommended approval. The Town Attorney will draft a document stipulating that the homeowners are responsible to maintain the mailboxes and also responsible for paying the attorney fees.

There is a document from the Post Office that the applicant has stating that the Homeowners Association are responsible to maintain them. The Clerk asked for a copy to provide to the attorney.

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NEW BUSINESS CONTINUED

ACTION: Ms. Cole moved and Ms. Snow seconded to approve the cluster of mailboxes on Granada Court adjacent to the Town Homes conditional on our Town Attorney drafting the document by November 1st. Motion carried.

d. Consideration of a request to waive the building permit fee for the Wet Mtn. Fire Department.

Tabled until a review has been done by the Building Official.

e. Round Mountain Water and Sewer update-David Schneider.

Dave Schneider updated on the following:

The meter and the well replacement projects-the meters are all completed, the well has been dug producing about 320 gallons a minute, we hope to have it online by January.

Approval was received from CDHE on the demonstration report, saving about a year on having to actually putting in an actual functioning plant. Hopefully, this will be approved in the spring. Construction would possibly start in late summer or fall. It could take about four to six months. There are still thirty open water and sewer permits that were purchased in 2020.

The new plant will be one 30'x30' building, and a 70' long by 12' wide greenhouse where the lagoons are. No additional employees will be needed to operate it.

f. Sheriff 3rd quarter report.

They had 1,500 calls in the second quarter, Westcliffe had 12 calls for burglar alarm calls, and there had 1,398 calls in the third quarter with Westcliffe having 8% of the burglar alarm calls. Fraud has been the most of the calls. There was one escape attempt that was resolved very quickly.

There is a significant staffing shortage, down 50% on patrol, and 2 deputies down in detention. One deputy has been rehired. One detention deputy has been hired. One new vehicle has been received.

The Sheriff's Posse is all volunteers, they are not sworn deputies, and they may under the color of the sheriff. They work special events and have donated in excess of 2000 hours to date. A couple of months ago a new program was started allowing the members to do foot patrol downtown Westcliffe. They watch for oversized vehicles and try to get that resolved, if not, call a deputy. They answer tourists' questions and have recovered lost property. They just make a presence.

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NEW BUSINESS CONTINUED

g. Consideration of renewing three Certificates of Deposit with Kirkpatrick Bank.

It was reported that CSafe's current interest rate is between 2 and 3%. After discussion, the board agreed to transfer the funds to CSafe.

ACTION: Ms. Snow moved and Ms. Cole seconded to move three Certificates of Deposit from Kirkpatrick bank to CSafe. Motion carried.

h. Consideration of appointing a committee to review the Custer County Town of Westcliffe and Silver Cliff Emergency Operations Plan.

ACTION: Mayor Wenke moved and Ms. Snow seconded to approve appointing Paul Wenke, Randy Wilhelm, Gary Frickell, and Chris Lund to the committee to review the Emergency Operation Plan. Motion carried.

i. Consideration and discussion on fill for the pond at the Bluff.

After a discussion regarding a complaint of possible contamination from using some asphalt chips to fill the pond and a review of the documentation, the board made the following motion. Mayor Wenke will contact the person that filed the complaint.

ACTION: Mayor Wenke moved and Mr. Frickell seconded to approve the Town continuing to use asphalt remnants to fill the pond on the Town property north of the Bluff. Motion carried.

j. Executive Session for the purpose of a personnel matter under C.R.S. Section 24-6-402(2) (f)(I) to interview candidates for the Town Manager position.

ACTION: Ms. Snow moved and Mr. Frickell seconded to go into Executive Session for the purpose of a personnel matter under C.R.S. Section 24-6-402(2) (f)(I) to interview candidates for the Town Manager position. Motion carried.

EXECUTIVE SESSION

At 6:37 p.m. the Regular Meeting was recessed. Executive Session was convened at 6:38 p.m.

At 7:56 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. Cole, Mr. Frickell, Ms. Snow, Mr. Wilhelm, Mr. Mowry, Hannah Crawford, Chris Davis, Clay Buchner, Wanda Jennings, and Kathy Reis. For the record, Mayor Wenke asked that if any person participating in the Executive Session who believed that any

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EXECUTIVE SESSION CONTINUED

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.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk

Mayor Wenke and Clerk Reis will meet with Pepper Whittlef with CDOT to relocate the speed calming sign on Highway 96, rather than them disallowing it.

The Safe Routes to School project is almost completed, signs should be going up tomorrow, the only delay will be the digital signs that are on backorder for six to eight weeks.

We are continuing to work on the street light issue. Chuck Jagow gave the board a list of all the lights in town with information on the lumens. The color is the issue. Craig Cutter with Black Hills has been out of the office returning on October 24th.

b. Report from Mayor Wenke

The Mayor and Board of Trustees gave checks to Wanda Jennings, Neal Marrs, and Kathy Reis in appreciation and thanked them for all their hard work. The staff thanked the Mayor and Board of Trustees.

Ms. Snow moved and **Mr. Mowry** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Kathy Reis, CMC
Town Clerk