REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, MAY 23, 2016 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Jim 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; Trustees Gasner, Goodfellow, Kudron, Lewis, and Sabo; Town Manager White, Town Attorney Krob, Town Clerk Pro-Tem Lund, Town Planner Biller and Town Code Administrator Rendon.

ABSENT: Mayor Peterson announced that Trustee Jenkins was absent from the workshop as well as the evening meeting due to medical reasons. Trustee Sabo arrived late to the evening meeting due to a family medical emergency. Trustee Gasner moved to excuse Trustee Jenkins from the workshop and evening meeting. Trustee Lewis seconded the motion and all Trustees voted aye.

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

Mayor Peterson announced that the Memorial Day Parade and Observance will be held on Monday May 30 beginning at 10 a.m.

Mayor Peterson then announced that the Grand Lake Historical Society will hold its annual meeting and a presentation of the history, stories and tales of the Southway Lodge on June 8 at 7:00 p.m. at the Grand Lake Community House.

Mayor Peterson then announced that an Arts and Crafts Fair, sponsored by the Grand Lake Area Chamber of Commerce, will be held on June 11, and 12 in the Town Square Park.

Mayor Peterson then announced that Road Stabilization will be applied to Town streets on June 9 and 10.

Trustee Lewis then thanked Dave Lawn and Hoppe Southway for their assistance at Arbor Day.

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.
Trustee Kudron announced that he had a conflict with the Grand Lake Rotary issue as he is the incoming President of the Grand Lake Rotary Club.

**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. She then asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

There were no unscheduled public comments.

**SCHEDULED PRESENTATIONS/DELEGATIONS:**

None.

**CONSENT AGENDA:**

Mayor Peterson introduced the Consent Agenda which contained the following: Minutes from the May 9, 2016 Meeting.

Trustee Gasner moved to approve the Consent Agenda as presented. Trustee Lewis seconded the motion and all Trustees voted aye.

**REPORTS: SALES TAX CASH FLOW REPORT FOR SEPTEMBER 2014:**

Mayor Peterson asked Trustee Goodfellow to present the sales tax cash flow report. Trustee Goodfellow reported that the amount of revenue received in May 2016 for the month of March was $39,568.00. This amount was 0.18% above what was received through March 2015.

**REPORTS: FINANCIAL REPORT FOR MAY 2016:**

Mayor Peterson asked Trustee Goodfellow to present the Financial Report for April 2016. Trustee Goodfellow reported that the General Fund expenditures through the end of April totaled $408,357.72 or 14.2% of budget. He said the Water Fund expenditures for the same period totaled $175,165.79 or 21.2% of budget, the Marina Fund expenditures totaled $25,180.15 or 11.7% of budget and the PAYT Fund expenditures totaled $3,751.10 or 9.7% of budget.
APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE TOWN ATTORNEY FOR THE TOWN OF GRAND LAKE - Trustee Gasner moved to reappoint Scotty P. Krob as Town Attorney. Trustee Kudron seconded the motion and all Trustees voted aye.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE MUNICIPAL JUDGE FOR THE TOWN OF GRAND LAKE - Trustee Lewis moved to reappoint Georgia Noriyuki as Municipal Judge for the Town of Grand Lake. Trustee Gasner seconded the motion and all Trustees voted aye.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE ALTERNATE MUNICIPAL JUDGE FOR THE TOWN OF GRAND LAKE - Trustee Kudron moved to reappoint Richard McQueary as Alternate Municipal Judge for the Town of Grand Lake. Trustee Gasner seconded the motion and all Trustees voted aye.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE ADMINISTRATIVE HEARING OFFICER FOR THE TOWN OF GRAND LAKE - Trustee Lewis moved to reappoint Natascha O'Flaherty as the Administrative Hearing Officer for the Town of Grand Lake. Trustee Kudron seconded the motion and all Trustees voted aye.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE SUPPLEMENTAL ADMINISTRATIVE HEARING OFFICER FOR THE TOWN OF GRAND LAKE - Trustee Lewis moved to reappoint Kathryn James and David Michel as the Supplemental Administrative Hearing Officers for the Town of Grand Lake. Trustee Goodfellow seconded the motion and all Trustees voted aye.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE MAYOR'S SELECTEE TO THE TOWN OF GRAND LAKE PLANNING COMMISSION – Mayor Peterson appointed Trustee Sabo to the Town of Grand Lake Planning Commission as the Mayor's selectee to the Town of Grand Lake Planning Commission.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF THE BOARD OF TRUSTEE'S SELECTEE TO THE TOWN OF GRAND LAKE PLANNING COMMISSION – The Board of Trustees appointed Trustee Gasner to the Town of Grand Lake Planning Commission as the Board of Trustees selectee to the Town of Grand Lake Planning Commission.

APPOINTMENTS: CONSIDERATION OF THE APPOINTMENT OF TWO TRUSTEE MEMBERS TO THE GRAND LAKE AREA CHAMBER OF COMMERCE BOARD OF DIRECTORS – The Board of Trustees discussed having a rotating Trustee to the Grand
Lake Area Chamber of Commerce. Trustee Kudron moved to appoint Trustee Gasner as the first rotating Trustee Member to the Grand Lake Area Chamber of Commerce Board of Directors. Trustee Lewis seconded the motion and all Trustees voted aye except Trustee Gasner, who abstained.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF A REPRESENTATIVE TO THE NORTHWEST COLORADO COUNCIL OF GOVERNMENTS - Trustee Kudron moved to appoint Trustee Lewis as Representative to the Northwest Colorado Council of Governments. Trustee Gasner seconded the motion and all Trustees voted aye except Trustee Lewis, who abstained.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF AN ALTERNATE REPRESENTATIVE TO THE NORTHWEST COLORADO COUNCIL OF GOVERNMENTS - Trustee Goodfellow moved to appoint Trustee Gasner as the Alternate Representative to the Northwest Colorado Council of Governments. Trustee Lewis seconded the motion and all Trustees voted aye except Trustee Gasner, who abstained.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF A REPRESENTATIVE TO THE GRAND COUNTY WATER INFORMATION NETWORK - Trustee Gasner moved to appoint Trustee Lewis as Representative to the Grand County Water Information Network. Trustee Kudron seconded the motion and all Trustees voted aye except Trustee Lewis, who abstained.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF AN ALTERNATE REPRESENTATIVE TO THE GRAND COUNTY WATER INFORMATION NETWORK - Trustee Lewis moved to appoint Trustee Jenkins as Alternate Representative to the Grand County Water Information Network. Trustee Gasner seconded the motion and all Trustees voted aye.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF TWO TRUSTEE MEMBERS TO SERVE ON THE TOWN'S COMPENSATION COMMITTEE - The Board of Trustees determined that this position is no longer required. The Mayor will work with the Town Manager on this issue.

APPOINTMENTS:
CONSIDERATION OF THE APPOINTMENT OF TWO TRUSTEE MEMBERS TO SERVE ON THE GRAND LAKE CENTER IMPLEMENTATION TEAM - Trustee Lewis moved to appoint Trustees Goodfellow and Kudron to serve on the Grand Lake Center Implementation Team. Trustee Gasner seconded the motion and all Trustees voted aye except Trustees Goodfellow and Kudron, who abstained.
CONSIDERATION OF THE APPOINTMENT OF A TRUSTEE TO SERVE ON THE CML PLANNING COMMITTEE - Trustee Lewis moved to appoint Trustees Jenkins to serve on the CML Planning Committee. Trustee Goodfellow seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: NONE

OLD BUSINESS:

PUBLIC HEARING – CONSIDERATION TO ADOPT ORDINANCE NO. 7-2016; AN ORDINANCE AUTHORIZING THE LEASE OF REAL PROPERTY TO PIRIBEK ENTERPRISES, LLC, D/B/A/ ROCKY MOUNTAIN SUP, BY THE TOWN OF GRAND LAKE AND ESTABLISHING THE TERMS THEREOF - Mayor Peterson asked Town Planner Biller to present the matter to the Board. Biller stated the Town received a request from Rocky Mountain SUP represented by JT Piribek a for profit business to lease the use of municipal property which requires Board review. The Board discussed this request at their April 25th afternoon workshop. In the summer of 2015, Town Staff was approached by JT Piribek to conduct a stand up paddleboard rental operation the lake front. Staff directed Mr. Piribek to pursue a rental agreement with the Town or operate his business from a fixed location on private property. Mr. Piribek obtained four (4) kayak rack leases from the Headwaters Marina Enterprise and obtained a fixed business license from the Town.

Over the past few years, the Town has received several requests for similar seasonal uses of Town property (i.e. water sport rentals, boat tour operations, amphibious vehicles, etc.) The Town has directed each individual to obtain a lease for the use of public property, find a permanent location on private property, or obtain a special use permit for seasonal use of private property.

The Headwaters Marina annually has entered into a four (4) month lease with Mountain Paddlers dating back to 2011. Included in the lease agreement is the lease of six (6) kayak racks provided by the Marina.

The 2006 Comprehensive Plan states:

*An additional way to capitalize on the assets of Grand Lake / Shadow Mountain is to create a non-motorized rowing center. Open house and public meeting participants very favorably received the idea. A rowing center can provide numerous benefits and supports the Comprehensive Plan goal of "improve recreational opportunities for Grand Lake citizens of all ages"...*(pg 25)
The citizens who participated in the Comprehensive Plan workshops suggested a more pedestrian friendly waterfront... The intent is to create a pedestrian plaza with a few cars on it, rather than a street with some people on it. The street can be raised to the level of the surrounding lawn areas, effectively enlarging the entire street programming area. This way Lake Avenue can host a variety of seasonal outdoor events as suggested in Section 5.2.1. (pg 27)

The 2013 Downtown Assessment states:
Define and dedicate resources to the downtown and lakefront as your community gathering place. This is truly the center (and draw for locals and tourists) of your community and as such should be celebrated with additional resources. Investing in this area will assist in promoting and bringing additional investment in the entire community but it will require a geographical and resource focus on enhancing key areas first. (pg 6)

The lakefront is one of the town's greatest amenities and is a treasure to locals and visitors alike.

Recommendation: Ensure that the town-owned lakefront property is preserved as public open space, not additional parking lots... (pg 15)

Municipal Code 11-6-2 Public Property Rental states:
(B) Long Term Leases
   1. The Town may enter into Long Term Leases for municipal-owned property that does not have restrictions or provisions indicating otherwise
   2. The Leases shall be in accordance with the Municipal Code, where applicable.
   3. Entering into leases of this nature shall be done by Ordinance adoption by the Board of Trustees.

Municipal Code 12-2-31(A)2 [Land Use Regulations] General Special Use Permit states:
A permit 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 businesses present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility...
Municipal Code 12-2-29(A) [Shoreline and Surface Water Regulations] Stream and Lake Setbacks states:

1. In order to help preserve the environmental quality of the water in the Grand Lake, a thirty (30) foot stream and lake setback from the mean identifiable high water mark shall be maintained for buildings, parking, snow storage areas and other improvements to a site. The setback applies to a stream, creek, river, irrigation ditch (dry or wet), lake, pond, wetland, or any other body of water.

2. When activities are proposed within the 30’ setback, a variance may be requested by an Applicant. As scheduled by Town Staff and based on agenda availability, The Planning Commission shall review the request at a Public Hearing and make a recommendation to the Town Board of Trustees, who shall make the final determination...

As directed by the Board, Staff advertised review of this request at a Public Hearing by publication in the Middle Park Times by ad # 12089228A which meets the minimum requirements of Municipal Code 2-5-11. However, Staff encouraged the Applicant to contact the surrounding business owners for comment.

Staff conducted a site visit with the Applicant on April 29th and determined several areas at the lakefront that appear to be viable options. (See attached location map for reference) The following locations appear to be the options for the applicant:

1. Placement of a temporary facility (i.e. removable shed) located near Grand Lake Marina (near the non-motorized boat launch)
2. Placement of a structure (temporary or permanent) near Mountain Paddlers and the Headwaters Marina.
3. Placement of trailer or temporary facility located near the volleyball court.

All of these options have some challenges before Mr. Piribek could be open for business.

Option #1
- A building permit would need to be approved.
- Site improvements to facilitate existing drainage.
- 30’ lake setback may apply requiring Town review.
- Obstruction with existing parking stalls.
- Obstruction of the non-motorized boat ramp
- Obstruction during Town approved events (i.e. 4th of July, Regatta, Brews and Crews)
Option #2
- A building permit would need to be approved.
- Site improvements to create a usable site.
- 30’ lake setback may apply requiring Town review.
- Approval from Headwater’s Marina Director who is not in favor of this location.

Option #3 – (Applicant’s original requested location)
- A building permit would need to be approved.
- Lake access improvements would need to be conducted.
- 30’ lake setback may apply requiring Town review.

The Headwaters Marina has agreed to building custom racks for lease by the Applicant. The Town Public Works Department would make them and bill the Marina. The Applicant would then be responsible for leasing the racks from the Marina by separate lease.

Here is a brief summary of the request being made by the Applicant:
- A one (1) year lease of approximately 100 sq.ft. (8’x12’) of Lake Avenue for a temporary structure.
- Lease of one (1) paddleboard rack from the Headwaters Marina roughly (8’x8’)
- Temporary use of his trailer while his temporary structure is being built.
- Storage of the temporary structure by the Town over the winter months.

Biller stated that the temporary trailer was no longer needed. Staff believes the least amount of conflicts and foreseeable issues are limited by granting use of Option #2 near the Marina.

Staff recommends the Board first determine the following:
- An appropriate location for the temporary structure
- The compensation for the leased space currently drafted as $4,200. ($900 – rack, $3,300 –space)

Staff has prepared a draft ordinance for consideration.

The Board should conduct the Public Hearing as follows:
1. Open the Public Hearing
2. Allow Staff to present the matter
3. Allow the Applicant to address the Board
4. Take all public comment
5. Close the Public Hearing
6. Take action as appropriate
The Board has many options including:
1. Adopt the Ordinance, as presented; or,
2. Adopt the Ordinance with revisions; or,
3. Not adopt the ordinance.

Biller noted that J.T. Piribek, owner, was present.

Mayor Peterson read a letter from Kevin Cox, Grand Lake Marina, which is a table setting tonight. The letter indicated his concerns.

Mayor Peterson opened the Public Hearing and asked for comment from the applicant.

J.T. Piribek, 105 Elk Creek Dr. #9, Fraser CO 80442, gave a brief background of his company and an overview of his proposal. He noted that the proposed use would utilize waterfront land currently not being utilized, provide revenue and provide a better experience for our visitors and our guests. He noted that he operated his business last year from a nearby office which wasn’t an ideal location. He also noted that he talked with Grand Lake Marina’s manager who mentioned they were opposed to this use of the property but did not have opposition to Mountain Paddlers use of Town property because they offer a different type of kayak. Piribek stated that his paddleboards are a different kind than Grand Lake Marina’s, they do not take reservations and they offer lessons and yoga classes which Grand Lake Marina does not. They are two different business models. While it is competition, in the past he said he had sent business to Grand Lake Marina and that they are an asset as they send customers to Grand Lake Marina, too.

Suzi Maki, 1590 W. Portal Rd, Grand Lake, stated that she had a question, also in the letter from Kevin Cox, if they have a rescue boat.

Piribek noted that a rescue boat is part of the lease agreement.

Jon T. Hall, 11 County Road 4574, Grand Lake, stated as Headwaters Marina Director he does not have a space for an additional rescue boat, if required. He had no objections to a shared rescue vessel.

Suzi Maki stated that Option#1 is too close, right next to a competing company. She feels that two vessels are needed.
Steph Wall, 12696 US Hwy 34, Grand Lake CO stated she is in favor of this business; that it is a different business than Grand Lake Marina, it is a good thing for the community.

After no additional public input, Mayor Peterson closed the Public Hearing and opened the discussion to the Board of Trustees.

After lengthy discussion regarding use of public land for business purposes, the lease amount too low for prime real estate, having a temporary building on the lakefront, competition to an existing business, the need for a separate safety vessel, additional lakeside business offering more opportunity for visitors and revenue for the Town, the volleyball area being the best site as it expands visitor experience along the water front, and the suggestion that the Board approve Option #3 as a test for one year.

Trustee Kudron moved to adopt Ordinance No. 7-2016; an ordinance authorizing the lease of real property to Piribek Enterprises, LLC, d/b/a/ Rocky Mountain SUP and the terms thereof with modifications: utilizing land in Option #3 which is at the base of the volleyball court at the rates stated in the lease agreement and that the lessee have their own safety vessel. If the lessee is unable to secure a docking space, the vessel be removed nightly during the season. Trustee Sabo seconded the motion Trustee Ganser amended the motion to state that the safety vessel not be docked at the Town’s marina, Trustee Sabo seconded the amendment and all Trustees voted aye except Trustee Lewis who voted nay.

NEW BUSINESS:

APPEAL HEARING — CONSIDERATION TO GRANT AN APPEAL TO A DENIED GREENWAY APPLICATION FOR LOT 11, BLOCK 3, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 1117 GRAND AVENUE (A.K.A. GRAND LAKE ART GALLERY) — Mayor Peterson asked Town Planner Biller to present the matter to the Board. Biller stated on May 22, 2015, Town staff denied a greenway application submitted by Jim Cervenka. On June 8, 2015, the Board of Trustees granted a one (1) year appeal with conditions to the Applicant. The Town has received a request to permanently place the greenway obstructions requested by the Applicant.

11-4-10 Greenway Obstruction states:
(A) It shall be unlawful for any person to place any merchandise or advertising on the Greenways.
(B) The following items and items similar in nature may be placed in the Greenways upon receiving written approval...All items listed below shall be wooden, have a wood-like appearance or be painted cast iron:
(b) Tables (four chairs maximum).
   1. Shall not exceed the dimensions of nine (9) square feet.
Municipal Code 11-4-10 (C) Obstruction Density states:
   2. For every four (4) linear feet, the business will be allotted one square foot of approved obstructions. Regardless of linear frontage, no business will be restricted to less than fifteen square feet.
   (a) Surface landscaping, such as grass and pavers are not considered to be obstructions and will therefore not be limited or counted in any way towards the density calculation.
      1. Gravel shall not be considered an obstruction, although use of gravel as a landscape feature is discouraged. Less than 50% of surface landscaping may be gravel.

2006 Comprehensive Plan states the following:
- “Three different treatments of the landscape strip are recommended including lawn, raised planters, and landscaped areas that will promote the businesses they are in front of. The Town strongly encourages owners to provide outdoor art on their property or in the landscape/gravel strip to enrich the experience of Town visitors and create a stronger sense of place. In addition to enhancing Grand Lake’s landscape strips, it is recommended that additional hanging baskets and other flower boxes be utilized throughout the town.

2013 Downtown Assessment Report recommends the following:
- “Downtown design elements should be used to identify and define the core. Elements such as the boardwalk, enhanced landscaping...and other specialized elements need to be confined to the downtown core.” (pg.17)
- “Review the restrictions currently in place regulating the boardwalk and greenbelt area...determine a set of rules and regulations for these areas that make sense and promote a consistent streetscape theme...Encourage a dialogue between property owners and the town to prepare, upgrade, expand and provide annual maintenance of the boardwalk and greenbelt.” (pg.17)
- “The historic, old western charm of the board walks and covered walkways can be enhanced with interesting seating, such as vibrantly colored rocking chairs, benches and porch swings. The greenbelt area should be considered carefully when it comes to potential cost, climate, and ongoing maintenance. Consider using
additional potted plants and hanging baskets from the covered walkway posts to make an attractive landscape.” (pg.17)

The 2015 Grand Avenue Streetscape Masterplan contains the following:
- Public Outreach Meeting #1 – Liked elements include “streetscapes that incorporate greenery, landscaping, seating, color and unique shop signage”. Dislikes include “streetscapes lacking landscaping and greenery” and “unkempt landscaping and underutilized gravel greenways”.

On 5/27/14, the Board denied an appeal to allow certain greenway obstructions that included an umbrella and business logo planter. The Board did grant the applicant an additional 10.4 sq.ft. of greenway obstruction for a proposed planter resulting in a total of 25.4 sq.ft. of allowable greenway obstructions.

Staff denied the request based on the following factors:
- the total obstructions exceed 15 sq.ft. and does not comply with the Board granted 25.4 sq.ft. of obstruction
- the proposed obstructions are not wood-like appearance or painted cast iron
- the chalk board appears to be a tool which could be used for advertising, which is prohibited.
- the proposed items do not entirely coincide with the 2006 Comprehensive Plan, the 2013 Downtown Assessment Recommendations or the 2015 Grand Avenue Streetscape Masterplan

Staff acknowledges the current greenway regulations in place are very restrictive (amount of obstruction and materials allowed) and do not allow for certain materials in the greenway including plastic. Staff believes the applicant could revise their application to include acceptable materials and meet the recommendations of Town planning documents.

The Board should discuss the denied greenway application and the request of the applicant.

The Board has several options to consider including:
1. Grant the appeal, thus approving the greenway application as presented; or
2. Grant the appeal with conditions; or
3. Deny the appeal.
Biller noted that Jim Cervenka, owner, was present.

Jim Cervenka, 236 Lakeview Dr., Grand Lake CO, explained the greenway obstruction consists of 25.4 square feet, 2 chairs and 4 planters. He requests continuance of the same usage for more than one year, until the Streetscape Plan is implemented.

After questions from the Board, Biller indicated that no negative or positive feedback has been received by the Town.

Mayor Peterson then opened the Public Hearing.

Steph Wall, 12696 US Hwy 34, Grand Lake CO, stated the Town should allow the renewal and said the more color and plants the better. She requested that we don’t make it painful for business owners.

Mike Long, 255 Tonahutu Dr., Grand Lake CO, stated that anything not an obstruction to traffic that enhances the boardwalk is a positive. He agrees with the Streetscape Plan implementation timeframe for the approval extension.

After no further public comment, Mayor Peterson closed the Public Hearing and opened the discussion to the Board of Trustees.

After discussion, Trustee Lewis moved to grant the appeal to a greenway obstruction for Grand Lake Art Gallery, 1117 Grand Ave, for 25.4 sq. ft. If no complaints are received, it does not have to come before the Board of Trustees. Trustee Gasner amended the motion to add until changes in the greenway are made. Trustee Sabo seconded the amended motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION NO. 9-2016, A RESOLUTION DESIGNATING INDIVIDUALS AUTHORIZED TO CONDUCT TRANSACTIONS WITH RESPECT TO THE TOWN OF GRAND LAKE’S CASH AND INVESTMENT ACCOUNTS — Mayor Peterson asked Town Manager White to present the matter to the Board. White stated that as a reminder, the Town currently has cash accounts with the following entities:

Grand Mountain Bank:

1 Money Market Fund
2 Checking Accounts (one is a holding account for letter of credit funds)

CSafe:
2 Money Market Funds

ColoTrust:
1 Money Market Fund
RECORD OF PROCEEDINGS

Advantage Bank: 1 Certificate of Deposit
Flatirons Bank: 1 Certificate of Deposit
Gill Capital Partners: Investment Bonds

The Town’s policy is to require two signers on all checks. Authorized individuals have traditionally included the Mayor, the Mayor Pro-Tem, the Financial Trustee, the Town Manager, and the Town Clerk. The Town Treasurer is authorized to receive information with respect to the accounts, limited specifically to requesting account statements and status information from the various institutions.

The current authorized signers on all the Town’s accounts are:

Kathleen A. Lewis  Mayor Pro-Tem
James J. White  Town Manager
Katie Nicholls  Town Clerk

The Town has made it a practice to review and update the authorized signers after each municipal election to reflect election results, changes in personnel, or any other changes desired by the Board. Staff recommends the Board take this opportunity to make any changes it deems advisable. In order to expedite matters, I have prepared the attached draft resolution for your consideration. This draft designates the above-named current signers naming James C. Peterson in his role as Mayor and replacing Tom Goodfellow for Jim Gasner as Financial Trustee, but of course the Board may designate any individuals it wishes. If the Board approves the Resolution, I will prepare the appropriate documents, including signature cards, etc., and have them available for signature by the authorized individuals.

Staff recommends the Board adopt Resolution No. XX-2016, a Resolution Designating Individuals Authorized to Conduct Transactions with Respect to the Town of Grand Lake’s Cash and Investment Accounts.

Trustee Lewis moved to adopt Resolution No. 9-2016, a resolution designation individuals authorized to conduct transactions with respect to the Town of Grand Lake’s cash and investment accounts. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FROM THE GRAND LAKE AREA CHAMBER OF COMMERCE FOR THE 2016 DENVER POST RIDE THE ROCKIES BICYCLE TOUR EVENT - Mayor Peterson asked Town Code Administrator Rendon to present the
matter to the Board. Rendon stated the Grand Lake Area Chamber of Commerce has submitted a Special Event Permit Application for consideration of the 2016 Denver Post Ride The Rockies Bicycle Tour Event. Staff is in possession of a Special Event Permit Application submitted by the Grand Lake Area Chamber of Commerce ("the Applicant") for the 2016 Denver Post Ride the Rockies Bicycle Tour Event ("the Event"). The Event is proposed to take place starting at 8:00 a.m. on June 15th and ending on June 16th by 12:00 noon. All trash will be cleaned up by no later than 4:00 p.m. on June 16th. A Special Event Liquor Permit was approved for this event on May 9, 2016 by the Grand Lake Board of Trustees.

The Event is proposed to impact the following locations:

HEADQUARTERS SITE:
Grand Lake Center (inside rooms, the front parking lot, and the baseball field area),
Three Town owned lots along Center Drive by the carwash.
Two lots owned by Jay Young along Lake Avenue in front of the Rocky Mtn. Speedway,
Town Right of Way along Marina Drive in front of the Grand Lake Center,
Town Public Works area.

ENTERTAINMENT SITE:
The Grand Lake Community House and Park,
Town Park Pavilion,
Town Parking Lot on the corner of Park Ave. and Hancock St.,
Lake Front Park,
Lake Front Beach area,
Lake Front Parking Lot.

Shuttle Service will be provided within the Town limits for the Event.

Because this is a first time event, action by the Board of Trustees is required. The Special Event Permit Application and draft of the Special Event Permit contain more detail.
According to the Town of Grand Lake Municipal Code, Chapter 11, Article 6, Section 3(C) Special Event Permit Application Review and Approval:

11-6-3(C)2(b) - Approval by Board of Trustees
If approval is not obtained by 11-6-3(C)2(a) Approval by the Mayor, The Board of Trustees shall review the SEP application.
11-6-3(C)1 - Review Considerations
The following factors shall be considered prior to approval of a SEP:
(a) The predominant use of the primary facility being used; and
(b) The proposed event and the event hours; and
(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) The benefit to non-profit from the event; and
(g) The benefit to local businesses from the event; and
(h) Duplication of services or sale items; and
(i) Nature of the past event issues or similar past event issues.

The Board shall review and may approve the application based on
11-6-3(C)1 - Review Considerations. The Board, at its discretion, may require one or more of the following:
1. Require review of the SEP at a Public Hearing; and/or
2. Permit all or only a portion of the SEP application; and/or
3. Impose permit conditions on the event.

Staff believes that this event is not in conflict with the consideration factors listed above and should be a successful event for the Town of Grand Lake, the Grand Lake Chamber of Commerce and the 2016 Denver Post Ride The Rockies Bicycle Tour. Staff believes this event should not require a Public Hearing. Staff is aware that a Special Event Liquor Permit has been approved, by the Town Board of Trustees, for this event.

Town Staff recommends approval and execution of the Special Event Permit as presented. The Board should review and discuss the application, taking into consideration the factors listed above as well as input from the Grand Lake Area Chamber of Commerce representative(s). The Board should approve, deny or table the Special Event Permit application.

Rendon noted that J.T. Piribek was present representing the Grand Lake Area Chamber of Commerce.

Trustee Sabo moved to authorize Mayor Peterson to sign the Special Event Permit for the Grand Lake Area Chamber of Commerce for the Ride the Rockies event. Trustee Lewis seconded the motion and all Trustees voted aye.
NEW BUSINESS:

CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FROM THE CHRISTOPHER MULLINEX WATER RESCUE FUND TO CONDUCT A “HIGHER LOVE TODAY” EVENT – Mayor Peterson asked Town Code Administrator Rendon to present the matter to the Board. Rendon stated that the Christopher Mullinex Water Rescue Fund (“The Applicant) has submitted a Special Event Permit Application for consideration of a “Higher Love Today” event (“the Event”) which requires Town of Grand Lake Board of Trustees review and approval.

Staff is in possession of a Special Event Permit Application submitted by the Applicant to conduct the Event to be held in the Town of Grand Lake Community House on Friday, June 29th, 2016 from 6:00 p.m. to 10:00 p.m. Setup for the event will start at 5:00 p.m. and clean up will be completed by 11:00 p.m. The Event is being held to raise funds for the Christopher Mullinex Water Rescue Fund which is a non-profit organization.

Because this is a first time event, action by the Board of Trustees is required. In accordance with the Town of Grand Lake Municipal Code, Chapter 11, Article 6, Section 3(C); if approval of the Special Event Permit Application is not obtained by the Mayor the Board of Trustees shall review the Special Event Permit Application and take the factors listed below into consideration before approving.

11-6-3(C)2(b) - Approval by Board of Trustees
If approval is not obtained by 11-6-3(C)2(a) Approval by the Mayor, The Board of Trustees shall review the SEP application.

11-6-3(C)1 - Review Considerations
The following factors shall be considered prior to approval of a SEP:
(a) The predominant use of the primary facility being used; and
(b) The proposed event and the event hours; and
(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) The benefit to non-profit from the event; and
(g) The benefit to local businesses from the event; and
(h) Duplication of services or sale items; and
(i) Nature of the past event issues or similar past event issues.
The Board shall review and may approve the application based on 11-6-3(C)1 - Review Considerations. The Board, at its discretion, may require one or more of the following:

1. Require review of the SEP at a Public Hearing; and/or
2. Permit all or only a portion of the SEP application; and/or
3. Impose permit conditions on the event.

Staff believes that the Event is not in conflict with the consideration factors listed above and should be a successful event for the Applicant and the Town of Grand Lake. Staff believes that the Event should not require a public hearing. Staff recommends approval and execution of the Special Event Permit as presented.

The Board should review and discuss the application, taking into consideration the factors listed above and input from the Applicant. Additionally, the Board should decide if a public hearing is necessary. The Board should table, approve, modify or deny the Special Event Permit application.

Rendon noted that Laura Summers was present representing the Christopher Mullinex Water Rescue Fund.

Laura Summers, 101 Mountain View Drive, Grand Lake, CO asked if the Board had any questions. Trustee Lewis asked about the success of the life jacket event held May 20th. Ms. Summers noted it went well, there were many pictures sent in.

Trustee Lewis moved to approve the Special Event Permit for the Christopher Mullinex Water Rescue Fund - “Higher Love Today” and authorize Mayor Peterson to sign the Special Event Permit upon confirmation from staff that all requirements have been met. Trustee Goodfellow seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE AN ADJUSTMENT TO THE WATER FOR THE CALLENBACH’S DUE TO AN EQUIPMENT MALFUNCTION – Mayor Peterson asked Town Manager White to present the matter to the Board. White stated the Town received a letter requesting an adjustment to a water bill. He then met with Erin Ackerman, Town Treasurer, and Dave Johnson, Water Superintendent, to discuss the matter. Basically it is articulated in the Callenbach’s letter which states the circumstances regarding the bleeder and the water usage issue. During regular inspections at their home, no leaks were found; however, the meter read usage at 533,000 gallons and continues to show high water usage. The Water Superintendent Johnson and
Grand Lake Plumbing checked the bleeder hose; Johnson indicated the problem could be a water meter malfunction. The Callenbachs are requesting adjustment of their bill from a charge of $878.00 plus late fees to the normal water usage charge of $124.00 per quarter.

Trustee Gasner noted that we do not know what the cause of the problem is at this time. He would be in favor of adjusting the water bill if it is determined that the Town's water meter is at fault but we do not know that yet.

Manager White indicated that normally the adjustment would be made after the cause is determined. However, the Water Superintendent is recommending that the adjustment be made.

Discussion ensued regarding a large water leak and replacement of the water meter to determine if that is the cause and then having Water Superintendent Johnson explain to the Board the result.

Trustee Kudron moved that regarding the Callenbach's water bill of Quarter 1-2016, that we suspend all charges except for the standard charge of $124.00, stopping any additional late charges, giving Town staff and the Water Department the opportunity to replace the meter, test the new meter and determine if the condition continues. If the condition of excess water use continues after the new meter, that suspension would then be removed and the fees due by the property owner. Trustee Gasner seconded the motion and all Trustees voted aye.

**NEW BUSINESS:**

**CONSIDERATION TO AUTHORIZE THE EXPENDITURE OF FUNDS ($250) FOR A GOLD SPONSORSHIP TO THE GRAND LAKE ROTARY FOR THE GRAND DUCK DERBY**- Mayor Peterson asked Town Manager White to present the matter to the Board. White stated as a member of the Rotary, he should not discuss this matter. Trustee Gasner then explained that the Rotary Club of Grand Lake is seeking donations for the Grand Duck Derby. If the town contributes $250 for a Gold Sponsorship our logo or name will be included on the website and t-shirts.

Trustee Gasner moved to authorize the expenditure of funds ($250) for a Gold Sponsorship to the Grand Lake Rotary for the Grand Duck Derby. Trustee Sabo seconded the motion and all Trustees voted aye except Trustee Kudron who recused himself and abstained.

**NEW BUSINESS:**

**CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE TOWN OF**
GRAND LAKE REDI GRANT - Mayor Peterson asked Town Manager White to present the matter to the Board. White stated that the Town previously submitted grant application to the Department of Local Affairs and Office of Economic Development and International Trade and the grant was neither approved or denied. We were advised by our Department of Local Affairs representative to resubmit. We have made modifications to this Redi Grant application with the Board of Trustees committing $5,000 in matching funds for the creation of a business plan for our new Grand Lake Event Center. We believe this to be a game-changer that will bring new vitality to our economy and our community. White noted that the Town has budgeted $10,000 to develop an operations plan based on this business plan, which will be used to start up the Grand Lake Event Center in 2017 and guide its operation. A strong business plan will give our Grand Lake Event Center a solid foundation on which to grow and thrive.

The request is that this letter, a letter from the Chamber and a letter from Bill Capodagli of the Disney Way go in with our grant application to show our investment in the process.

Trustee Lewis moved to authorize the Mayor to sign a letter of support for the Town of Grand Lake REDI Grant. Trustee Sabo seconded the motion and all Trustees voted aye.

MAYOR’S REPORT AND COMMENT:

Mayor Peterson noted that the Town had a really good meeting with the Chamber of Commerce Board this week and we will see a lot of cooperation. He noted that if we make changes to committees, we will need more citizen participation and thanked citizens for the consideration of joining these committees.

ADJOURNMENT:

Trustee Gasner moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 9:22 p.m., May 23, 2016.

JAMES C. PETERSON, MAYOR

ATTEST: Martha J. Lund,
TOWN CLERK PRO- TEM

5/23/2016 Town of Grand Lake – Board of Trustees