

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, FEBRUARY 10, 2014 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:31 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL

PRESENT: Mayor Burke; Trustees Gasner, Lanzi, Lewis, Ludwig, Peterson, and Weydert; Town Manager Hook, Town Clerk Kolinske, Town Planner Biller, and Town Attorney Krob.

ABSENT: None.

APPROVAL OF MINUTES

January 27, 2014: The minutes the January 27, 2014 regular meeting were not available.

ANNOUNCEMENTS:

Mayor Burke announced that it would be appreciated if cell phones were turned off during the meeting.

Mayor Burke announced that Nomination Petitions for three Town Trustee seats, to be elected at the April 1st Regular Municipal Election, may be obtained from Town Hall during normal business hours and must be filed with the Town Clerk by 4:30 p.m. Friday, February 28, 2014. Applications for absentee ballots and voter registration forms are also available at Town Hall. Electors must register by March 3rd.

Mayor Burke announced that a public meeting regarding the East Shore Trail will be held Tuesday, February 11th at the Grand Lake Fire Station beginning at 7:00 p.m.

Mayor Burke then announced that a poker run to benefit Rocky Mountain Warriors will be held Saturday, February 22nd beginning at 8:00 a.m. at Pancho & Lefty's. Funds will be used to bring Veterans to Grand Lake for outdoor recreational therapy. There will be door prizes, a silent auction, food and fun. \$20.00, discount for early registration. Contact newkirknathaniel1055@gmail.com.

CONFLICTS OF INTEREST:

Mayor Burke stated that if there are any Trustees wishing to announce a conflict of interest with any items on this evening's agenda, they should do so at this time.

Trustee Ludwig announced that he had a conflict with the Local Liquor Licensing issues as he holds a license for The Rapids Lodge and Restaurant.

At 7:33 p.m. Trustee Ludwig excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE TAVERN LIQUOR LICENSE FOR GRUMPY'S SALOON, INC., D/B/A GRUMPY'S SALOON – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid, the renewal documents are in order. The water, business license, and sales tax accounts are all current. She made reference to a table setting that she provided to the Board of Trustees which is a history of events that have occurred since January 14, 2013 (see attached Exhibit A). Kolinske then concluded by saying that Patrick Barnes, Manager, was present.

Following brief discussion, Trustee Peterson moved to approve the renewal of the Tavern Liquor License for Grumpy's Saloon, Inc., d/b/a Grumpy's Saloon. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:37 p.m. Trustee Ludwig resumed his seat.

OLD BUSINESS:

CONTINUATION OF A PUBLIC HEARING – CONSIDERATION TO ADOPT RESOLUTION NO. XX-2014, A RESOLUTION GRANTING A SPECIAL USE PERMIT (SUP) FOR A PUTT PUTT GOLF COURSE LOCATED AT LOTS 6-8, BLOCK 19, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 700 GRAND AVENUE (D/B/A GRAND LAKE HARDWARE) – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Planning Commission has forwarded a favorable recommendation for granting a special use application for a putt putt golf course which requires Board review. The request is for a secondary business not incidental to the primary use of an existing business. Alan Funk is the applicant, the primary business is the Grand Lake Hardware, and the secondary business is the putt putt golf course.

Municipal Code 12-2-31(A) General SUP states:

2. *A [SUP] permit [is required] for the temporary use (six months or less) of private property.*
 - (b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more business present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility.....*
 - (d)1. Applications must be made at least ninety (90) days prior to the date(s) of the proposed use.*

- (i) *Any significant changes to the application must be made at least thirty (30) days prior to the proposed use unless caused by an emergency, as determined by Town staff.*
- 3. *At a Public Hearing, after receiving comment and testimony, the Commission shall make recommendation to the Board of Trustees in the form of a resolution. Nothing in this section shall preclude the Commission from tabling or continuing the Public Hearing to another time and place. If the Resolution is to approve the request, it shall contain the following findings:*
 - (i) *That the proposed location of the use is in accord with the purposes of this Chapter and the purposes of the district in which the SUP site is located.*
 - (ii) *That the proposed location of the Special Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements.*
 - (iii) *That the proposed use will comply with all of the applicable provisions of the Code of Ordinances.*
 - (iv) *That the applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process.*
 - (v) *That the SUP shall be valid for a specific duration of time, citing specific dates.*
 - 1. *In the case of reoccurring applications, the Planning Commission may make recommendation to the Town Board of Trustees for the Board's approval of an annually-reoccurring Special Use Permit not to exceed three years.*

Municipal Code 12-2-28(B) Parking Requirements states:

- 1. *General Retail: 1space/350 S.F. of Total Floor Area*
Office: 1space/350 S.F. of Total Floor Area
Amusement Services: 1space/1,000 S.F. of Total Outdoor Floor Area
- 2.(a) *The total number of required parking spaces shall be calculated based on the table from part 1. An fraction shall be rounded up to the next whole number.....*
 - 2. *After allowing for the on-street parking credit...structures shall be required to satisfy seventy-five (75%) percent of the resulting number of required parking spaces off street, unless a variance is obtained by the Town.*
 - 3. *On-Street Parking Credits in Determining Required Parking Spaces*

RECORD OF PROCEEDINGS

- (b) *The amount of parking spaces required as determined elsewhere in this section shall be reduced by the number of available on-street parking spaces on a one-to-one basis.*

The Board may recall reviewing this application at the Public Hearing on 1/27/14. At that meeting, several members of the audience made public comment. In general, the public comments made were in support of the putt putt golf. Staff contacted all surrounding property owners and published the location of this Public Hearing and received no comments regarding the SUP. Staff has reviewed the application and in general the applicant has proposed the following:

- 18 holes (65'x110')
- Summer use only.
- Hours of operation: 10am to 8:30pm
- Signage not to exceed 50 sq.ft.
- All business operations conducted through the hardware store.
- No outdoor lighting at this time.

In order to meet the Town Municipal Code and the International Building Code (IBC) the following items are required:

- Create two additional parking stalls on-site
- Ensure the course is ADA accessible.
- Ensure patron access to the restrooms located inside the hardware store is maintained.

Staff is in support of an existing business desiring to expand and supports efforts to increase activities for our summer visitors. The Planning Commission recommendations contain ten (10) conditions of approval. However, staff suggests the following modification to the Planning Commission's recommendation:

- ~~6 The Town shall require a review of then commercial parking requirements to determine if any additional recommendation of parking space purchase be made prior to RENEWAL of this Special Use Permit.~~
6. Upon RENEWAL of this Special Use Permit, the Town shall review the parking requirements using the most current Municipal Code. At this time, the Town is deferring any requirement to provide additional parking spaces.

Staff believes the change better reflects the intentions of the Commission and clarifies the expectation at renewal. Staff recommends the Board adopt the resolution as presented which contains the following recommended conditions for approval:

RECORD OF PROCEEDINGS

1. The Special Use Permit is valid for two (2) seasons.
April 1, 2014 – November 1, 2014
April 1, 2015 – November 1, 2015
2. All business operations are conducted through the existing business, Grand Lake Hardware, Inc.
3. The putt putt golf course area shall be restricted to 8,000 Sq.Ft.
4. Normal operating hours for the putt putt golf are daily between 8am to 8:30pm.
5. The applicant obtains all applicable permits, including but not limited to, a building permit, a sign permit, and/or an electrical permit.
6. Upon RENEWAL of this Special Use Permit, the Town shall review the parking requirements using the most current Municipal Code. At this time, the Town is deferring any requirement to provide additional parking spaces.
7. Any changes to this Special Use Permit shall be reviewed and approved by the Planning Commission and Board of Trustees.
8. Review of this Special Use Permit may be warranted by the Planning Commission and Board of Trustees, if two (2) or more written complaints are received by the Town in any twelve (12) month calendar period.
9. The applicant complies with all other federal, state, and local regulations.
10. Failure to adhere to these conditions shall be cause for Town staff to initiate a show cause hearing to determine appropriate actions to include suspension or revocation of the SUP.

The Board should conduct the Public Hearing as follows:

1. Allow staff to present the matter.
2. Allow the applicant to address the Board.
3. Open the Public Hearing for comment.
4. Close the Public Hearing.
5. Allow for Board discussion.
6. Take action as appropriate.

The Board has the following options:

1. Adopt the resolution as presented, thus granting the SUP; or
2. Adopt the resolution with other conditions; or
3. Continue the Public Hearing; or
4. Not adopt the resolution, thus denying the request.

Town Planner Biller noted that the applicant, Alan Funk, was present.

Mayor Burke then asked for public comment.

Alan Funk, 173 County Road 498, was recognized from the audience. He said that he had nothing to add but would be glad to answer any questions.

Steve Kudron, 7125 S. Webster Street, Littleton, CO, was then recognized. He publically commended staff and the Planning Commission for hearing the comments from the public and making the choices that help to open up opportunities for business in this community. He feels that this is a wonderful way for our business opportunities to continue to grow in the summer. He concluded by asking the Board to adopt the Resolution with staff's recommendations.

Having no further comments, Mayor Burke closed the Public Hearing and turned the matter over to the Board of Trustees.

Trustee Peterson stated that since the Town has seen the closure of its mini golf course, which was a very fun family oriented business, he commended Mr. Funk and wished him good luck.

Following discussion, Trustee Lewis moved to adopt Resolution No. 1-2014; a Resolution Granting a Special Use Permit for a Putt Putt Golf Course Located at Lots 6-8, Block 19, Town of Grand Lake; More Commonly Referred to as 700 Grand Avenue (d.b.a. Grand Lake Hardware), as presented. Trustee Lanzi seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE MAYOR BURKE TO SIGN A SPECIAL EVENT PERMIT FOR THE 31ST ANNUAL COLORADO STATE CHILI COOK-OFF – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that staff is in possession of a Special Event Permit Application submitted by the Independent Sports Club, Inc. (ISC). The ISC is a non-profit organization and is working in conjunction with Mindy Everhart and the Chili Appreciation Society International (CASI) to organize this event in 2014. The event is proposed to be held in Town Square between noon, Friday, June 20, 2014 and 6 PM, Sunday, June 22, 2014. According to the Town of Grand Lake Municipal Code, Chapter 11, Article 6, Section 3.A.3 - Special Event Permit Application Review and Approval:

The Mayor, or the Mayor's designee, will refer the matter to the Board of Trustees for approval if the event involves a Special Events Liquor Permit, the event is a first time event, or if the event has had known issues in the past. The Board of Trustees shall take the following factors into consideration:

- a. The predominant use of the primary facility being used; and*
- b. The proposed event and the event hours; and*

RECORD OF PROCEEDINGS

- c. Neighborhood compatibility; and*
- d. Effect of the proposed event on the community; and*
- e. The Town's anticipated cost in staff time and equipment use; and*
- f. Duplication of services or sales items; and*
- g. Nature of the past event issues.*

This Special Event Permit Application is being referred to the Board of Trustees because this is the first time that this event will be permitted to the ISC. Even though the ISC is the new applicant, the event is proposed to be organized as it has been in the past. The 2014 application reads just like the 2013 application. The draft permit for 2014 reads just like the 2013 permit. As in prior years, the organizers are requesting the use of the park, including the gazebo and pavilion for the cook-off as well as live music, crafters and concessions, including beer and wine sales. They again request use of the parking stalls on the west side of Pitkin Street for the chili cooks for only Saturday the 21st. The pavilion will be available for the Rotary Club bingo on Friday and Saturday evenings. Related set-up and clean-up activities will occur early Friday afternoon and late Sunday afternoon. As in prior years, a separate special events liquor license will be required for the event to be fully permitted as requested. Ms. Everhart has indicated that a special event liquor license application will be forthcoming to the Town Clerk. Town staff has received an email from the Grand Lake Fire Protection District (GLFPD), the permittee in prior years, acknowledging that Ms. Everhart will not be organizing the event through the GLFPD in 2014. Staff believes that this event is not in conflict with the consideration factors listed above and should be a successful event for ISC. The Board should review and discuss the application, taking into consideration the factors listed above as well as input from ISC, Ms. Everhart and CASI at the meeting. Town staff recommends approval and execution of the Special Event Permit as presented. The Board should approve, deny or table the Special Event Permit application. Hook noted that Mindy Everhart was present.

Mindy Everhart, 1398 County Road 466, was recognized from the audience. She explained that since she is no longer affiliated with the GLFPD she is organizing this event through another organization. In the past, the proceeds went to the GLFPD to benefit the children's scholarship fund. This year, the proceeds will go to the ISC for the benefit of children.

Following discussion, Trustee Peterson moved to authorize Mayor Burke to sign the Special Event Permit for the Independent Sports Club, Inc. event known as the 31st Annual Colorado Chili Cook-off as described in the application. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF AN ENCROACHMENT LICENSE FOR A SIGN LOCATED AT BLOCK 3, LOTS 9-10, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 1101 GRAND AVENUE – Mayor Burke asked Town Planner Biller to present this to the Board. Biller explained that the Town received a sign application for a projecting sign in the Pitkin Street right of way. Staff denied the application based on the Municipal Code. The applicant is Nancy Small and she has requested an appeal, which requires Board review.

Municipal Code 6-2-6 Signs Requiring a Permit states:

3. *Only one (1) projecting sign per business is allowed.*
 - (a) *This sign shall have a maximum size of twenty-five (25) square feet.*
 - (b) *The sign shall not project into the public right of way unless the sign is over a designated mandatory boardwalk area, does not extend more than four feet (4') into the right of way, and complies with the other provisions of this article.*
 - a. *An Encroachment License will not be necessary for projecting signs over a designated mandatory boardwalk area.*

Municipal Code 11-6-1 Public Property Encroachments states:

(B) Types of Encroachments

1. *Major Encroachments are considered encroachments that are more permanent in nature. Examples include, but are not limited to: buildings or structures, driveways, fences and retaining walls, decks and patios, some components of public utilities, as well as other immovable objects other than minor landscaping.*
2. *Minor Encroachments are considered encroachments that are less permanent in nature or those that are at the ground level. Examples include, but are not limited to: at-grade natural drainage and landscaping features (hedges, trees, gardens, landscaping, etc).*

In general, the applicant is requesting a 6 sq.ft. double-sided sign to be located in the right of way. The sign is proposed to be mounted on an existing wood post over existing street parking. Staff has not received an encroachment application from the applicant. However, staff believes the application is a formality and if necessary, can be handled by staff. Staff recommends the Board deny the encroachment request based on the following:

- The Municipal Code allows for signs to be placed over the boardwalk.
- The sign may cause interference with snow plow operations.
- The approval of the sign projection may set precedence for future requests.

The Board should discuss the sign encroachment request and the sign application. The Board has the following options:

1. Grant the encroachment request as presented, thus allowing the sign to project into the right of way; or
2. Grant the encroachment request with conditions; or
3. Deny the request.

Biller noted that the applicant, Nancy Small, was present.

Nancy Small was recognized from the audience. She gave her address as P. O. Box 447, Winter Park, CO as she could not remember her physical address. She said that she is requesting a sign that can be seen from Grand Avenue but if she cannot then she said that she would like to know what would be allowed.

Town Planner Biller responded by saying that the options have been discussed with Small. If the sign is mounted to the side of the building and it is not projecting into the right of way it would be permitted. The reason this request was denied is because it would be hanging over the Town's right of way. He said that they also talked about hanging it over the boardwalk similar to other places in Town.

Small then asked how her requested sign would affect snow removal. Town Planner Biller responded by saying that because it would project away from the railing it may cause interference with the equipment. He said that he does not have a distance from the ground to the proposed sign.

Trustee Gasner stated that this is a business that is off the beaten path. He said, "We've had other businesses come in and we've allowed it; the go-cart track for example. We allowed him to put a neon "Open" sign on the outside of his building. It was not a projecting sign but we went against the code because the business is off the beaten path and it could be seen better. It's the same exact thing here."

Mayor Burke disagreed and said that she doesn't think that it is the same thing. "All of the signs that we have on Grand Avenue that are under the roof of the boardwalk are set in, they are not projecting."

Trustee Gasner said that this is a business that is not on Grand Avenue, it is off Grand Avenue and needs exposure especially with cars parked in front of the place. He said, "We have made these exceptions before, not this exact exception, but we have made these exceptions before to help business owners so that they can be seen better."

Trustee Peterson stated, "I am very wary of denying things because as we look down our streets we are losing lots and lots and lots of businesses. With that being said, I would say to people that we need to

RECORD OF PROCEEDINGS

change our Sign Code. There are things that we are going to have to change because what we are doing isn't working. Maybe we need to look at things a little differently."

Trustee Lanzi agreed with Trustee Peterson and said, "I'm more in favor of changing the Sign Code than I am granting a variance."

During discussion Town Manager Hook noted that the concern of the sign causing interference with snow plow operations is less significant of an issue based upon the difference between where it's pictured in the mock up by Town Planner Biller versus the description of the applicant. He said, "This brings us back to what Municipal Code allows. In the absence of rewriting the entire Sign Code what is this Board comfortable in allowing as a variance to the existing code. One way to put it is it's kind of experimental, a way to think something different."

Trustee Peterson said, "Perhaps at this point we deny the request per code and have the applicant request a variance." He noted that the Board of Trustees will be attending a Long Range Planning Retreat in the near future where this issue can be discussed.

Town Attorney Krob said, "I will give you the same advice that I always give you when you are talking about variances or exceptions to your code because my main concern is the precedent issue. The way you need to look at it is are you okay not just with that sign but with every other business owner along there making a similar sign because once you've allowed this sign it's going to be difficult for you to say to the next owner of a business that they can't have the same sign. What you will hear is her sign sticks out differently than what I'm allowed to have mine stick out I'm being put to an economic disadvantage because she gets a better exposure than I do. If you want to change your Sign Code and allow that type of sign it is entirely up to you but my recommendation is always, if you think the time has come to allow these types of protruding signs change your code, don't grant a variance."

Nancy Small then asked the Board what she could have. Town Planner Biller explained that she could revise the application; the current application is for a projecting sign and if she changes her application to hang it flat on the railing, he said he would approve it at the staff level.

Trustee Weydert explained to Small that a one sided sign hung against the railing would be approved and could be bigger since the square footage of one side is calculated instead of two.

Following discussion, Trustee Lanzi moved to deny the request. Trustee Peterson seconded the motion and all Trustees voted aye except Trustee Gasner, who voted nay.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE MAYOR BURKE TO SIGN A LETTER OF SUPPORT REGARDING ROLLINS PASS ROAD – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board has an opportunity to consider supporting Grand County in their efforts to reopen historic Rollins Pass Road. Grand County has long advocated for the reopening of historic Rollins Pass Road. Grand County supported the James Peak Wilderness and Protection Area legislation because it included provisions for allowing the reopening of Rollins Pass Road. In recent years, Grand County has been working with Gilpin County and Boulder County on matters related to the reopening of Rollins Pass Road. Boulder County has scheduled a public hearing for Thursday, February 13 beginning at 5 PM in the Hearing Room on the third floor of the Boulder County Courthouse. Grand County has requested that the other Grand County communities support the ongoing efforts to reopen Rollins Pass Road with letters of support, attendance at the public hearing on the 13th, and by reaching out to contacts in front range communities to do the same. Staff believes that support from the Town can make a positive difference in the consideration of matters relating to Rollins Pass Road. Staff does not plan on attending the public hearing on the 13th. This matter was discussed at the Mayors, Managers, & Commissioners meeting this morning and the general consensus was that all of the various communities within the County are in support of the County’s efforts. Hook referred to a table setting which is a revised draft letter of support different from what was provided in the Board packets. The Board should discuss the merits of supporting the request of Grand County as well as the contents of the draft letter of support. Staff recommends the Board authorize Mayor Burke to sign the revised letter of support as presented. The Board should authorize or not authorize execution of the letter of support.

Following brief discussion, Trustee Lewis moved to authorize Mayor Burke to sign the revised letter of support regarding the reopening of Rollins Pass Road. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF PENDING LEGISLATION BEFORE THE COLORADO GENERAL ASSEMBLY – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board has an opportunity to consider if pending new legislation warrants further action on the part of the Town. Continuing the dialogue with the Board from prior meetings:

- Prior to the opening of this session of the Colorado General Assembly, legislation in recognition and support of the 100th Anniversary of Rocky Mountain National Park was planned to be introduced

RECORD OF PROCEEDINGS

- The packet for your January 13 workshop included an update and materials related to broadband issues
- The packets for your January 27 meeting included a memo with attachments on legislative matters
- CML's legislative workshop is scheduled for February 13 at the History Colorado Center in Denver
- CAST's legislative workshop is scheduled for March 13 at the CML Building in Denver

On January 27 and 30, 2014, NWCCOG/QQ issued legislative update emails. Staff desires to know if the Board has any particular interest or concern with any current proposed legislation. Staff is prepared to assist with the follow-up on any legislation that the Board may feel warrants additional involvement on the part of the Town. Staff has not been able to confirm the current status of the RMNP legislation. The Board should discuss the latest information on pending legislation to determine if additional involvement on the part of the Town is warranted. Staff has no recommendations on legislation for the Board at this time. If there is specific pending legislation on which the Board desires to provide direction to staff, the Board should consider developing a motion to that effect. If there is no specific legislation on which the Board desires to provide direction to staff at this time, the Board should consider a motion to that effect.

Trustee Weydert moved to take no action at this time. Trustee Gasner seconded the motion and all Trustees voted aye.

ACCOUNTS PAYABLE

January, 2014:

Trustee Lewis moved to examine the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye. Trustee Lewis then moved to approve the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: Greg Barnes, 604 Marina Drive, was recognized from the audience and said that in listening to the Board talk about making changes to the sign code, he suggested forming a committee of business owners, people that are upset with the code and/or people that would like to see it changed.

Trustee Peterson said the Design Committee derived from the Downtown Assessment is working on signs.

Town Manager Hook said that there would probably have to be a subcommittee of the Design Committee formed and involve a lot more people.

RECORD OF PROCEEDINGS

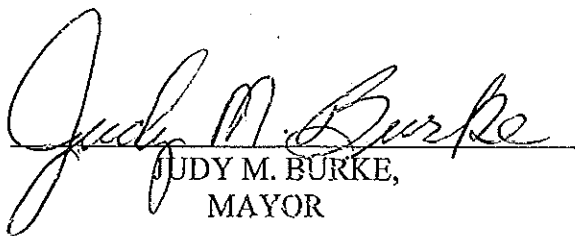
It was mentioned that Jim Cervenka and Elwin Crabtree are two of the current member of the Design Committee.

Judy Lorens, 1000 Grand Avenue, was then recognized from the audience. She mentioned that she dropped in on that committee meeting last week. She then asked if the Town has a working definition of economic development; one that relates to how the Board assesses the agenda of economic development. She noted that she has lived in this Town for a long time and it's always seemed to her that there is confusion about the difference between economic development and advertising an event. She said that she has done some research by looking into Denver's Economic Development Board. She acknowledged that Grand Lake is not Denver; it is not a city, it is a village and doesn't need all of the stuff that cities have but what Denver's Economic Development Board does is help businesses come to their city. She said that there was a lot of talk this evening about the sign code but the Town should be asking what would you like for us to do for you so that you will come into Town and start a business. There are empty buildings all over the place. She mentioned her issues with the Town and the sign code and said she eventually gave up. She stated that she came from a little depressing town in California. It's located in rice country, no fun there no excitement no nothing. In order to get a factory there that makes rice cakes that you see in the grocery stores, the town gave them free water and electricity for a number of years. The factory provided approximately 20 jobs. The Town needs to encourage people to do business here.

Trustee Peterson then said that it has been a pleasure and a privilege to serve on the Board for the past 16 years. He said "thank you" for voting for him. He made the comment that there will be 3 vacancies on the Board come election time in April and said that he would be glad to talk to anyone interested in running. While it can be frustrating sometimes, especially with the Sign Code, the position as Trustee has been a great one. He said that he has enjoyed it; met a lot of people throughout the Town as well as throughout the State. Ironically, the election is on April Fool's Day but he encouraged people to get involved.

ADJOURNMENT:

Trustee Gasner moved to adjourn, seconded by Trustee Peterson. All Trustees voted aye, and the meeting was adjourned at 8:38 p.m., February 10, 2014.


JUDY M. BURKE,
MAYOR

ATTEST: 
RONDA KOLINSKE, CMC,
TOWN CLERK

Exhibit A
GRUMPY'S

January 14, 2013	Show Cause Hearing. Mayor Burke and Trustee Weydert voted "yes" they believed that over service occurred on September 26, 2012. All other Trustees voted "no". (See attached)
January 14, 2013	The Tavern Liquor License for Grumpy's was renewed.
January 16, 2013	The Town's Christmas Tree was cut down.
January 28, 2013	No formal action was taken as a result of an executive session.
January 28, 2013	Dustin Barnes and others apologized for the tree incident.
February 11, 2013	No formal action was taken as a result of an executive session.
February 25, 2013	No formal action was taken as a result of an executive session.
March 11, 2013	Board agreed to submit a Statement of Restitution of \$2,440.00. (See attached)
March 25, 2013	Consideration to set a Show Cause Hearing was continued to April 8, 2013. (See attached)
April 8, 2013	Cody Holt was accepted as Registered Manager.
April 8, 2013	Continuation of consideration to set a Show Cause Hearing was on the agenda. The Board moved to not hold a Show Cause Hearing. (See attached)
April 22, 2013	Consideration of a petition regarding the Town's Holiday Tree. Board voted to write a letter to the Judge suggesting restitution be \$640.00 plus a reasonable amount determined by the Judge for the value of the tree and a decent amount of community service. (See attached)
July 8, 2013	Patrick Barnes was accepted as Registered Manager.
December 8, 2013	Consideration of registration of manager and consideration of renewal of the Tavern Liquor License. Both continued for an evidentiary hearing following further investigation of certain allegations that have recently come to light. (See attached)
January 27, 2014	Show Cause Hearing. Based on the outcome of the follow up investigation, Town Attorney Krob recommended that the Board not proceed with the Show Cause Hearing and that the matter be vacated. (See attached)
February 10, 2014	The Tavern Liquor License for Grumpy's was renewed.