

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, MAY 9, 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, Jenkins, Kudron, and Lewis; Town Manager White, Town Clerk Nicholls, Town Planner Biller and Town Code Administrator Rendon.

ABSENT: Mayor Peterson announced that Trustee Sabo was absent from the workshop as well as the evening meeting due to vacation.

Trustee Gasner moved to excuse Trustee Sabo from the workshop and evening meeting. Trustee Jenkins 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 a sign-in sheet is located by the door and to please sign in before leaving.

Mayor Peterson announced that East Grand Middle School is hosting Dragon Boat Races on May 14th from 5 p.m. to 10 p.m. Music will be played during the event and food served at Lake Front Park. Proceeds will benefit Grand County Shining Stars Foundation.

Mayor Peterson announced that the Christopher Mullinex Water Rescue Fund is asking that citizens show their support by participating in their Wear Your Life Jacket to Work Day on May 20th. Please send pictures to chrisswrf2@gmail.com, #CHRISWRF, or posted on the Christopher Mullinex Water Rescue FaceBook page.

Mayor Peterson announced that the Town of Grand Lake Beautification Day will be Saturday, May 21st from 9 a.m. to noon with a Community BBQ to follow. A tree will be planted in celebration of Arbor Day at the Grand Lake Center. Volunteers are needed, please call 627-3435.

Mayor Peterson announced that the Flowering of Grand Lake will host the 28th Annual Gardener's Exchange on Saturday, May 14th from noon to 4 p.m. in the Community House.

Mayor Peterson then announced that the Chris Cox Benefit was the previous weekend and raised around \$15,000.

INSTALLATION OF NEW
BOARD MAYOR AND
TRUSTEES:

CONSIDERATION OF THE ADMINISTRATION OF THE OATH OF OFFICE FOR TRUSTEE TOM GOODFELLOW ELECTED AT THE APRIL 5, 2016 REGULAR MUNICIPAL ELECTION – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated per State Statute, all elected officials shall take an oath administered by the Municipal Judge, Town Clerk, or other person who is designated by the governing body or who is authorized by law to administer oaths, to support the Constitution of the United States and the State Constitution. She stated she would be honored to administer the oath of office to the new Board Trustee Tom Goodfellow, if the Board should so decide.

Trustee Kudron moved to designate the Town Clerk to administer the Oath of Office to Trustee Goodfellow elected at the April 5, 2016 Regular Municipal Election. Trustee Lewis seconded the motion and all Trustees voted aye.

INSTALLATION OF NEW
BOARD MAYOR AND
TRUSTEES:

ADMINISTRATION OF THE OATH OF OFFICE FOR THE TRUSTEES ELECTED AT THE APRIL 5, 2016 REGULAR MUNICIPAL ELECTION – Town Clerk Nicholls administered the oath to newly elected Trustee Tom Goodfellow. He then took a seat at the board table.

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 a conflict of interest with the Special Event Liquor License Permit Application for the Rotary of Grand Lake.

Trustee Jenkins asked the Board if they felt she had a conflict of interest with the Special Event Liquor License Permit Applications. She stated that they do not have a business or

financial bearing on her or her business. The Board unanimously stated that no conflict was evident.

Trustee Gasner announced a conflict of interest with the Special Event Liquor License Permit Application for The Independent Sports Club, Inc.

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 April 25, 2016 Meeting and Accounts Payable for April, 2016.

Trustee Lewis moved to approve the Minutes from the April 25, 2016 Meeting as presented. Trustee Gasner seconded the motion and all Trustees voted aye, except Trustee Kudron, Trustee Goodfellow and Mayor Peterson who abstained.

Trustee Lewis moved to approve the Accounts Payable for April, 2016. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:41 p.m. Trustee Gasner sat in the audience.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE INDEPENDENT SPORTS CLUB, INC. FOR THEIR CHILI COOK-OFF** – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Independent Sports Club, Inc. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their “Chili Cook-

Off" to be held Saturday, June 25, 2016 from 9:00 a.m. to 7:00 p.m. The proposed location is the Town Park at 1026 Grand Avenue. Public notice was posted on the premises on April 29, 2016 and attested to by Grand Lake's Code Administrator, Tony Rendon. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature of location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. Nicholls then noted that Mindy Nelson, President, was present.

Mindy Nelson, President, Independent Sports Club, Inc was recognized by the Chair. Ms. Nelson stated that there will be no changes to the event except Christy Helming will be the new Chair for the event.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Independent Sports Club, Inc for a Chili Cook-Off to be held Saturday, June 25, 2016 from 9:00 a.m. to 7:00 p.m. Trustee Jenkins seconded the motion and all Trustees voted aye.

At 7:44 p.m. Trustee Kudron sat in the audience and Trustee Gasner returned to his seat.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE ROTARY CLUB OF GRAND LAKE FOR THEIR BOOK SIGNING EVENT – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Rotary Club of Grand Lake. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their "Book Signing Event" to be held Wednesday, May 18, 2016 from 4:00 p.m. to 8:00 p.m. The proposed location is the Grand Lake Center at 301 Marina Drive. Public notice was posted on the premises on April 29, 2016 and attested to by Grand Lake's Code Administrator, Tony Rendon. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature of location of the special event, or failure of the applicant to conduct past special events in

compliance with applicable laws and regulations. Nicholls then noted that Mike Long, member, was present.

Mike Long, Rotary Club of Grand Lake was recognized by the Chair. Mr. Long stated that the request is to serve beer and wine at the Disney Way Book Signing. He further explained that the 3rd Edition of the Disney Way book has 3 pages on Grand Lake.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Rotary Club of Grand Lake for a Book Signing Event to be held Wednesday, May 18, 2016 from 4:00 p.m. to 8:00 p.m. Trustee Jenkins seconded the motion and all Trustees voted aye.

At 7:48 p.m. Trustee Kudron returned to his seat.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE GRAND LAKE AREA CHAMBER OF COMMERCE FOR THEIR RIDE THE ROCKIES EVENT– Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Grand Lake Area Chamber of Commerce. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their “Ride the Rockies Event” to be held Wednesday, June 15, 2016 from 12:00 p.m. to 9:00 p.m. The proposed location is the Lake Front Park at Lake Avenue. Public notice was posted on the premises on April 29, 2016 and attested to by Grand Lake’s Code Administrator, Tony Rendon. The Grand County Sheriff’s Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature of location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. Nicholls then noted that Bob King, Vice President, was present.

Bob King, Vice President, Grand Lake Area Chamber of Commerce was recognized by the Chair. Mr. King stated that everyone is excited to have Ride the Rockies come to Town and hopes it is a successful event.

Trustee Jenkins moved to approve the Special Events Liquor Permit Application from the Grand Lake Area Chamber of Commerce for a Ride the Rockies Event to be held Wednesday,

June 15, 2016 from 12:00 p.m. to 9:00 p.m. Trustee Kudron seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY

SPECIAL EVENT PERMITS: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION AND SPECIAL EVENT PERMIT FOR THE TRINITY CHURCH IN THE PINES/GRAND ANGELS FOR THEIR SONGWRITERS IN THE ROUND CONCERT – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Trinity Church in the Pines/Grand Angels. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their “Songwriters in the Round event” to be held Friday, June 24, 2016 from 6:00 p.m. to 10:00 p.m. The proposed location is the Community House at 1025 Grand Avenue. Public notice was posted on the premises on April 29, 2016 and attested to by Grand Lake’s Code Administrator, Tony Rendon. The Grand County Sheriff’s Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature of location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. Nicholls then noted that Code Administrator Rendon, would be presenting the Special Event Permit Application.

Code Administrator Rendon stated the Grand Angels/Trinity Church in the Pines has submitted a Special Event Permit Application to conduct a “Songwriters in the Round” Concert. The Event is proposed to be held in the Town of Grand Lake Community House on Friday, June 24th, 2016 from 6:00 p.m. to 10:00 p.m. Setup for the event will take place on Thursday, June 23, 2016 from 10:00 a.m. until 5:00 p.m. and clean up will take place on Saturday, June 25th, 2016 from 10:00 a.m. until 5:00 p.m. The event is being held to raise awareness and funds for Grand Angels. Staff believes that the event should be a successful event for the Applicant and the Town of Grand Lake and should not require a public hearing. He concluded by stating Sara Moran was present.

Sara Moran, 212 County Road 478, Elder at the Trinity Church in the Pines, was recognized by the Chair. Ms. Moran stated that the event is to benefit Grand Angels with Mannmade Productions

putting on the event. The liquor permit will be held by Grand Angels who will get the sales from the alcohol.

Trustee Lewis moved to approve the Special Event Permit and the Liquor License Application for the Grand Angels/Trinity Church in the Pines Songwriters in the Round Concert and authorize Mayor Peterson to sign the Special Event Permit upon confirmation from Staff that all other application requirements have been met and the Special Event Permit is ready for signature. Trustee Gasner seconded the motion and all Trustees voted aye.

OLD BUSINESS:

None.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 07-2016, A RESOLUTION OF THE TOWN OF GRAND LAKE, COLORADO, IN ITS CAPACITY AS THE LOCAL LIQUOR LICENSING AUTHORITY, AUTHORIZING THE TOWN CLERK TO ADMINISTRATIVELY APPROVE LIQUOR LICENSE APPLICATION RENEWALS, TEMPORARY PERMITS, MODIFICATIONS OF PREMISES AND ROUTINE LICENSING MATTERS UNDER CERTAIN TERMS AND CONDITIONS – Mayor Peterson asked Town Clerk Nicholls to present the matter to the Board. Nicholls stated that the Local Liquor Licensing Authority is not required to conduct a hearing, under certain circumstances and has the discretion to delegate the authority to administratively process and approve applications, without a hearing, upon certain terms and conditions as the Local Liquor Licensing Authority may establish consistent with state law. Administratively processing and approving applications for renewal, modification of premises when the licensed area is not enlarged, temporary permits and routine licensing matters when there does not appear to be any cause for the Local Liquor Licensing Authority to review the application, is the most efficient and cost-effective manner of acting on such applications. Town Staff believes that providing the Town Clerk administrative authority under certain conditions will save time for the Board, Applicant and Staff as the circumstances outlined in the Resolution are routine matters when there is no cause for a hearing or questions arising from the application. If cause is found or questions arise, the application will be brought before the Board of Trustees for their review as the Local Liquor Licensing Authority. To keep the Board apprised of the upcoming renewals and other administrative liquor licensing applications received and/or in process the Town Clerk will provide updates in the Workshop packet as applicable. She concluded by stating that the draft resolution has been reviewed by Town Attorney Krob.

Trustee Lewis moved to adopt Resolution 07-2016 a resolution of the Town of Grand Lake, Colorado, in its capacity as the Local Liquor Licensing Authority, authorizing the Town Clerk to administratively approve liquor license application renewals, temporary permits, modifications of premises, and routine licensing matters, under certain terms and conditions. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT ORDINANCE 06-2016; AN ORDINANCE REPEALING AND REPLACING MUNICIPAL CODE 12-2-28 PARKING REGULATIONS – Mayor Peterson asked Town Planner Biller to present the matter to the Board. Biller stated that during review of the parking regulations, Staff determined a few minor revisions are needed for clarification and eliminate minor errors. The Planning Commission has forwarded a favorable recommendation by Resolution 05-2016. Staff believes the minor revisions are not actually changing the Municipal Code, just providing clarification and a clearly defined variance review procedure.

Trustee Jenkins moved to adopt Ordinance 06-2016; an ordinance repealing and replacing Municipal Code 12-2-28 Parking Regulations. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 08-2016; A RESOLUTION GRANTING VARIANCE TO MUNICIPAL CODE CHAPTER 12 SECTION 2 ZONING REGULATIONS FOR COMMERCIAL DISTRICT LOCATED AT LOTS 5-8, BLOCK 20, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 612 GRAND AVENUE – Mayor Peterson asked Town Planner Biller to present the matter to the Board. Biller stated The Town has received a Variance Application from Bob King which requires Board Review. The Planning Commission has forwarded a favorable recommendation by Resolution 07-2016. The Applicant is requesting variance to the Municipal Code to allow residential units on the 1st floor within the first 50' of the commercial frontage and allow gravel surfacing for the parking area. The Town received two letters of support for the variance during the Planning Commission meeting and four citizens spoke in favor of the variance request at the public hearing in favor of granting the variance request and one surrounding property owner gave public opposition. The existing building is located entirely within the first 50' of the lot frontage; therefore, any newly constructed residential unit on the first floor would be a variance. The Applicant is requesting to utilize the 1st floor for seven residential units which is the entire first floor of the property. The total number of residential units if the variance is

granted would be twelve residential units. Affordable housing has been a priority of the Town for a number of years. Staff believes the applicant is making a concerted effort to provide affordable housing units in the Town and recommended that the Board grant the variance by adopting the draft resolution as presented which contains the following conditions of approval: the Property shall have a maximum of twelve residential units; and, the Property shall contain an adequate on-site enclosed trash receptacle; and, the Property shall contain adequate indoor tenant storage facilities to mitigate exterior storage; and, accessory Uses and Structures as defined by Municipal Code 12-2-6 shall be prohibited; and, the residential units shall remain "affordable" as defined by Municipal Code 12-10-3(A)2; and, any changes to the Property including change in use, as determined at the sole discretion of the Town, may require Commission and Board review; and, the Applicant provides dust control for the gravel surfaced areas on the Property; and, the Property shall comply with all other federal, state, and local regulations, including but not limited to, obtaining an approved building permit. He concluded by stating that Bob King was present.

Bob King, 1020 Mountain Avenue, was recognized by the Chair. Mr. King stated housing is a great problem in Town right now with more homes lost to vacation rentals.

Trustee Goodfellow stated his concern regarding the curb appeal of the property. A brief discussion ensued regarding the requirements associated with the variance request, as well as options available for help to keep a nice curb appeal.

Stephann Wall, 12692 US Hwy 3, was recognized by the Chair. Ms. Wall raised questions about the units being affordable housing due to the design and intent of use. She clarified by stating the housing seemed more like dormitories than apartments. She also stated that she had concern with curb appeal and noise nuisance and questioned if the direct neighbors have been contacted about the potential project.

Dustin Barnes, 1127 Grand Avenue, was recognized by the Chair. Mr. Barnes stated he owns Grumpy's and The Lariat and his parents own Daven Haven and they are struggling to find affordable housing for their employees. He stated that if more affordable housing does come to Town that maybe the Town should look into working with Bob King to turn it back into Commercial.

Trustee Lewis stated that housing is a big problem in Town and without something being done business will lose their employees and then may have to close. Town will then lose sales tax.

Peggy Mann, 16 Mustang Trail, was recognized by the Chair. Ms. Mann commended Bob for taking a vacant property and wanting to do something with it. She stated she also hopes that there will be good curb appeal for the property as it is one of the first buildings seen when entering Town.

Robert Canon, 516 Park Avenue, was recognized by the Chair. Mr. Canon stated that a public hearing has not been set by the Board of Trustees and that all the voices in the audience are indicative of the need for a public hearing.

A discussion ensued regarding the curb appeal, history of the property, intent of the project, decision process and favorable action made by the Planning Commission, and if a public hearing is needed.

Trustee Jenkins moved to adopt Resolution 08-2016; a resolution granting variance to Municipal Code Chapter 12: Section 2: Zoning Regulations for Commercial District located at Lots 5-8, Block 20, Town of Grand Lake; more commonly referred to as 612 Grand Avenue to include the Staff and Planning Commission recommendations. Trustee Kudron seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A PROCLAMATION RECOGNIZING MAY 21, 2016 AS ARBOR DAY IN GRAND LAKE – Mayor Peterson asked Town Manager White to present the matter to the Board. White stated the Town Board was requesting consideration of proclaiming May 21, 2016 as Arbor Day in Grand Lake. It will be the 26th proclaimed annual Arbor Day as well as the 26th year as a Tree City USA participant. The proclamation will establish Saturday, May 21, 2016 as Arbor Day in Grand Lake in tandem with the town-wide beautification effort, Annual Clean Up Day, which will begin at 9 a.m. at the Heckert Pavilion. Following the cleanup, a barbeque will occur at around 11:15 a.m. and then the Arbor Day tree planting will take place at the Grand Lake Center. He concluded by extending thanks to Paul Harrington Landscaping for their donation of a Colorado Blue Spruce tree.

Trustee Lewis moved to authorize Mayor Peterson to sign the proclamation establishing Saturday, May 21, 2016 as Arbor Day in Grand Lake, Colorado. Trustee Gasner seconded the motion and all Trustees voted aye.

RECORD OF PROCEEDINGS

MAYOR'S REPORT
AND COMMENT:

Mayor Peterson stated that he is making a concerted effort to let the public speak more during the meetings in response to what he heard when he was running for office. He concluded by thanking the town for all the giving they did over the weekend at the Christopher Cox Benefit.


ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Kudron. All Trustees voted aye, and the meeting was adjourned at 8:30 p.m., May 9, 2016.



JAMES C. PETERSON,
MAYOR

ATTEST:



KATIE NICHOLLS,
TOWN CLERK