

**BOARD OF TRUSTEES
TOWN OF WESTCLIFFE
TUESDAY, DECEMBER 10, 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: Mr. Mowry, Mr. Dembosky, Mr. Jagow, Mr. Fulton, Mr. Nordyke, and Mr. Wilhelm.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Mowry led the Pledge of Allegiance.

OTHERS PRESENT

Gary Taylor, Jacke Barnes, Jerry Peters, Christy Patterson, Kevin Lauman, Kathy Reis, Erin Christie, & Caleb Patterson.

TREASURER’S REPORT

	REVENUE RECEIVED		BALANCE OF ACCOUNTS
General Fund Checking:	\$ 95,289.69	\$	320,731.16
CSafe-GF Core 11:	\$ 2,339.96	\$	578,811.46
CSafe-3% Tabor Reserve 13:	\$ 199.30	\$	49,271.86
CSafe-General Fund Reserve-14	\$ 1,641.84	\$	406,112.82
CSafe-Tennis Ct.-Core-16	\$ 85.98	\$	21,226.68
Tennis Court Checking:	\$ 0.00	\$	5,219.32
Municipal Court Checking:	\$ 0.00	\$	3,607.70
Conservation Trust Fund Checking:	\$ 0.53	\$	12,827.92
CSafe-CF Core 15	\$ 180.40	\$	44,573.26
Capital Fund Checking:	\$ 29.60	\$	507,047.90
CSafe-CF Core 12:	\$ 3,079.46	\$	761,745.24

EXPENDITURES

GENERAL FUND:	\$	61,552.72
MUNICIPAL COURT:	\$	0.00
TENNIS COURT:	\$	0.00
CONSERVATION TRUST FUND:	\$	0.00
CAPITAL FUND:	\$	930.74

APPROVAL OF CONSENT AGENDA

- a. Approval of minutes – Mr. Fulton requested a correction.
- b. Treasurer’s Report
- c. Approval of Bills

ACTION: Mr. Jagow moved, and Mr. Wilhelm 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 Bluff's agreement between the Town and the Wet Mountain Valley Community Foundation.

Gary Taylor reported that the Bluff Committee, the Town, Dark Skies, the Wet Mountain Valley Community Foundation, and Colorado Open Lands are all represented. The Community Foundation had \$50,000 sitting in a fund that was not being utilized. The Town and Colorado Open Lands agreed to turn over ownership to the Town, and Colorado Open Lands owns the easement at the Bluff. A Memorandum of Understanding was drafted to address the spending of funds for the Bluff. Erosion control, maintenance, and utilities will be paid for by the Town and the new signage at the Bluff will be covered by the Community Foundation.

ACTION: Mr. Fulton moved, and Mr. Jagow seconded to approve the Bluff's agreement between the Town and the Wet Mountain Valley Community Foundation. Motion carried.

b. Consideration of approving the 2025 Custer County Sheriff's contract.

Mr. Patterson reported that this has already been discussed at the budget meeting. The Sheriff is aware of the changes to the contract. It is the same contract amount as last year with a chance to be reviewed in June to increase the amount. The County Commissioners and the Town both sign the contract.

ACTION: Mr. Dembosky moved, and Mr. Nordyke seconded to approve the 2025 Custer County Sheriff's contract. Motion carried.

c. Consideration of approving the 2025 Communications Manager contract.

Ms. Christie reported that the contract is less than last year – for 2025 the contract is for \$2,000 monthly compared to \$3,000 last year. Tabatha Erb (the Communications Manager) will still handle Facebook posts and the Town newsletter. Ms. Christie and Ms. Rella (clerks for the Town) will post items on the Town website.

ACTION: Mr. Jagow moved, and Mr. Dembosky seconded to approve the 2025 Communications Manager contract. Motion carried.

d. PUBLIC HEARING – 2025 BUDGET.

THE PUBLIC HEARING WAS OPENED. There was no public comment.

THE PUBLIC HEARING WAS CLOSED.

e. Consideration of a request to approve Ordinance NO. 7-2024 Adopting the 2025 Budget.

ACTION: Mr. Wilhelm moved, and Mr. Dembosky seconded to approve Ordinance NO. 7-2024 Adopting the 2025 Budget. Motion carried.

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f. Consideration of a request to approve Ordinance NO. 8-2024 Appropriation of Funds for the 2025 Budget.

ACTION: Mr. Jagow moved, and Mr. Fulton seconded to approve Ordinance NO. 8-2024 Appropriation of Funds for the 2025 Budget. Motion carried.

g. Consideration of a request to approve Ordinance NO. 9-2024 Set Mill Levy for 2025 Budget.

ACTION: Mr. Wilhelm moved, and Mr. Fulton seconded to approve Ordinance NO. 9-2024 Set Mill Levy for the 2025 Budget. Motion carried.

h. Consideration of a request to adopt the five (5) year Capital Plan.

Mr. Patterson reported that a formal five year Capital Improvements Plan was never adopted. Every year's improvements costs are offset by applying for grants. For 2025 the RMS Phase 2 and the HSIP (highway safety improvement plan) grants are listed (for sidewalk, curb, gutter, and road improvements). The bulk of grant applications for the next five years is for road improvements like chip seal. HSIP grants are listed on every year's plan because if the Town doesn't receive one, it can be applied for again the following year.

Mr. Mowry inquired if this plan has to be adopted now since it is included in the budget on the Capital side, meaning the 2025 Master Capital Plan has already been adopted within the 2025 budget. Mr. Dembosky requested that the five year Capital Plan be revised and inquired if only the single 2025 Capital plan could be approved immediately, and not the other years.

ACTION: Mr. Dembosky moved, and Mr. Jagow seconded to approve only the 2025 Capital Plan and delay the other years until a more comprehensive document is drafted. Motion carried.

i. Consideration to appoint the 2025 newspaper of record.

Ms. Christie reported that both proposals are in the packet. Mr. Mowry stated that there are three items to consider: the price, the archiving, and the circulation of each paper. The RFP states that the lowest bid does not necessarily mean awarding the contract. The Wet Mountain Tribune has always been the paper of record in the past. This is the first time the Sentinel has applied. The Town staff made the recommendation to remain with the Tribune as the paper of record.

ACTION: Mr. Jagow moved, and Mr. Dembosky seconded to appoint the Wet Mountain Tribune as the 2025 newspaper of record. Motion carried.

j. Consideration of a request to approve Ordinance NO. 10-2024 Amending the Town of Westcliffe Fee Schedule.

Mr. Patterson reported the changes in the Fee Schedule related to waiving building fees for deed restricted lots that are under 120% AMI, and to adopt the current fees that the Town has been operating under for regular build permits. In addition, park use fee schedules were amended per discussion in the budget meetings.

Mr. Mowry stated that he would like this agenda item to be tabled until the Fee Schedule is amended to address the Board's concerns on waiving fees for deed restricted lots.

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k. Consideration of a request to approve Ordinance NO. 11-2024 Amending the Town's Zone District Use Schedule.

For the record, this will be Ordinance NO. 10 because agenda item J did not pass.

Ms. Patterson (no relation to Town Manager Patterson) reported that she had stepped down from the Planning Commission meeting in October because she is requesting that heavy industrial zoning should be allowed to have residential living quarters above or next to the building. Core commercial and highway commercial zones already allow for this. Hazardous materials and flammable materials are already not allowable uses in the district so there is no safety risk.

There are two errors in the Ordinance that Ms. Christie will correct prior to it being signed.

ACTION: Mr. Fulton moved, and Mr. Nurdyke seconded to approve Ordinance NO. 10-2024 with the changes based on the Clerk's recommendation of typos and Amending the Town's Zone District Use Schedule. Motion carried.

For the record, Mayor Pro-Tem Mowry did not require a role call, but Mr. Dembosky did express his dissent on this Ordinance.

BOARD OF ADJUSTMENTS

Old Business

- a. Continued discussion of the Ace Hardware lights.

Neither the complainant, Paul Zawacki, nor the representative from Ace Hardware were present. Mr. Jagow gave an update on how the light problem is working towards being resolved. Compliance has been met on the light trespass and the Kelvin readings. The only issue remaining are the three pole lights and Ace is in the process of rectifying that. Mr. Dembosky suggested not to invoke fining Ace because the situation is nearing being resolved.

The Board of Adjustments meeting was closed and the regular meeting re-opened.

STAFF & COMMITTEE REPORTS

a. Report from Town Clerk

Ms. Reis reported that the errors in the Ordinances were not Ms. Christie's, but rather the attorneys. This will be the last meeting that Ms. Reis will attend as she is retiring at the end of the year.

Ms. Christie reported that she is in the process of receiving proposals for IT services that were budgeted for in 2025 and she has had a discussion with the company that Round Mountain uses.

b. Report from Town Manager

Mr. Patterson reported that there were two bids for the Housing Needs Assessment and he, a representative from the County, and a representative from Silver Cliff will be conducting interviews.

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PUBLIC COMMENT

Ms. Patterson commented on how difficult it is for the average person to find resources to determine when lighting is Dark Skies compliant.

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

ADJOURN

Recorded by:
Erin Christie
Deputy Town Clerk