

# RECORD OF PROCEEDINGS

## REGULAR MEETING TOWN OF GRAND LAKE BOARD OF TRUSTEES MONDAY, APRIL 22, 2019 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Peterson at 7:30 p.m. at the Town Hall, 1026 Park Avenue.

PLEDGE OF ALLEGIANCE: Mayor Peterson led everyone in reciting the Pledge of Allegiance.

ROLL CALL PRESENT: Mayor Peterson, Mayor Pro-Tem Kudron, Trustees Bruton, Southway, Rourke, Price, and Weydert; Town Manager White, Town Planner Shull, Town Code Administrator O'Rourke and Town Clerk Thompson.

ABSENT: Town Attorney Krob

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

Mayor Peterson announced that a sign-in sheet is located by the door and to please sign in before leaving.

CONFLICTS OF INTEREST: Mayor Peterson 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.

No conflicts of interest.

UNSCHEDULED PUBLIC COMMENTS: Mayor Peterson announced that this time is reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather, the Board will refer the items to staff for follow up. He then asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

Suzi Maki, 1590 West Portal Road, expressed her concerns over the attempted removal of Town Manager, Jim White, and her continued support to keep him in his position until his contract ends January 2020.

Mark Mix, 11911 Highway 34, backed concerns over current town manager 100%, also requests full transparency of the board with their concerns to the Town.

Steph Wall, PO Box 2216, Grand Lake, voiced concerns over the vote to remove Town Manager White and expressing support for retaining him as Town Manager until his contract ends January; asked the board to maintain professionalism and transparency.

Robert Canon, 516 Park Ave, requesting the frontage road that parallels West Portal Road in the 500-600 block, that splits off of Park Ave, with discussion and full support of neighbors, would like to suggest naming that road to "Mark Fisher" as he was a long time public servant to the town.

Andrew Murphy, 347 West Portal Road, prior board member, who is asking the board to be truly transparent with concerns or issues concerning the Town Manager and not let any personal conflicts get in the way of what is best for the entire town. He expressed his opinion that there should not be an executive session regarding this matter, it should be publicly addressed.

SCHEDULED PRESENTATION/DELEGATIONS: NONE

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APPROVAL OF MINUTES

Trustee Weydert made a motion to approve the minutes of April 8, 2019. Mayor Pro-Tem Kudron seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

ACCOUNTS PAYABLE

None

OLD BUSINESS

Grand Lake Housing Committee – consideration to approve increasing contribution to Grand Foundation housing assistance fund. Cindi Cunningham, on behalf of the Grand Foundation, is requesting approval of the donation increase from \$13,500.00 to \$35,000.00, which does include the original \$13,500.00, actual amount of increase is \$21,500.00 from the Affordable Housing Fund. Cindi stated her concern is with the current political climate in Grand Lake that her original request was not truly focused on by the Board at the last meeting. She is asking to table the request of the additional \$21,500.00 and to proceed with the transfer of funds for the original \$13,500.00 that was previously approved at the last meeting. She is requesting confirmation that the check for \$13,500.00 be made out to the Grand Foundation on May 13, 2019. The Board has agreed to issue the check for \$13,500.00 to the Grand Foundation on May13, 2019 and will revisit the additional funds request of \$21,500.00 in the fall of 2019. The board has agreed to issue the check for \$13,500.00 on May 13, 2019 and to table the discussion for the remainder of the request in the amount of \$21,500.00 until the fall.

NEW BUSINESS

**1. Consideration to approve RESOLUTION 03-2019 authorizing the negotiation, execution and delivery of a lease/purchase agreement (The Lease), in the amount of \$68,926.83, between the Town of Grand Lake, Colorado and the U.S. Bancorp Government Leasing and Finance, Inc. providing for sixty (60) lease payments of \$1,291.91 each from legally available funds; and prescribing other details in connection therewith.**

The equipment in discussion, a John Deere mower / snow blower tractor, which was approved in the 2018 budget planning for 2019.

Mayor Pro-Tem Kudron made a motion to approve RESOLUTION 03-2019 authorizing the negotiation, execution and delivery of the lease purchase agreement for the John Deere tractor in the amount of \$68,926.83, providing for sixty (60) payments of \$1,291.91 each, from legally available funds, to U.S. Bancorp Government Leasing and Finance, Inc. towards the purchase of the John Deere mower / snow blower equipment. Trustee Southway seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

**2. Consideration to update code enforcement directives discussion**

Per Mayor Peterson, Town Code Enforcement officer O'Rourke has been directed to take a more proactive approach, rather than a reactive one; rather than waiting for complaints to be filed with our office by the town citizens, staff was further directed to enforce the codes already set in place.

Code Enforcement Officer O'Rourke thanked the board for the code enforcement discussion at the workshop that took place earlier that afternoon. Pictures were provided, taken at random, of a two block radius of Grand Avenue business (front and back) that did show some code violations. Some of these businesses did not have violations. All pictures taken were examples of what we have going on in town on a daily basis. Some of the pictures with code violations have already been addressed. In conjunction with the proactive approach being taken with the town, this does also provide an educational opportunity for all town citizens, including business owners, who may not have the knowledge needed where codes are concerned.

Trustee Southway made a motion to approve this action. Trustee Bruton seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

**3. Consideration to approve ORDINANCE 03-2019 to establish regulations for lot line adjustments and lot line consolidations.**

Per the board's request, staff has brought the draft coordinates, which is establishing regulations for lot adjustments and consolidations, back to the Planning Commission for additional review. Staff has amended the language to satisfy both the Commission and the Board. The amended draft ordinance was attached to the packet received at this meeting for the board's consideration to approve. The specific issue was regarding language about nightly rentals, and how they would be impacted by the lot adjustment or consolidation.

It has been noted in this revision; AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 6 (LAND SUBDIVISION) AND REPEALING CHAPTER 12, ARTICLE 9, SECTION 8 (REDEVELOPMENT PROCEDURE) OF THE TOWN OF GRAND LAKE MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR LOT CONSOLIDATIONS AND LOT LINE ADJUSTMENTS: For regulations governing maximum permitted floor area of structures on properties with combined lots, in the case of consolidation, you can enforce future regulation there.

Mayor Pro-Tem Kudron made a motion to approve this change to ORDINANCE 03-2019. Trustee Weydert seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

**4. Discussion regarding Planning Commission list of future legislative review items**

Per prior request of the Board, Staff presented both Municipal Code analysis of Board of Trustee matters for review and Planning Commission matters for review to the Planning Commission at two consecutive meetings. Staff requested additional items from the Commissioners be added to the list which they wanted to go in front of them for legislative review.

Staff has provided a revised analysis, attached to the meeting packet, showing the preferred additional review items. Staff requests that the Board comment on these inclusions/future changes to the Municipal Code and provide direction to staff.

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The Board and Staff have reviewed items on the provided list. The Board of Trustees has moved forward and given their approval for the Planning Commission to prioritize, at the Planning Commissions discretion, these items that were provided during the meeting.

**5. Consideration to approve ordinance XX-2019, an ordinance to include Colorado state statute for establishing residency into the Grand Lake municipal code.**

With the absence of Attorney Scott Krob, and new developments on this specific topic, it has been suggested that this specific item on the agenda be tabled until the Board of Trustees meeting on May 13, 2019. This will give the members of the Board time to review the additional developments on this specific topic.

Trustee Southway made a motion to table this item until the next Board of Trustees meeting on May 13, 2019 to have this discussed during a Public Hearing. Trustee Rourke seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

LOCAL LIQUOR LICENSING AUTHORITY – QUASI- JUDICIAL

**1. Consideration to approve new liquor license for Cork, LLC**

The Town has received a new Hotel & Restaurant Liquor License application from Cork, LLC located at 1007 Lake Avenue. Deborah Fitch is the applicant.

The fees have been paid and all proper application documents have been completed and forwarded to the State for review. The Grand County Sheriff's Department found no adverse information that would affect the issuance of the license.

As noted by the board in an earlier meeting this year, a petition of support is to be provided with all new liquor license applications. This application was complete and complying with meeting posting regulations prior to the addition of this requirement. Staff is updating the application process/documents and the petition requirement will be added for future applicants.

Mayor Pro-Tem Kudron has made a motion to approve the new Hotel & Restaurant Liquor License application from Cork, LLC located at 1007 Lake Avenue. Trustee Rourke has seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye

ADJOURNMENT:

Mayor Pro-Tem Kudron moved to adjourn the meeting at 9:00 PM. Trustee Rourke seconded the motion and Clerk Pro-Tem O'Rourke called the vote:

<u>Mayor Peterson</u>	Aye
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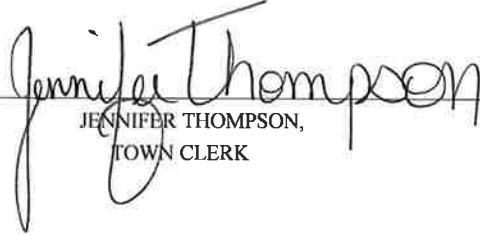
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<u>Mayor Pro-Tem</u>	Aye
<u>Trustee Rourke</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Weydert</u>	Aye



JIM PETERSON,  
MAYOR

ATTEST:



JENNIFER THOMPSON,  
TOWN CLERK