

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
TUESDAY, NOVEMBER 19, 2024
REGULAR MEETING**

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CALL TO ORDER

Mayor Pro-Tem Mowry called the meeting to order at 5:30 P.M.

ROLL CALL

The following members were present: Mayor Wenke (Zoom), Mr. Mowry, Mr. Dembosky, Mr. Jagow, Mr. Fulton, and Mr. Wilhelm.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Mowry led the Pledge of Allegiance.

OTHERS PRESENT

Ben Livsey, Pam Ouzts, Mike Heuss, Christy Patterson, Charles Vogle, Jerry Peters, Brad Hartbaur, John Arsenault, Twila Geroux, James Perry, Paul & Mary Zawacki, Debb (?), Kevin (?), John Van Doren, Dennis & Becky Bruns, Brock Flynn, Rock Canda, Matt Berry, Kit Shy, Debbie Van Doren (Zoom), Kim Mazzarini (Zoom), Stacy Fife, Bianca Trenker, Attorney Clay Buchner (Zoom), Kathy Reis, Erin Christie, & Caleb Patterson.

TREASURER’S REPORT

	REVENUE RECEIVED		BALANCE OF ACCOUNTS
General Fund Checking:	\$ 92,986.86	\$	303,223.23
CSafe-GF Core 11:	\$ 2,485.42	\$	576,471.50
CSafe-3% Tabor Reserve 13:	\$ 211.72	\$	49,072.56
CSafe-General Fund Reserve-14	\$ 1,743.94	\$	404,470.98
CSafe-Tennis Ct.-Core-16	\$ 91.20	\$	21,140.70
Tennis Court Checking:	\$ 0.00	\$	5,219.32
Municipal Court Checking:	\$ 1,200.00	\$	3,607.70
Conservation Trust Fund Checking:	\$ 0.54	\$	12,827.39
CSafe-CF Core 15	\$ 191.58	\$	44,392.86
Capital Fund Checking:	\$ 667,999.15	\$	193,178.72
CSafe-CF Core 12:	\$ 2,048.14	\$	258,665.78

EXPENDITURES

GENERAL FUND:	\$	76,306.61
MUNICIPAL COURT:	\$	0.00
TENNIS COURT:	\$	0.00
CONSERVATION TRUST FUND:	\$	0.00
CAPITAL FUND:	\$	1,154,624.81

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes
- b. Treasurer’s Report
- c. Approval of Bills

ACTION: Mr. Fulton 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 lease agreement with 4 Rivers Equipment with payments to begin January 2025.**

Mr. Patterson reported that approving the lease agreement now, rather than on the December agenda, would avoid paying rental charges for October, November, and December. Mike Heuss (Town street/park technician) reported that the front end loader is necessary to lease because it will be more efficient for snow removal and chip seal projects than the Town's current skid steer, and is safer because of visibility issues.

ACTION: Mr. Dembosky moved, and Mr. Wilhelm seconded to approve the lease agreement with 4 Rivers Equipment with payments to begin January 2025. Motion carried.

- b. **PUBLIC HEARING:** For consideration of approving rezoning blocks: 19 & 20, 33 & 34, and Town -owned lots in Westcliffe from Residential to Multi-Family District.

THE PUBLIC HEARING WAS OPENED.

(Verbatim Transcript)

MAYOR PRO-TEM MOWRY: Okay, the reason most of you are here tonight is the public hearing, and a lot of you have been to Planning Commission meetings before. So now it's coming to a different board, the Board of Trustees. We are going to be -- I'm going to ask Caleb first of all to explain what this is happening.

I'm going to open it up to public comment. I would ask that everybody needs to keep this under three minutes when you have something to say. And also to listen to what everybody else is saying, and if somebody has said something that you're just going to repeat, then maybe we don't need to hear it. I would like to hear what everybody has to say, pro and con, and then we can open it up to discussion amongst the trustees, and then we vote. We're talking about two different issues in this public hearing.

One is, there's town owned lots. And these lots, the Town is considering with the recommendation of the Planning Commission that we rezone them to multifamily. And this would allow us to have maybe a grant to get utilities into this area.

And the second one is going to be privately owned lots. There are four blocks that are being considered for rezoning into multifamily. The Planning Commission was not unanimous in this, but they did send the recommendation that we do rezone it.

So now it's going to be up to the Board of Trustees to decide if we want to do this. So, Caleb, could you just tell us a little bit about what the Town is considering?

TOWN MANAGER PATTERSON: Yeah, no problem. Do you think I can maybe share my screen to get this zoning map up on the screen for everybody? Just so they can all see this up close.

Just let me know when that's ready.

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REIS: We have to go to share.zoon.us.

TOWN MANAGER PATTERSON: Yeah, I'm here.

REIS: Okay. Meeting ID and then the passcode.

TOWN MANAGER PATTERSON: Yeah, could you click on them? Maybe I'm hearing you wrong. Would you be able to click on the three dots next to my name and click make host?

REIS: Do what?

TOWN MANAGER PATTERSON: The three dots next to my name.

REIS: Oh, gotcha.

TOWN MANAGER PATTERSON: Sorry.

REIS: And then you'll turn it back?

TOWN MANAGER PATTERSON: Yes. You got it.

REIS: All right.

TOWN MANAGER PATTERSON: All right. So, right now, we're kind of looking at the screen. If you turn your attention to the screen, those on Zoom, you should be able to see that already.

This rezoning is going to be, like Mayor Pro-Tem said, of two different areas within the Town. The purple, which is actually blue on your screen, it's just showing up as blue, is going to be lots 20, 19, all of 34, and half of 33. Those are the rezoning of those.

Let's just call them four blocks.

So we got 20 here. White cursor on a white screen, so try to follow along. 19, which is the bottom left, that is highlighted, 34, all of 34, and then half of 33.

So those are all the privately owned lots that I'm looking at that have been recommended to the Board of Trustees to rezone. The Town-owned lots are going to be, we're going to call these 33A, which is half a block, 33, open space, plus a sliver, and 34A, which is our orange here at the bottom right. So, these are the lots within question.

In order for something to be considered for rezoning, we have to go to our municipal code. Our municipal code, I'm going to be reading the last sentence of the first paragraph under 10.1.11.08, which reads, Rezoning shall only be allowed if the applicant demonstrates by clear and convincing evidence that the rezoning is necessary because of one of the more following reasons. First one, the land that we rezoned was zoned in error and is presently zoned inconsistent with the policies and goals of the Town's Master Plan.

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The area for which rezoning is requested has changed or is changing to such a degree that it is in the public best interest to encourage redevelopment. Or three, the proposed zoning, sorry, the proposed rezoning is necessary in order to provide a land for a community-related issue, which is not anticipated at the time of the adoption of the Town's Master Plan, and that is such that the rezoning will be consistent with the Town's policies and goals of the Master Plan. I'm going to go ahead and give that back over to you, Kathy, over to the screen.

Okay, so you are host. So hopefully that helps. Would you like me to go ahead and describe some of the zoning itself, or do you want to take it?

MOWRY: Let's go ahead and open it up to some comments.

DEMBOSKY: So just to be clear, when we judge this, it has to be in compliance with one of those three criteria, right?

TOWN MANAGER PATTERSON: Yes. Again, the Board's role in this, as it was a judicial role, would be to see if it meets one of the three criteria within our municipal code.

DEMBOSKY: And that's the discussion?

TMP: Correct.

DEMBOSKY: Nothing else?

TOWN MANAGER PATTERSON: Correct.

MOWRY: Okay, so we are limiting to the rezoning issue. Okay, so when you do speak, if you can come up here to the podium and address that.

UNKNOWN: I have a question. What is the density of multifamily?

TOWN MANAGER PATTERSON: There is no density at the moment.

BROCK FLYNN: So you could do condos. I'm Brock Flynn. You could do a condo-type building, apartment-type building, all the way down to a duplex.

Anywhere in there is good, right? Do we want to?

TOWN MANAGER PATTERSON: So it's not in terms of how many people per square foot or per acre or per lot. It's in units per lot.

So a minimum of two family units at two lots and a maximum of quadruplex, no more than eight lots.

BROCK FLYNN: And that's the privately owned lots. What about the Town-owned lots?

TOWN MANAGER PATTERSON: No less than four. No more than eight.

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BROCK FLYNN: So in other words, what's the highest density you could do that?

TOWN MANAGER PATTERSON: For the Town-owned lots?

BROCK FLYNN: Yeah.

TOWN MANAGER PATTERSON: Let me go to the zoning.

The Town-owned lots. Do we have our exhibits in here? Maybe not.

All right, so the Town-owned lots are going to be, I think, a building footprint of no more than 7,500 square feet and a height of no more than 35 feet, which is currently our residential multifamily building.

BLOCK FLYNN: How many units go into 7,500 square feet?

TOWN MANAGER PATTERSON: Right now, we are talking.

So I think that's kind of the unique situation right now. Stop me if you guys want me to stop. That's kind of our unique situation with the town-owned lots is that the Town is going to have a little bit more governance over what can go in and what can't go in on this area.

So that's why you're seeing a little bit more loose restrictions. Right now, we're talking with CHFA, Colorado Housing and Finance Authority, Technical Assistance to get us plans on what these buildings will look like. We have to apply for this grant in December.

We have to rezone in order to apply for this grant in December. So things are kind of lining up to where we'll know exactly what these buildings will look like here shortly.

BROCK FLYNN: Okay, it's kind of fuzzy.

TOWN MANAGER PATTERSON: Okay.

MOWRY: So rather than make it back and forth to Caleb to answer the questions, could we have some statements of what everybody thinks about this? So if you could identify yourself, preferably come up to the podium or at least stand up and make sure that your voice projects enough so everybody can hear it. Do we have people who would like to speak on this?

BEN LIVSEY: I'm Ben Livsey, and I'm for the multi-unit housing rezoning due to the fact that I know workforce families that need places that are affordable to live. And currently, it's unaffordable and people are having to move away, which causes restaurant shortages and shortages at grocery stores.

MOWRY: Other opinions, statements? Twila in the back.

TWILA GEROUX: Twila Geroux, and I'm also for the rezoning. I do think that we need workforce housing. What I would like for you to seriously consider is not casting this zoning until you have all your ducks in a row with the zoning.

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So this kind of goes back to the DOLA lady who was here at one of the meetings, and she kind of did lay out some step-by-step points that can be made within our zoning. And specifically, what I'm speaking about, and I'm not speaking for anyone else here. I know we've already got the 35 feet height, and that's fine.

I think you said four complexes in no more than eight lots, and then it goes down from there. And that's all great, but what I would really like you to consider before passing any of this is putting more stipulations within your ordinance or you're zoning so that we can truly house our workforce. And not government-subsidized housing, not, I guess I'll say low-income because I think part of that is government-subsidized.

Somebody mentioned in an earlier meeting, and it wasn't in this meeting, it was in the Planning Commission, several of the board members and the manager did chuckle at this. But one of my concerns, and obviously a concern of some other folks in there, was illegals. And so if I see a smile, I think that you're not taking this serious, and I am.

And there may be others, I don't know. But I'm plum serious about it. I want to be able to sell the people that work in our town a home.

I want to be able to do that. And you're right, there is no affordable housing for our workforce, and I want to keep the workforce. I would urge you to not pass this yet, because I don't know if you've addressed all of these issues.

And I guess my main issue is just, I'll restate real quickly, no government-subsidized housing because I want it for our workforce people. And I want you to word it in such a way that we don't have to accept illegals being bussed in here. Thank you.

MOWRY: When you're making comments, I would also like to hear what people were talking about. Two different issues. One is privately owned lots, four blocks of land that we are rezoning, maybe.

And Town-owned ones that would go to maybe workforce housing. So if we hear some opinions on those two issues, along with other things. Please, anything else anybody wants to say?

Yes, sir.

JOHN VAN DOREN: John Van Doren, 107 Adams Boulevard. I wanted to share with you some language that is in the draft Master Plan right now. That references back to the housing need assessment that was done two years ago.

And I think all of us have heard the headline numbers for that assessment. But if you read the whole thing, buried within it, there's some very interesting data that I think is applicable to both issues. Both the Town-owned property and for the privately-owned property that we're talking about having a little higher density.

So the assessment was actually for the 'Cliffs. And some of the highlights is, and I'm just going to quote from the assessment: "Given the intensity of the problem today, two and a half years ago, local businesses are looking for immediate solutions."

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They didn't get immediate solutions. We're two and a half years past the publication of that, and just beginning to really talk seriously about doing something. This is, again, in the assessment, 80% of our households are comprised of only one or two people.

That was a surprising number for me, because the vast majority of our housing stock is single family, three and four bedrooms. So, there's a huge mismatch between what we're offering people, because we have zoned for so many years, most of our land in single family for residential, that we haven't considered one bedroom, two bedroom housing. That would be more appropriate for our existing households.

The rental vacancy two and a half years ago was zero. That's never a good thing. This is, again, from the report.

Without younger workers moving to town, the economy will be impacted, and we're already beginning to see impacts. Sixty-five percent of our residents in the 'Cliffs can't afford the average price home. And in two and a half years, that's more like 80% because of appreciation of homeowners.

I think it's fair to say, based on even just that number, that we have a housing crisis, and we really need to move forward and do something about it. This is something that jumped out at me. Seventy percent of Custer County jobs are in the 'Cliffs.

And if you think about it, 70% of Custer County jobs are in the 'Cliffs.

MOWRY: You are three minutes, so...

VAN DOREN: So speed it up. This is good stuff, though. And then a bold in the report is the immediate focus should be on building at least 40 to 50 rental units that are affordable to households earning 100% of the average median income in the 'Cliffs.

These are some things that were not in the assessment that came up in some of our workshops that people shared. Last year, the school district made four offers of employment for teachers. Every one of those offers was turned down because they were unable to find affordable housing and chose to accept an offer elsewhere.

So it's extremely important for the schools that we do something about this. Local business owners still struggle to keep staff and attract them. The going rate, talking to someone who just went through this, is about \$1,600 a month for a one-bedroom plus utilities.

And the vacancy rate here is still zero. And then, thanks to Bianca, we have 140 people plus who signed a petition in support of this project. And I think it's worth noting that part of the plan for the privately owned property is to encourage ADUs.

And those ADUs will also likely solve our need for essential workers.

MOWRY: Mr. Mayor?

DEMBOSKY: Yes. Can I ask for clarification from something from Caleb on the previous comments that were made?

MOWRY: Let's try to keep our stuff. Go ahead.

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DEMBOSKY: Twila Geroux had mentioned the timing of the ordinance. We should perhaps not do it now. But Caleb, am I correct that it is necessary or expedient for you, if this zoning is passed now, in order to get the DOLA grants?

TOWN MANAGER PATTERSON: Yes, sir. That's correct. No, if I may, you did have some concern on who can be allowed and who can't be allowed, which is definitely not right if we're going to have affordable housing. I don't want to speak for the board, but it should go to those within the community. Now, Mr. Wenke, Mayor, has requested that we work on affordable housing ordinance. I currently have been doing so. I've got some examples from Crested Butte that I'm looking at to kind of shadow ours off. So just if you're wondering if there is anything in play, I do have some --

Thank you. Yes, sir. Okay.

Other comments?

CHRISTY PATTERSON: Yes, Christy. I'm Christy Patterson. I live at 408 South 3rd Street in Westcliffe.

I'm in support of this zone change for the property owned by the Town, but I also agree that I know that there's a grant that the DOLA grant is coming up in December, but it also comes up in April. And I just think it would be more prudent to take some time and address, you know, one thing I learned from the DOLA rep when she came to the last meeting was, as a town, you can put into place what can be done with the properties, but doing so after the fact is not going to allow you as much flexibility, I guess I would say, with what you can do with those funds. And that is really saying that from the standpoint of at the Planning Commission, what we did repeatedly hear when the room was full was concerns about who the properties were going to be able to be rented to.

And if the Board would just be willing to take a little more time to put some ordinances in place to make sure that we really can help our workforce here that does need this zone, that would be great. And I also think, I don't want to see that property be like, well, that's where workers live. We really need to incorporate it into our community as a whole, as this is like the south end of town, and it's not any different than 2nd Street and 3rd Street and 4th Street and the rest of the community.

And that might take a little more work on the front end to put these ideas in place and maybe be able to address Brock's concern, where he says, well, it's a little gray and also work on what John has put together about or what he's finding out about what we need. I just think it would be more prudent for the Board to work on those things first before making the zone change, before applying for a grant. And keeping in mind that we still have a water district that's a little, you know, not so great.

We get this grant and we spend this money and get these lines in, and now we have a water district -- it's like we can't support that. We can't supply sewer for that.

Hopefully that's being taken care of. And then for the privately owned properties, we did ask for the staff to put out a survey to all the residents and got nine responses. I don't know, and I believe there's like 23 or 26 owners of the private property out there.

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I don't know if that's a good enough response to make that change without hearing from more people. And I know the staff made all the efforts and certified letters and everything, but I just don't know if that's fair for the people that own property out there to just change it. Thanks.

MOWRY: Other comments, questions? Yes.

MATT BERRY: I'm Matt Berry, resident actually of Antelope Valley. So, out of Westcliffe proper. Just for straight and narrow.

But just a point of clarification, are we combining points B and E, or is this just completely point B?

MOWRY: I think for the sake of the discussion, we're going to combine it, but the vote will be separate.

MATT BERRY: Okay. I appreciate that the vote is separate. I think it's slightly unfair that B and E is combined due to the contention of B. I am a prior resident of government subsidized housing.

Right after high school, I moved out and lived in subsidized housing in Castle Rock. It's not necessarily straight up the worst thing in the world. Those apartments are still there.

They're still next to a very thriving mall, and I worked at the Target that was a few blocks away. I would not be here today without government subsidized housing. I would probably be still on the street or dead in a ditch.

So, I mean, without that extreme, I don't think that saying that government subsidized housing is the worst thing in the world. But I do understand that with the size of Westcliffe, you do need to control the growth. You can't just—growth is going to be a freight train that's going to be something that is a part of these meetings, inevitably.

You can't tell growth to stop, but you can control it, and you can control it responsibly. I am not a trustee. I don't know the expertise in that, but it does frustrate me seeing friends— it does frustrate me to see friends that cannot afford to live in this community because, specifically, they can't afford housing, whether it's a rental, it's ownership.

I mean, Twila was mentioning ownership. With some of these jobs out here, I don't think ownership is going to be the best thing. I think, ultimately, it's going to turn into a rental building, and I don't think that that's the worst thing in the world.

There are currently rental buildings. There are multiple apartments in Westcliffe and Silver Cliff, so that's where I stand. Also, specifically to Point E, since we're combining that with 106 South.

MOWRY: You're saying E, or—

MATT BERRY: Point E, I felt, with 106 South.

MOWRY: E is going to be completely separate. It's a separate hearing.

MATT BERRY: Sorry, that was my clarification.

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Sorry, I thought you said C. Sorry, we were talking about B and C.

MOWRY: So, the next hearing is— Okay, thank you.

PAM OUZTS: Yes. So, my name is Pam Ouzts, and I live at County Road 324, and I am in support of the workforce housing. I have 10 years' experience in real estate development, mixed-use centers in other states, and a lot of the work that we did also was working with other developers on bringing in workforce housing in communities very similar to Westcliffe now.

So, I know the tensions that are there. There's been a housing needs assessment, everybody knows, and back two years ago, they said that we were 35 dwellings short, county-wide. That's gotten to be more.

My anecdotal experience is our son was a schoolteacher at Cotopaxi, which I know is not in Custer County or Westcliffe, but he was unable to find any housing that he could live in and drove an hour and 15 to an hour and 20 minutes away to and from work to Cotopaxi, ran off the road twice during bad weather, and it was an uncomfortable situation.

As much as he loved teaching in Cotopaxi, he loved quitting after three years because the commute was just taking too much out of him and the way of cutting into his budget, as well as his quality of life and time. So, I think I would like to say that what I've seen is that there are some misconceptions about what Caleb, Mr. Patterson, is trying to do.

By the way, I want to say that I've worked with hundreds and hundreds of governing authorities and zoning officials, and I've met with Mr. Patterson, and I would say he is one of the top three that I've ever heard of with regard to his caring about the community, his enthusiasm, and his willingness to learn, and his capacity at such a young age. I'm 62, so I can say that. Kudos to you, and I hope that we as a community work very hard to support him and retain him, and I know the Board of Trustees has done a really good job in supporting him.

So, I'd like to see some more rebuttal to the misconceptions. This is not going to be Section 8 housing. This is not going to be housing where immigrants are going to come in.

I can tell you from working in other communities that there are absolutely restrictions that you can put in place to keep these kinds of things from happening. It is everything from ensuring that the workforce inhabit these rentals to how long they're there to the design of the buildings, and they can be designed very, very nicely. From my understanding, this is not government subsidized housing. Is that correct?

TOWN MANAGER PATTERSON: I don't know what you mean by that.

PAM OUZTS: This is not Section 8 or HUD housing.

TOWN MANAGER PATTERSON: Correct. It's not Section 8. Right.

PAM OUZTS: So, these grants that Mr. Patterson has worked extremely hard to get don't have any strings attached. It's just to see if we can get the infrastructure in and do these housing needs, right?

TOWN MANAGER PATTERSON: For this grant, it is just for infrastructure.

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PAM OUZTS: Correct. He cannot apply for this grant unless we rezone that property. So, you know, saying let's just hold back and look at it later, we're kicking the can down the road. I've seen that these meetings have been happening county-wide since 2018 and nothing's been done.

We're in a critical, critical time right now and I have seen resort communities, Vail is one of them, that went to bankruptcy before it took, before, you know, the big bigger business owners finally got together and said we got to do something. We're losing our pants here and they started to build housing that was affordable for the workforce. So that's all I have to say.

Thank you for your time.

MOWRY: Other comments? Bianca?

BIANCA TRENKER: I didn't have anything to say today but John said I was going to talk after all so I don't want to let him down. I'm Bianca. Raven's Lodging in Westcliffe.

I live at 11 Granada Court. I loved that story that you lived in government subsidized housing.

It reminded me to let people know in 1992 when I graduated from culinary school and worked as a cook in Snowmass Village, it was the same problem. I lived in workforce housing back then. This isn't new.

It was the same situation. The rich people didn't want to see where their workers lived and it was a big to-do and then finally it was built and it was very strictly maintained. If you weren't working in the valley, you didn't live there.

So, it can be done then. I'm sure it can be done now. The freight train also very good visual.

One of my big fears, businesses right now struggle to keep workforce. I do, restaurants do. Those 140 signatures that will probably never be lived down in this community, 13 of them were business owners.

Actually, Caleb counted those for me. At least six to eight of them were managers. The rest of them were just people who happened to be at work that day.

I only did that for four days in the afternoon for a few hours. My concern with the freight train analogy because I've seen it in so many small towns across Colorado is it weakens a community to not have a workforce. When one day big money rolls over that mountain and sees the beauty of this valley and buys it up, the ordinances are already in place.

They'll buy and build what they want to build. They'll work within what's already here and nobody's going to stop them because they know how to do that. The workforce, stereotypically then, and pretty much almost every small town across the state has to commute in 30 to 60 minutes.

A great example about the teacher. We recently had an EMT trying to drive in from outside of town on a snowy day. That was a very sad situation.

I don't mean to use that for any kind of a gain. It is a truth, though. It's a fact.

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There's so many of our people coming in in that same. Now, to sum up, because I know I'm going on here, the couple concerns I would encourage --I don't know if it goes back to planning and zoning or this board.

I think it was voted down that, I don't know how it was phrased, but Christy, you can help me with that. I think the Town needs to control what is, before a builder is just allowed to build, it was voted down actually in Planning and Zoning. I think most of the community has a fear that it will be ugly or unsightly or whatever.

I don't know how that has to be readdressed, but I do feel like citizen input should be and Town Board, everybody should be involved with that. When I lived in Teller County, the Walmart was held to task until the community was happy with what they were going to put in. If Walmart can be held to task, I feel like whoever comes in to build anything around here should be as well. That's it.

VAN DOREN: Great job. It is my fault. Okay.

Others? Twila, you raised your hand a couple of times.

TWILA GEROUX: I took it back down because I was going to say the same thing. Again, I would encourage you to have all your ducks in a row for zoning before you do this. I'm for the infrastructure.

We really don't have a winter economy, so you're going to build all these houses. We don't really have the winter economy. We don't have the winter sports like Snowmass or Vail or any of the rest of them, Salida, for that matter.

That's something to consider. I really think that we do need this, but we don't want to get 2, 3, 4, 10, 20 years down the line and say, why didn't we put this in order in the first place? It's a lot easier to put stuff in order on the front end of something than it is to change the rules in the middle of the game.

That's all I'm asking you to do is to consider all of that when you move forward and just have it in order. Think about all of these things. I'm not against any of this except for, I do think there are probably strings attached somewhere down the line.

There probably will be. I've sat on the Board too, I've used all of the grants. I know that there are strings attached, period.

That's all I'm asking. That's just restating really something that I've already said. As far as the Town lots as opposed to the individual people, I don't think you should take it away from these individual people that they could build a single-family home.

I don't know if you can do dual zoning for something like that. If I owned a lot over there, I'd be all for this grant. Why not?

You get free infrastructure, you bet. It just makes the value of that lot go way up. I would be for that.

I'm not for taking away the option of the residential on those privately owned lots, Town lots. I think what you guys are planning as far as zoning is good. I just think it's not quite done.

I still think you're quite done with your zoning rules. That's all. Thank you.

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BROCK FLYNN: Just another question. Can you all, before you pass this, put architectural requirements on it? Can you say, okay, we've got to build it to where it matches sort of the types of, you get a green metal roof, you get some stucco siding, stuff like that, and you want to put that in place before you change the zoning. That way, it's going to make everybody feel a lot more secure about what's going on.

MOWRY: Without actually answering that, I will kind of answer it. It's been considered architectural standards before, and I think it's been kind of rejected.

I think that the Town does have power to do that, but I'm not going to get into that because I really don't know. And Caleb, you can answer that later. In the meantime, we will come back to that. Okay.

BIANCA TRENKER: One last quick question. If this were passed tonight, between now and when Round Mountain gets all that, you mean the time it's going to take, it's going to take some years or whatever, the ordinances that people are concerned about, can the Town still put it in place then?

FULTON: May I interject? Should I have been through all those meetings? And so, just for clarification, Caleb, please correct me if I'm incorrect, but this is all about infrastructure.

Okay. The rezoning of the private lots is up to a duplex or a fourplex based on how many lots you own. Most people have probably only had two.

I don't know. I've looked at some of them, but I don't know them all. So, in other words, it's not going to restrict that you can put your single-family house on there.

You can do whatever you want, but if you want to put a duplex, and I've done a duplex where you don't want a single family. But like John said earlier, too, is to encourage owners to, when they build their single-family house, to consider an ADU, you know, apartment above the garage or separate building, whatever. And that's become very popular and very efficient for homeowners.

So, that's what I see is where we are. And so, and also, too, let's say we get this DOLA grant. We'll know if we apply for it by December 1st, correct?

We should know in January or whatever, and then it starts. And then once we, you know, get the infrastructure done and prior to that, it's being installed, then we can come back and have these architectural controls if we all agree as a community to do that, okay?

And I've looked at a lot of them all over the States and the West, and there's a lot of very nice looking places that would fit in beautifully in our community. I'm talking about the mountain communities in Kansas and Nebraska, okay? And so, I hear you all are talking about that, and I'm concerned about that, too.

I've been here a long time, as well, and I want something, and that goal is something people will be proud of, and people will be happy to live there, no matter whether they're waiting on us at the restaurant or cleaning somebody's short-term rental or apartment or whatever. So, hopefully that clarifies a little bit, but it's not, it's like up to, you know, a duplex or a fourplex based on how many lots you have.

MOWRY: So, can we have a clarification before that? In your proposal, the proposal is coming before this rezoning, can you have single family?

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TOWN MANAGER PATTERSON: So, clarification on a couple of things.

Starting with that, the minimum on the profitable lots, the minimum you can have is a two-family dwelling that's either duplex or single-family home with a required ADU on a minimum of two lots and no greater than four as your density for the smaller and a maximum of a fourplex on a minimum of four lots and a maximum of eight lots. The, talking about timelines, now wherever the Board wants to pass this.

MOWRY: Wait, so that is just for the Town lots?

TOWN MANAGER PATTERSON: That is just for the residential lots, Town-owned lots. And what about the, all the private ones would be that too?

MOWRY: But you could do a single family.

TOWN MANAGER PATTERSON: Did I say Town-owned? My apologies, I meant that's, this is only for the private ones. Yes. Now, going to answer some of the questions as far as timelines, we should get an answer from DOLA around April 2025.

Hopefully, we need some engineering complete in the 2026. Hopefully, we can get some infrastructure. And then, you may even be another year after that before, you know, 2027, 2028.

So, if we're thinking about, do we have the time to pass X, Y, and Z, you know, just know that there's a few years before --

FULTON: -- moving either.

TOWN MANAGER PATTERSON: Exactly.

WILHELM: I just want to clarify what you were just saying. The private home lots right now are zoned for single-family, but you can have a duplex on it?

TOWN MANAGER PATTERSON: It is a single, let me get the exact terminology of what we have in our zoning code. Single-family dwelling two-family. It's a dwelling two-family.

That's the minimum. It's a dwelling two-family to a maximum of a dwelling four-family.

MOWRY: So, that's what the existing zoning is?

TOWN MANAGER PATTERSON: The existing zoning is residential single-family. The proposed is a minimum of dwelling two-family to a max of dwelling four-family.

FULTON: That's what we have in --, but the whole Town is that way.

MOWRY: And what is the zoning?

TOWN MANAGER PATTERSON: Hold on. I just want to, right now, the Town, we have residential single-family district, which allows for a dwelling single-family and a dwelling two-family.

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So, that's right now what's allowed in the Town.

TWILA GEROUX: And no ADUs, right?

TOWN MANAGER PATTERSON: What's that?

TWILA GEROUX: No ADUs.

TOWN MANAGER PATTERSON: We're going to be codified before ADU code got passed.

You could have, and that's where the dwelling two-family comes up. You could have had a second family home. It just couldn't be less than a certain square footage.

And that's where the ADU code is to allow for that. The now proposed is dwelling two-family to a max, I'm going to call it dwelling four-family, right? Quadplex.

So, duplex to quadplex, essentially, is what we're talking about. So, hopefully that clears that up.

WILHELM: Yes. So, you could actually then also, so a four-plex would be what the match you could put down.

TOWN MANAGER PATTERSON: Correct.

WILHELM: Okay.

TWILA GEROUX: The minimum would be a two-plex. The minimum would be a two-plex, right?

TOWN MANAGER PATTERSON: Yes, and it could look as in a duplex or as a single-family home with ADU. So, yeah, that's what it could look like. That's for the Town land and the proposed?

MOWRY: That is for the residential.

TOWN MANAGER PATTERSON: That's for the property and lots. The Town land right now is not even zoned at all.

In fact, it's called public space. Right now, we haven't zoned as that. The Town land will be a building of no higher than 35 feet at 7,500 square foot print.

So, that's, it doesn't give specific how many buildings we can have. Right now, the reason that was set up that way was to allow for loose requirements, because since the Town owns that and there's that empty space in between the lots, that's for a development to come in. Essentially, you're just giving them loose requirements for them to develop and then show you that plan based on those loose requirements.

So, density as far as the Town-owned lots is still up for debate so far.

JAGOW: Yes, can I ask a clarification? All right.

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What I'm understanding is that for the privately owned lots that are in question right now, they could be up to a duplex if they wanted to or they could just be a single-family housing.

TOWN MANAGER PATTERSON: Correct.

JAGOW: However, if they get rezoned as is proposed, the minimum would be a single-family home and an ADU or a duplex. That would be the minimum.

TOWN MANAGER PATTERSON: Correct.

TWILA GEROUX: So, you can do a single-family and an ADU with the new zoning? You have to have the ADU.

TOWN MANAGER PATTERSON: Correct.

UNKNOWN: Sorry, I'm sorry about my ignorance. What does ADU stand for?

UNKNOWN: Additional Dwelling Units.

TOWN MANAGER PATTERSON: Accessory Dwelling Unit.

CHRISTY PATTERSON: I thought that when we had talked to the Planning Commission about it was no more than two of the 7,500 square feet on one of the Town-owned parcels. That's what I'm remembering. I just remember that we had put a maximum set number on that.

TOWN MANAGER PATTERSON: So, right now, looking at one of our exhibits to go along with that rezoning, structure shall be limited to a building for about 7,500 square feet, no taller than 35 feet in height. That did get changed right before it did get passed.

MOWRY: Yes.

BROCK FLYNN: Just another question. You said you had none respondents out of -- you had nine respondents out of 23 property owners in the privately held Town blocks that we're discussing, correct?

MOWRY: What are the actual numbers is like eight out of 26.

BROCK FLYNN: I'm talking about per ownership, not per lot or per pair.

The point is, if you make someone build a duplex or an ADU, that might negatively impact their ability to utilize their property. When they bought it, they didn't plan to do that. Now you're going to make it a lot more expensive for them to develop their own property.

I'm a real estate broker. If somebody came in and just switched the rules on somebody, that would make some folks mad.

MOWRY: Other comments? Yes.

TWILA GEROUX: That's what I said.

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JAMES A PERRY: James A. Perry, small-scale developer. I currently live in Silver Cliff.

I actually own some of the lots in question, blocks 20 and 33. I'm in favor, cautiously supportive. I agree 100% with workforce housing observations.

I've seen it. I know people. I also support private property rights, but there is a balance.

If someone's gotten five notices in the mail, if it's been in the paper, if it's been discussed, it's kind of on me as a landowner to at least join the discussion. I'm a little bit surprised that we haven't heard back from more than nine. It is a delicate balance.

One point that hasn't been fully brought up, but it was hinted at, I do believe that there are strings attached to most grants because grants are given partly to help, but also to support approaches. Denver sometimes has a different approach than the small mountain towns like Westcliffe. An example might be if they're in favor of an electric vehicle charger in every garage, they might request some energy code or some newer building code, and if we take the grant money, does that put restrictions on us and what zoning we have to have to support that?

I would just ask, and I've had discussions with Caleb, and right now we're IBC, IRC 2006. That's solid. That's a very good compromise.

That's reasonable building. That's making sure that your roof's strong enough that the snow load doesn't crush it in, but we don't have a lot of extraneous code. We're not mandating how people use energy, and that's important to me.

So, I would just ask that if we pursue this grant, that we keep a careful eye, and what are any of the other requirements or suggestions for that? I would like to keep what works for Westcliffe, working for Westcliffe, and yes, if I do build any units there, I absolutely want to help people in this town workforce, and it was said at one of the Planning Commission meetings too, we have to keep the retirees in mind. They might not be working at the moment, but if you're on a fixed income, that's pretty rough too.

We want you to be able to stay as well, so for the whole community. So that's all I have. Thank you.

MOWRY: Other comments? Anybody that zoomed in, do you have comments that you would like to? Mayor Wenke, we'll come back to you in the discussion, but we have one lot owner that zoomed in.

KIMAZZ: I'm here. I have a couple comments. First, I've experienced the implications and the implementation of affordable housing, specifically in Bend, Oregon, and you're very accurate in saying that you have to have your plans to prevent the pitfalls that I've seen occur with the implementation. I still think that we are very much in favor of seeing the zoning change, which would allow the infrastructure to be placed, and it's my understanding, listening to Caleb, that the year or two it's going to take to, if we do get the grant, to get the infrastructure in will be spent then putting up the parameters around what can be built where and what has to be done.

Am I accurate in assuming that?

TOWN MANAGER PATTERSON: Let's say that's what there is a year of for the Board to discuss, or the Board's representative to discuss, you know, the building aesthetics.

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KIMAZZ: One of the big, two of the major pitfalls I've seen happen are, one, they want to build all this housing and they've inappropriately estimated how much they need, so they overbuild initially. Second, they minimize the parking requirements for multiplexes. Therefore, there's no parking available for the residents in these multiplex units, and the parking then becomes an issue which spills over into local neighborhoods.

And so, that's the second, the two things that I've noticed that have been really problematic. One of the questions I have for you is that our lots are in Block 34, and the city-owned lots are in 33. So, I'm wondering, is Block 34 going to be out in an island?

Because I know initially you had said that you wanted to do 33 and 34 as apartments or more than just fourplexes. Has that changed?

TOWN MANAGER PATTERSON: So, you live in which block?

KIMAZZ: 34.

TOWN MANAGER PATTERSON: Your block in question is which block?

KIMAZZ: It's Block 34, sorry. Yes.

TOWN MANAGER PATTERSON: So, you live in 34, and you're talking about that block to the east of you that is disconnected by 6th Street?

KIMAZZ: Right, where the city lots are located, because it appears that we might be just trying to cross from the city lots, which then separates it from all the other lots that are, you know, in Block, what I would assume would be 30 and 29 or whatever on the other side.

TOWN MANAGER PATTERSON: Yeah, I will be advising the Board to vacate 6th Street that goes in between, we'll call that Block 33 and 33A.

KIMAZZ: Okay.

TOWN MANAGER PATTERSON: So, that little sliver of land essentially becomes, that little sliver of land plus that triangle essentially becomes a whole block, while the other one remains half a block.

KIMAZZ: Okay.

TOWN MANAGER PATTERSON: Excuse me. Yeah, the question about parking, right now for the Town-owned lots, there's 1.75 parking per unit, and our current zone, go to supplementary regulations, go to parking, our current zone is two parking spaces per unit, so, and that would be for the that privately owned lots.

KIMAZZ: Okay, thank you for that clarification, I appreciate it.

WILHELM: Caleb, I have a question for you. You said you're going to ask the Board to vacate 6th Street?

KIMAZZ: No, no, no, Caleb, stop, said that, or I believe that was Caleb. I had, that wasn't, what I just want to know if the lots that we own are going to be kind of out there on an island.

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MOWRY: But, yeah, this was a separate question about vacating 6th Street.

TOWN MANAGER PATTERSON: Yeah, later, you know, there's a little 33A, you go to page 28 of 35, 33A is a little sliver, it's between 30 blocks 33, 15 through 28, and if you go to that picture, you'll be able to see that there's roughly half a block of separating zone. I will be advising you guys on vacating that in between, because it just makes sense.

Why keep it in open space? So, one thing first, one thing, then the next.

WILHELM: I'm still slightly confused, 34A, I don't, this street right here, 6th Street right here, just this one up here.

MOWRY: So, if we've gotten all the documents that you're talking about, what the Planning Commission has decided, what you're planning, do we have all these? I know you talked about the parking spaces.

TOWN MANAGER PATTERSON: Correct, except if B and C should be in your packets. Ladies, correct me if I'm wrong, except if C should be in the packets as well.

MOWRY: Okay, are there other ones that you have come up with?

TOWN MANAGER PATTERSON: No, so the parking, you're asking 1.75 spaces per parking unit, that is in number three of exhibit C, and then if you go to Title 10, Chapter 4, Section 2, you get parking as a whole restriction. That's our supplementary regulations.

MOWRY: So, we have seen all these ideas?

TOWN MANAGER PATTERSON: Correct.

MOWRY: That's all my questions.

TOWN MANAGER PATTERSON: Correct.

MOWRY: Okay, are there other comments from anybody that you'd like to make at this point? Yes.

MARY ZAWACKI: Mary Zawacki and I'm majority of the owner in lot 18. So, in the planning and zoning meetings that we've had on this, we've talked about how we are exploring other opportunities. It seems like we're really focused on second filing and can't get passed, including Silver Cliff and the County in general in these discussions.

We're totally boxed in on the improvements for second filing and not exploring other options. One of the reasons I'm concerned about this, and I don't think there's anybody in this County that could say we don't need affordable housing. We definitely do, and I don't think anybody in this room is against affordable housing.

We are mostly concerned in how it's done. The other thing is that I'm concerned if we get this grant and we put in water and sewer, that's great. But in the area right now, along 6th Street, there's no road.

We have to put in roads. We have to put in electric. Are we going to pave those roads? We have to have parking.

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There is a lot more that I have questions about. Are we going to get grants for this additional infrastructure to do this? Or is this going to be something that the city has to provide?

And does the city have that kind of money to do this? Has anybody gotten estimates on this? Has anybody looked at this?

We're talking about design here, but we're not talking about what comes, I think we kind of got our cart before our horse.

FULTON: Typically, Mary, if the proposal to the developers or at least the Town would be that that's part of their package as far as creating the community with whatever size buildings they are and whatever guidelines the Town gives them to follow. As far as the other streets, ultimately, they may get the platted streets on the town owned lots. But that's down the road.

Down the road will be here before we know it, of course.

MARY ZAWACKI: But if we have, you know, somebody owns, let's say they own half a block and they're looking at putting even if it's developer who buys that half block, that half block might have an apartment building on it, but then who pays for road improvement? They may bring in the electric, but as far as I think what we're talking about now is doing the rezoning and doing the city-owned lots first or blocks, I'm sorry, blocks first, and does that mean that the city does that or is the city planning on having a developer pay for all of that? That's a question.

MOWRY: Yeah. Especially the private owned ones. If we don't have a developer, then -- I understand what you're saying.

MARY ZAWACKI: They might only buy two blocks in there. Well, that's not going to pay for much road. I just want people to think about that.

WILHELM: I think most of the roads around here were built with grants, all the paving and chip sealing and stuff like that. I remember 25 years ago, a lot of these roads weren't paved in the Town of Westcliffe.

REIS: Currently, you can't get grants for paving or chip sealing.

WILHELM: Oh, you can't.

TOWN MANAGER PATTERSON: You can get paved patching. Within a larger grant.

REIS: Yeah, within a larger grant.

MOWRY: But in this grant, we're only going for water. Okay, are there other comments? Thank you.

BROCK FLYNN: Another question. Does this grant address the tap fees to do this, I mean, for the Round Mountain Waters? In other words, we get the infrastructure put in and we have the ability to build these buildings.

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Are the developers going to have to pay the individual tap fees per dwelling? Or how's that going to be handled? Because tap fees are expensive right now.

MOWRY: That's going to be pretty much up to Round Mountain to set the tap fees. Other comments? Okay, anybody else on Zoom that has anything else?

We're going to get to it. Okay, let's open it up then to discussion amongst the Trustees. I'd like everybody to have their chance to ask questions, to give your opinions, to discuss this.

Should we start with the Mayor who is half a world away? Mr. Mayor, would you like to comment?

WENKE: I'm muted. I am muted.

MOWRY: Okay, you're muted. Mr. Mayor, you're muted. We can't hear you.

REIS: Unmute yourself.

WENKE: Here we go. Yes. No, I don't have anything to add.

Interestingly, I'm here in Lake Como, Italy, and they have the same problem that we are facing right now, workforce housing. I guess in this little spot of the earth. Anyway, it's been a good discussion.

I think great input from the people here in the audience listening. But I have nothing to add.

MOWRY: Okay. Do you want to go around or do you just want to...

MOWRY: Bob, do you want to start?

FULTON: I appreciate everybody's input. A lot of valuable stuff.

Trust me, we've spent a lot of hours on this and research. Thank you for your input. I learned a few new things myself.

MOWRY: Chuck?

JAGOW: I'm with Bob. I'm thankful that everybody has had input to it. Many, many opinions and facts on information presented.

One of the reasons I wanted to become part of this Board is to stop the kicking the can down the damn aisle. The Round Mountain water situation with the sanitation first started when I was in high school. That was almost 50 years ago.

Over 50 years ago. This collectively is just getting this fixed now. Hopefully with Round Mountain.

We need to fix this now. I truly believe that we're doing this for the infrastructure only to get into there. We will have rezoning so we can apply for the grant infrastructure.

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I think there will be plenty of time after that for everybody to get together and decide how we're going to implement it. If there are developers that come in and put the housing in or the units, there will be time to get to that. We don't want to kick it down.

I want to agree with people that subsidized housing isn't a bad thing. I lived in it for two years, four years ago. It was very well managed and we didn't have any problems.

It was in Connecticut. That's pretty much all I have to say.

MOWRY: I will echo the same thing.

I really appreciate everybody's comments.

I do realize that most of the Trustees have gone to at least one, sometimes three, of the Planning Commission meetings. This is not a new subject for us. We've heard the arguments pro and con.

Hopefully we will go in the right direction. I do appreciate everybody coming tonight. I really appreciate all the comments.

WILHELM: Yes, I appreciate all the comments from people. Even things brought up tonight that I wasn't aware of. When I first started out, I lived in a trailer for four years.

That's about as low income as you can get. Really. We do need to do something to help our workforce.

We also need to start worrying a lot too about regular housing for families that they can purchase. See what's happened in the last couple of years. You can't even find a house around here at an affordable price.

I do appreciate everybody's comment. I'm still thinking about it. Still adjusting.

DEMBOSKY: I'm glad that we've had these discussions over the months. It seems to me, the people that show up here, by and large, we all recognize the need. I can't help but make this a little bit of a side. Talking to a niece of mine who lives in L.A., lives on a boat in the harbor because she's paid well, it's L.A. I said, did you ever look for trailers up the coast? She said, yeah, they're \$500,000. I think that's true. I think the concerns about how we actually proceed from step to step, we do have the time as Chuck said.

I've been involved in a lot of grants and government regulation writing. You have to start some place. You can't get much more foundational than water pipes and sewer pipes.

At this point, that's what we're dealing with. Time will come. I think the assessments may take two years before anybody's digging dirt.

We have plenty of opportunities as the Board and the Planning Commission to further refine what these zonings actually contain. We have the right to do that as a Board. I will say that remember that in this capacity for a zone change, we have to judge this by the three criteria that Caleb mentioned earlier.

I for one think that this proposal meets the second and third.

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MOWRY: One thing that has not been mentioned is can the fire department, can water and sewer and Round Mountain handle all this if we do encourage a lot of development? Silver Cliff hopefully is going to be addressing the issue of affordable housing for the workforce.

The County has been talking about it for a long time. The fire department did come at one time to a meeting and said that they do not have the capacity for a lot of high-density buildings. Have they been satisfied at this point?

TMP: Yes. On just the fire need, representative from the fire protection district did come in and say the capacity, they did not have it for four stories, that is why it is three, and they also did not have the capacity for a fire that large. One of the talks during that conversation was considering having a 7,500 gallon cistern or something on site for them to draw to make it easier for them to put out that fire.

On the issue on water and sewage. Don't mean to misquote Dave. Dave Schneider, if you are listening to this reporting, I am just going to pull off roughly from what I know and summarize you that you said that we were water rich and that we have plenty of water to support more development and that as far as he is concerned with the sewer, it is going to be four years before there is any doors put up.

It gives the department plenty of time to figure that out. They also did receive funds from the Department of Local Affairs so things are looking hopeful on the sewage end.

MOWRY: On the issue of how fast we go on this rezoning, do we hear any opinions about do we approve both of these tonight? Is it better to approve the whole rezoning or just go with the Town lots as been suggested before, slow it down, apply for the grant for the infrastructure and then go to the rezoning of the rest of the privately owned areas? Does anybody have any opinions?

DEMBOSKY: They are two separate agendas.

MOWRY: So we have to vote on the two separate, right?

DEMBOSKY: Yes.

MOWRY: We are going to be voting first on the Town owned lots to rezone those multifamily and then we are going to be going to the other one. So would you rather wait until we get to the second one?

DEMBOSKY: I thought the process would be that we vote on the first one and have to give our reasons why we think they do or do not meet the criteria and then we would have to do the same for the second.

FULTON: First is the privately owned lots.

MOWRY: Oh, first is the privately owned. I thought the first was --

FULTON: I read it.

MOWRY: You are talking about C.

DEMBOSKY: Item C is the first one we vote on and that is the Town owned lots.

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MOWRY: And then we go to D, which is going to be the progress of...

TOWN MANAGER PATTERSON: That is correct. I do ask when you do make a recommendation, I recommend to approve or deny and then start on the proposed ordinance right there.

MOWRY: Let's get all the questions.

JAGOW: One more question. Let's say that the proposal that you are anticipating to submit next month will be different if only the Town lots are approved or rezoned. The scope of the amount of money that you are asking for and stuff, how does applying rezoning just the Town owned lots versus both the Town owned and the privately owned lots, how does that affect your proposal for DOLA?

TMP: Ultimately at the end of the day DOLA is going to decide whether or not a project a scale of four blocks or two blocks is going to in one case be stronger than the other. I can just speak for the zoning we have currently. The zoning we have currently hits just about every single point.

I showed you guys we had a couple workshops on MHN linear strategies (ph), kind of their checklist for this grant that if you wonder about strings attached, it's the zoning before you apply for the grant. I can speak to that and say if we don't include the Town, the privately owned lots, we kind of get rid of that middle multifamily that current has. So there's one checkbox off of that checklist.

But if we keep it, it's more. So I'd say currently as it is now, we have just about every single ask and want and need that DOLA has to this checklist. And if we start to take away from that, I will say in my own opinion that it could hurt the Town's chances on acquiring the grant.

DEMBOSKY: Say that again, Caleb?

TOWN MANAGER PATTERSON: I said it could hurt the Town's chances on acquiring the grant.

JAGOW: So we have a higher chance of acquiring the DOLA grant if all four blocks are included.

TOWN MANAGER PATTERSON: Based off of my own research and data I've gathered including from the Department of Local Affairs, yes.

FULTON: And maybe for clarification for those who don't know what we're talking about here is DOLA has a state of a lot of \$20 million, is that right, to communities like us around the state. And so there's way more than us applying for that \$20 million in a cap of \$2 million. Ours is only \$1.5?

TOWN MANAGER PATTERSON: It's less than that.

FULTON: So we're right in there. So basically we're competing with other communities throughout the state.

So for us to have a better chance of saying hey, they're going to say we give it to Westcliffe and it'll get more bang for our bucks to the legislature up in Denver. Kind of in a nutshell.

MOWRY: You took out those two blocks furthest to the west. You're not applying for water and sewer for those blocks?

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TOWN MANAGER PATTERSON: That is correct. Would you like me to?

MOWRY: Well, just going to go back to some of the comments. Are we just moving too fast before we have all of our ducks in a row?

TOWN MANAGER PATTERSON: If you're going to include those two blocks it does go back up to \$1.5. I think right now without the two blocks it goes down to I think it was like \$800 grand. I'd have to check our 2025 proposed budget.

MOWRY: So we're saying that the people in those blocks that we're talking about rezoning are going to get a huge windfall by getting the water and sewer in there. But the people that we put down in the other two blocks that are going to remain single family, they can still do ADU, right?

FULTON: But they wouldn't have water and sewer.

MOWRY: They wouldn't have water and sewer. They wouldn't have any water and sewer.

DEMBOSKY: We're a little off topic in a way, but I'm getting models again on the actual grants themselves. So, the proposed grant at this point in the way it's written would be for the Town-owned.

TOWN MANAGER PATTERSON: Yeah? It depends on whatever you vote on today. If you vote for just the Town-owned blocks, it'll just be for the Town-owned blocks.

If you do it just for the private land blocks, it'll just be for the private land blocks. If you do both, it'll be for both. So it depends on whatever your motion is today for what I apply for.

WENKE: Could I add something here, please? I'm sorry, but I'm running out of power. I'm going to have to leave this meeting, I think.

I'm very sorry about that. So if you could call a call, I'd like it.

MOWRY: If we could call a vote?

WENKE: Yes.

MOWRY: Are we ready to vote?

CLERK CHRISTIE: Mayor Pro-Tem, prior to doing that, we need to close the public hearing.

MOWRY: Are we ready to close the public hearing? Are we ready to close the public hearing? Right here on this, you're calling it a single family.

WILHELM: It's a multifamily, but that's a town on lots. And you said the Town on lots, Caleb, are not zoned, correct?

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TOWN MANAGER PATTERSON: I mean, it might just be a clerical error. I don't think it changes the context for the meeting. It doesn't change the end result.

REIS: That's what the attorney gave us.

WILHELM: That's what the attorney gave us. Answers my question.

DEMBOSKY: I'm not ready to vote.

MOWRY: Let's go ahead and close the public hearing, and we're now going to go back to our regular meeting, and we're going to take a vote on whether we are good.

THE PUBLIC HEARING WAS CLOSED.

- c. Consideration of approving proposed Ordinance # 5-2024 the rezoning of Town owned lots BLK 33 (lots 15-28) from Single Family to Multi-Family District per the Planning Commission's recommendation and designating 33A and 34A.**

ACTION: Mr. Jagow moved, and **Mr. Fulton** seconded to approve proposed Ordinance # 5-2024 the rezoning of Town owned lots BLK 33 (lots 15-28) from Single Family to Multi-Family District per the Planning Commission's recommendation and designating 33A and 34A. Motion carried.

Mayor Pro-Tem Mowry requested that the Clerk call the roll:

Mayor Wenke: No (Changed vote to Yes)
Mayor Pro-Tem Mowry: Yes
Mr. Jagow: Yes
Mr. Fulton: Yes
Mr. Wilhelm: Yes
Mr. Dembosky: Yes

Mayor Wenke requested that he change his vote to Yes which the Clerk has reflected in the minutes

- d. Consideration of approving proposed Ordinance # 6-2024 the rezoning of BLK 19, 20, 33 (lots 1-14), & 34 from Single Family to Multi-Family District per the Planning Commission's recommendation.**

ACTION: Mr. Jagow moved, and **Mr. Fulton** seconded to approve Ordinance # 6-2024 the rezoning of BLK 19, 20, 33 (lots 1-14), & 34 from Single Family to Multi-Family District per the Planning Commission's recommendation. Motion failed due to lack of votes.

Mayor Pro-Tem Mowry requested that the Clerk call the roll:

Mayor Wenke: No
Mayor Pro-Tem Mowry: No
Mr. Jagow: Yes

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Mr. Fulton: Yes
Mr. Wilhelm: No
Mr. Dembosky: No

- e. PUBLIC HEARING: For consideration of approving proposed Ordinance # 7-2024 the rezoning of 106 South 7th Street from Residential Single Family to Traditional Neighborhood per the Planning Commission's recommendation.**

THE PUBLIC HEARING WAS OPENED. For the record, Mayor Wenke signed off of Zoom.

MOWRY: Okay, so now we have to... We've already closed. All right, so now we're going to open up the next public hearing.

We appreciate you coming.

WENKE: George?

MOWRY: Yes, sir.

WENKE: I'm out of power.

MOWRY: You're out of power?

MOWRY: We'll see you soon. Thank you for coming in. Go back to see you in December. Okay, bye.

Okay. We are now going to open the next public hearing, and this is consideration of approving proposed ordinance number 7-2024, rezoning of 106 South 7th Street from residential single-family to a traditional neighborhood, per the planning commission's recommendation. Okay.

Do we have somebody here representing this? I'm the representative. Okay.

BEN LIVSEY: I purchased the property this last summer. Oh, I'm Ben Livesey. I own 106 South 7th Street now.

Purchased the property last summer in hopes of building a building that will pay for itself. My 84-year-old grandmother moved here with me four years ago. My house burned, and since then, I've been paying for her to stay with other people.

So what I want to do is build apartment space on the second floor, apartment for my grandmother, other apartments to lease out. Sheriff Smith asked me to consider to have at least one apartment that his deputies could rent out. I said I was willing to consider that.

Downstairs on the first floor, I would make a commercial venue space with a stage where the artistic dance studio could have space to have proper studio space or use the stage. We'd also rent it out for venues on the weekends. And then I would have a second space where it would have a commercial kitchen for caterers to rent and office space on the first floor and then possibly a basement.

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And I would design the building to where it would be all ADA accessible, so you would have an elevator go from the basement, first floor, and second floor. It would also have a stairway, be 1920s Art Deco style, so it will look like a building that's been there 100 years. I've already picked out a local brick from Summit Brick Company in Pueblo, Colorado, called Heritage Brick, and it looks like an aged antique brick.

That's a modular brick. I'm happy to answer any questions if anybody has any input.

MOWRY: What is your timeline?

Do you already have the financing and everything for this?

BEN LIVSEY: I'm hoping to get going by the summer. I still have to meet Caleb's necessity of having an architect and the structural plans, so I'm hoping it doesn't take more than six months, but I'm not going to invest money in a lost cause if I'm told, no, you can't build this building, because what's the point of already buying the land and then hoping that things will work out?

DEMBOSKY: I've got a little mixed up. Is this where the dance studio is now?

BEN LIVSEY: No.

DEMBOSKY: Or is it behind it?

BEN LIVSEY: It is next to Peregrine, so it's on the west side of the road.

There's the county extension building that's yellow, and then there's Peregrine Coffee Roasters.

WILHELM: Yeah, if you already talked about, have you discussed parking? Where's your parking going to be?

BEN LIVSEY: I'm going to have parking along the front, I'm going to have parking along the side, and I'm going to have parking along the back. That is not town property, correct?

BEN LIVSEY: The parking along the front would be public easement.

TOWN MANAGER PATTERSON: The building plans, that would be check-in building plans.

WILHELM: I'm sorry?

TOWN MANAGER PATTERSON: That would be checked in building plans, different building clarity of parking.

WILHELM: We'll have enough parking according to our rules, correct?

TOWN MANAGER PATTERSON: According to our Title 10, Chapter 4, correct.

WILHELM: You will have enough private property parking?

BEN LIVSEY: I will make sure I have enough private parking.

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WILHELM: Okay, I just wanted to make sure because...

BEN LIVSEY: That's why I have to work with the architect to make the proper adjustments to the size of the building in order to build.

WILHELM: Yeah, okay, okay.

BEN LIVSEY: I'm a carpenter, a mason by trade, an engineer in the Army. I have a building background.

MOWRY: Caleb, could you just give us a summary of what this change means?

TOWN MANAGER PATTERSON: Yeah, this is just a residential single-family district to a traditional neighborhood. Every single area, every single lot in that area is already a traditional neighborhood, except for that back block. So, really, this change does blend in well with the surrounding areas.

WILHELM: So, what is... Well, the town lot right across the street is considered what?

TOWN MANAGER PATTERSON: Well, it's a town-owned lot --

WILHELM: So, it's not zoned at all?

TOWN MANAGER PATTERSON: Yeah, that would be zoning designation, town-owned slash open space.

WILHELM: And then Round Mountain would also be the same?

TOWN MANAGER PATTERSON: Correct.

WILHELM: Okay.

MOWRY: And when it went before the Planning Commission, were there any objections?

TOWN MANAGER PATTERSON: No, I think there was all yays. So, you know, the Board would just have to figure out if it goes with 1 through 3 of that 10, 1, and 11. And I can reread that for you guys if you'd like.

MOWRY: Okay, so now we need to get out of the hearing.

CLERK CHRISTIE: Yes.

MOWRY: Okay.

Let's end the public hearing and go back to consideration of this.

THE PUBLIC HEARING WAS CLOSED.

- f. Consideration of approving proposed Ordinance # 7-2024 the rezoning of 106 South 7th Street from Residential Single Family to Traditional Neighborhood per the Planning Commission's recommendation.**

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ACTION: Mr. Fulton moved, and Mr. Jagow seconded to approve Ordinance # 7-2024 the rezoning of 106 South 7th Street from Residential Single Family to Traditional Neighborhood per the Planning Commission's recommendation. Motion Carried.

Mayor Pro-Tem Mowry requested that the Clerk call the roll:

Mayor Pro-Tem Mowry: Yes

Mr. Jagow: Yes

Mr. Fulton: Yes

Mr. Wilhelm: Yes

Mr. Dembosky: Yes

g. Consideration of a request to publish a Request for Proposal (RFP) for IT services.

Ms. Christie reported that she would like to publish an RFP for a part time/as needed IT services provider. It would save time for the clerks when there is a technology problem in the office so they are not using their time trying to troubleshoot. The County and all the special districts have an IT provider.

ACTION: Mr. Fulton moved, and Mr. Jagow seconded to approve a request to publish a Request for Proposal for IT services. Motion carried.

h. Consideration of a request to approve the overage of \$8,047.60 of the Black Hills Energy bill for the EV charging stations work.

Mr. Patterson reported that the charging station installation costs went over the original price Black Hills had quoted. Ms. Christie reported that the overage would need to come out of the General Fund, rather than Capital.

ACTION: Mr. Dembosky moved, and Mr. Wilhelm seconded to approve the overage of \$8,047.60 of the Black Hills Energy bill for the EV charging stations work. Motion carried.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk

Ms. Christie reported that the Town's audit is complete and filed with the State. An extension had been filed by the auditor because he sustained a concussion and was unable to work for a period of time, however the Town still received their sales tax from the State. A copy of the audit was provided to each Trustee.

b. Report from Town Manager

Mr. Patterson reported that the deadline for the Request for Proposal for the Housing Needs Assessment was the end of the week and so far, there have been no submissions. He will extend the deadline out another week.

Mr. Wilhelm moved, and Mr. Jagow seconded to adjourn. Motion carried.

ADJOURN

Recorded by:

Erin Christie

Deputy Town Clerk