

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
TUESDAY, FEBRUARY 20, 2024
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. Mowry, Ms. Lund, Mr. Fulton, Mr. Dembosky, Mr. Nordyke, and Mr. Wilhelm.

PLEDGE OF ALLEGIANCE

Mayor Wenke led the Pledge of Allegiance.

OTHERS PRESENT

Kathy Reis, Erin Christie, Caleb Patterson, Attorney Clay Buchner, Chuck Jagow, Rich Smith, Jeremiah Coleman, Julie Baker, Devon Moeller (Zoom), Elliot Jackson (Zoom), and Craig Cutter (Zoom).

TREASURER’S REPORT

	REVENUE RECEIVED		BALANCE OF ACCOUNTS
General Fund Checking:	\$ 120,125.69	\$	83,929.36
CSafe-GF Core 11:	\$ 5,240.38	\$	1,110,870.40
CSafe-3% Tabor Reserve 13:	\$ 222.44	\$	47,120.16
CSafe-General Fund Reserve-14	\$ 1,832.32	\$	388,390.06
CSafe-Tennis Ct.-Core-16	\$ 96.02	\$	20,298.88
Tennis Court Checking:	\$ 0.00	\$	5,178.70
Municipal Court Checking:	\$ 25.00	\$	2,407.70
Conservation Trust Fund Checking:	\$ 0.35	\$	8,316.31
CSafe-CF Core 15	\$ 201.16	\$	42,626.72
Capital Fund Checking:	\$ 43,582.78	\$	157,548.17
CSafe-CF Core 12:	\$ 5,645.92	\$	1,196,830.38

EXPENDITURES FOR JANUARY 2023:

GENERAL FUND:	\$	87,605.27
MUNICIPAL COURT:	\$	0.00
TENNIS COURT:	\$	0.00
CONSERVATION TRUST FUND:	\$	0.00
CAPITAL FUND:	\$	22,142.72

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes – January 16, 2024 Regular meeting.
- b. Treasurer’s Report
- c. Approval of Bills

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

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OLD BUSINESS

None

NEW BUSINESS

a. Sheriff's 2023 4th quarter report.

Sheriff Smith reported that they are 100% staffed and have received updated gear and standardized equipment. They are working on modernizing their fleet. Reported crimes were down in both 2022 and 2023. A goal for 2024 is to focus on increased fire mitigation. There will be two events this summer: The Kids Coalition and the National Night Out.

Mayor Wenke expressed concern about the possibility of migrants coming to Westcliffe because the Town has no resources to offer and is seeking direction from the Board as to how to proceed if this occurs.

Attorney Buchner stated that the Town does not have a legal right to expel people without cause. Since the Town does not know the status of a particular person – they could be a legal asylee, a homeless U.S. citizen, or be here on a work visa – the Town cannot involuntarily move anyone nor arrest a person unless they committed a crime. The Town does not have a vagrancy or camping regulation statute, and the State does not have a requirement that a person must obtain a permit to camp.

Sheriff Smith reported that reservations can be made at Loaves & Fishes in Canon City and Pueblo shelters for those who need a meal and a place to stay overnight. Mr. Coleman reported that he attended a meeting with the emergency manager, the public health representative, and the school superintendent to create a plan, which could include housing a person temporarily overnight in the gymnasium and then taking them to one of the shelters in Canon City or Pueblo the following day.

Mayor Wenke will touch base with both Silver Cliff and the County to create a joint plan of action to be prepared in advance if migrants are brought to the area.

b. Fire Department update.

Mr. Coleman reported that their average response time is just over 7 minutes. There are 24 volunteers currently. He will be applying for a grant to obtain a new fire engine. They are working on a station remodel to add a second story for firefighter accommodations.

Per Mayor Wenke, at the next Board of Trustees Meeting, there will be a discussion to review fire code ordinances and inspection requirements.

c. Charge Point update.

Mr. Moeller reported that the \$12,000 maintenance fee with Charge Point for the electric vehicle charging stations is unnecessary because a third-party contractor can be used. The \$5,000 every five years fee is necessary for system connectivity and access to the dashboard

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NEW BUSINESS CON'T

Network. There will be a rebate payment to the Town from Black Hills Energy to offset the purchasing price and interconnection costs of the charging stations, along with a grant payment from the State. Black Hills Energy has offered to pay for training for local electricians to become certified to maintain the equipment.

d. Consider appointing a project and bid review committee for the four 2024 construction projects.

Mr. Patterson reported that there are multiple projects occurring this summer and requested that some Board members assist in reviewing bids. Ms. Reis explained that this was beneficial with a previous project where there were four Board members that acted as a review committee so any construction issues could be resolved within 24 hours, rather than waiting to get all seven Board members to convene.

Mayor Wenke appointed Mr. Fulton and Mr. Dembosky to assist the Town Manager in reviewing construction bids.

e. Consideration of a request to move forward with affordable housing as recommended by the Planning Commission.

Mr. Patterson reported that the Planning Commission recommends that the Board give him direction on looking for developers for Proposition 123 housing. Mayor Wenke requested research on water, sewer, and streets by developers and the affiliated costs.

ACTION: Mr. Fulton moved, and Ms. Lund seconded to allow the Town Manager to seek developers for Proposition 123. Motion carried.

f. Consideration of adopting the 2018 Appendix Q, Title 3, Section 1, Chapter 2, Tiny Homes recommended by the Planning Commission.

Mr. Patterson reported that the minimum home size requirement is 550 square feet. Adopting the tiny home code would assist in inspections and supplement the Town's current code.

Attorney Buchner reported that the Town can still zone where tiny homes are allowed. Adopting the code will address how to inspect a tiny home that has a loft with stairs or a bathroom that ordinarily would not pass inspection under the current building code.

It was decided that after more research is done by Mr. Buchner there will be an Executive Session scheduled where he can give legal advice on the issue and how to adopt or amend the ordinance.

Per Mayor Wenke, the issue will be tabled for an Executive Session.

NEW BUSINESS CON'T

g. Discuss changing the street lights in town for Dark Skies compliance starting in 2025.

Mr. Cutter reported that there are 66 total lights remaining to change to LED dark skies compliant, and the cost would be \$19,000. There are 32 Main Street decorative lights, and he recommended making them all uniform. 50-Watt LED decorative lights would cost \$98,000 compared to 100 Watts would cost \$105,000.

Mr. Cutter will research other options on the wattage of the bulbs to try to lower the cost and will confer with the Board before the next meeting.

h. Consideration of applying for a Highway Safety Improvement grant (HSIP) and possibly committing funds for 2024

Mr. Patterson reported that the HSIP grants are used to prevent crashes, with no match requirement on state highways and 10% match on local roads. LOMA funds can be used to offset the match cost. Specifically, this grant would be used to address the safety crossing between Hermit and Memorial Parks. It would consist of finishing the sidewalk around the park's perimeter, creating a rectangular safety crossing with flashing lights, installing curbs and gutters around the Memorial Park parking lot, and a sidewalk connecting the parks.

Ms. Reis expressed concern over the cost needed up front to begin, as there are already three projects this summer that could potentially go over budget. The grant in question requires the project to be complete in 2027, so this could start next year rather than this year because there is a time gap in when the Town would be reimbursed.

ACTION: Mayor Wenke moved, and Mr. Dembosky seconded to approve applying for the HSIP grant now but beginning engineering and construction in 2025. Motion carried.

i. Consider applying for LOMA (Local Matching Funds)

ACTION: Ms. Lund moved, and Mr. Dembosky seconded to apply for matching LOMA funds for the HSIP grant. Motion carried.

STAFF & COMMITTEE REPORTS

a. Report from Town Manager

Mr. Patterson reported that the Park Committee has created new designs for Memorial Park. In the future, he wants to re-green Main Street by planting more trees and having planter boxes. A DOLA grant will be used to install a new bathroom in Hermit Park.

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STAFF & COMMITTEE REPORTS CON'T

Dark Skies reached out to Mr. Patterson regarding the lights used by the Saddle Club, and he is seeking direction from the Board on how to proceed. Attorney Buchner recommended allowing the lights to be used for the rodeo's four nights and for other events that apply for special event permits. He will draft the ordinance, which will be discussed at the March Board of Trustees Meeting.

Mr. Fulton moved, and **Ms. Lund** seconded to adjourn. Motion carried.

ADJOURN

Recorded by:
Erin Christie
Deputy Town Clerk