

RECORD OF PROCEEDINGS

REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, JUNE 23, 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 7:30 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL

PRESENT: Mayor Burke; Trustees Baird, Gasner, Jenkins, Lanzi, Lewis, and Sabo; Town Manager Hook, Town Clerk Kolinske, and Town Planner Biller.

ABSENT: None.

APPROVAL OF MINUTES

April 14, 2014: Trustee Gasner moved to approve the minutes of the April 14, 2014 regular meeting as written. Trustee Lewis seconded the motion and all Trustees voted aye.

ANNOUNCEMENTS:

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

Mayor Burke announced that the 9<sup>th</sup> Annual "*Tops of the Rockies*" sponsored by The Friends of the Grand County Library will be held Saturday, June 28<sup>th</sup> from 5:30 – 8:00 p.m. at the Grand Lake Yacht Club. Tickets are available at any Grand County Library.

Mayor Burke announced that the 4<sup>th</sup> of July Celebration will include boardwalk sales and a fireworks display over Grand Lake at dark.

Mayor Burke announced that the Grand Lake Rotary Club will sponsor a pancake breakfast on July 5<sup>th</sup> at the Heckert Pavilion from 7 – 11 a.m.

Mayor Burke then announced that antique and classic wooden boats will be on display July 12<sup>th</sup> on Grand Lake at the Town's docks from 10 a.m. – 4 p.m.

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 Gasner announced that he had a conflict with the Special Events Liquor Permit from the Grand Lake Chamber of Commerce for "Buffalo Barbecue" because his wife will be the representative from the Chamber.

Trustee Lanzi announced that he had a conflict with the renewal of the liquor license for O-A Bistro as he is the owner of the building and O-A Bistro is his tenant and he also had a conflict with the table setting item which is a Special

Event Permit Application to host a Independence Day Block Party and Parade on Elk Lane because he resides on Elk Lane.

Trustee Jenkins announced that she had a conflict with the renewal of the liquor license for the Gateway Inn because her father owns the license.

REPORTS: SALES TAX  
CASH FLOW REPORT  
FOR JUNE 2014:

Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in June 2014 for the month of April is \$24,091. This amount is 20.64% above what was received through June 2013.

REPORTS: FINANCIAL  
REPORT FOR  
MAY 2014:

Mayor Burke asked Financial Trustee Gasner to present the Financial Report for May 2014. Gasner reported that the General Fund expenditures through the end of May totaled \$488,916.97 or 15% of budget. He said the Water Fund expenditures for the same period totaled \$181,995.30 or 25.5% of budget, the Marina Fund expenditures totaled \$37,769.33 or 13.4% of budget and the PAYT Fund expenditures totaled \$6,727.01 or 32% of budget.

At 7:35 p.m. Trustee Jenkins excused herself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE TAVERN LIQUOR LICENSE FOR GATEWAY INN, INC., D/B/A GATEWAY INN – 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 and indicate no changes from the previous renewal. The water, business license, and sales tax accounts are all current. The Grand County Sheriff's Department found no adverse information that would affect the status of the license. She concluded by saying that Tom Jenkins, Vice President/Secretary, was present.

Trustee Lewis moved to approve the renewal of the Tavern Liquor License for Gateway Inn, Inc., d/b/a Gateway Inn. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:39 p.m. Trustee Jenkins resumed her seat and Trustee Lanzi excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR O-A BISTRO, LLC, D/B/A O-A BISTRO – 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 and indicate no changes. The water, business license, and sales tax accounts are all current. She noted that the Grand County

Sheriff's Department found no adverse information that would affect the status of the license. She concluded by saying that Olney Kliever, Managing Member, was present.

Trustee Jenkins moved to approve the renewal of the Hotel and Restaurant Liquor License for O-A Bistro, LLC, d/b/a O-A Bistro. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:42 p.m. Trustee Lanzi resumed his seat and Trustee Gasner excused himself and left the room.

**LIQUOR LICENSING AUTHORITY: CONSIDERATION OF APPROVAL OF A SPECIAL EVENTS LIQUOR PERMIT FROM THE GRAND LAKE CHAMBER OF COMMERCE FOR "BUFFALO BARBECUE"** – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske stated that this request was for the 67<sup>th</sup> Annual Buffalo Barbeque Celebration to be held Saturday, July 19, 2014 at Lakefront Park. She said that the application documents were in order and the appropriate state fee was paid. Public notice was posted on the premises and attested to by Grand Lake's Code Administrator, Tony Rendon on June 13, 2014. 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 or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. Kolinske then noted that Julie Gasner was present representing the Chamber.

Trustee Lewis moved to approve the Special Events Liquor Permit from the Grand Lake Chamber of Commerce for the 67<sup>th</sup> Annual Buffalo Barbeque Celebration to be held Saturday, July 19, 2014. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 7:44 p.m. Trustee Gasner resumed his seat.

**LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR LEGS, INC., D/B/A E.G.'S** - 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 and indicate no changes. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department found no adverse information that would affect the status of the license. She concluded by saying that Darin Foran, Manager, was present. Trustee Gasner moved to approve the renewal of the Hotel and Restaurant Liquor License for Legs, Inc., d/b/a E.G.'s. Trustee Lanzi seconded the motion and all Trustees voted aye.

OLD BUSINESS: None.

NEW BUSINESS: **CONSIDERATION TO ADOPT RESOLUTION NO. XX-2014, A RESOLUTION GRANTING AN ENCROACHMENT LICENSE INTO THE PARK AVENUE RIGHT OF WAY FOR CERTAIN IMPROVEMENTS LOCATED ADJACENT TO LOTS 9-10, BLOCK 30, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 401 PARK AVENUE** – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received an encroachment license application from Susan and Bert Rewold for an existing driveway and retaining wall which requires the Board’s review.

Section 11-6-1: Public Property Encroachments

*A. Encroachment Defined - An encroachment is any item that is placed, erected or built on the public right-of-way by a private property owner. A property owner shall seek permission from the Town to encroach onto Rights of Ways or municipal property prior to the encroachment occurring. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his own expense or seek permission from the Town for the encroachment to remain.*

*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.*

*C. Indemnification and Insurance Requirements*

*The property owner is required to indemnify and save harmless The Town of Grand Lake against any and all damages which may result from the encroachment. Insurance may be required. The certificate of insurance shall be submitted to the Town prior to the execution or issuance of the Encroachment License or Agreement.*

As per the Municipal Code, staff contacted the following utility companies informing them of this encroachment request:

- Three Lakes Water and Sanitation District
- Mountain Parks Electric
- Comcast of Colorado
- Xcel Energy
- Century Link
- Town of Grand Lake Water Department

The application was not received in time to receive feedback from the utility companies prior to Board review. However, staff is comfortable moving

forward considering the encroachments already exist. The Public Works Director and staff have reviewed the application and have no objection to the encroachment. Staff recommends the Board adopt the resolution as presented, which contains the following conditions of approval:

1. The License is limited to the encroachments as shown in the attached Exhibit A (hereinafter the "Encroachment"); and
2. The encroachment complies with the requirements of Municipal Code; and encroachment at its sole expense; and
4. This License shall remain in full force and effect for the benefit of the Grantee, their heirs, successors and assigns, until such time as the Town, in its sole determination, determines that this license should end. At such time, within 45 days of the Town providing notice to the Grantee, Grantee shall remove the encroachment and restore that portion of the Town right of way to pre-existing condition or better at Grantee's expense. The Grantee may perform normal maintenance and repairs to the encroachment; and
5. The granting of this License shall not be considered a precedent for any future encroachments; and
6. The granting of this License does not limit any public use of the Park Avenue right of way; and
7. The Grantee agrees to pay the License fee to the Town in the amount of One Hundred Dollars (\$100.00); and
8. The Grantee delivers the Town a fully executed Indemnification Agreement attached as Exhibit B; and
9. In the unlikely event a utility company contacts the Town, in a reasonable period of time from notification, with justifiable objections to this License; Board review may be required.

The Board should discuss the encroachment license request and the conditions of the license.

The Board has several options to consider including:

1. Adopt the resolution as presented, thus granting the encroachment request; or
2. Adopt the resolution with revised conditions; or
3. Not adopt the resolution thus deny the request.

Billier noted that Bert Rewold, applicant, was present.

Following brief discussion, Trustee Gasner moved to adopt Resolution No. 13-2014, a Resolution Granting an Encroachment License into the Park Avenue Right of Way for Certain Improvements Located Adjacent to Lots 9-10, Block 30, Town of Grand Lake; More Commonly Referred to as 401 Park Avenue, as presented. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION TO ADOPT RESOLUTION NO. XX-2014, A RESOLUTION GRANTING THE TEMPORARY PLACEMENT OF A**

**BANNER BY THE GRAND ARTS COUNCIL ON THE ENTRANCE MARQUEE TO THE TOWN OF GRAND LAKE** – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Town has received a request to install a temporary banner on the entrance marquee. Andrea Cox, on behalf of the Grand Arts Council, has submitted the request. The applicant is requesting use of public property as allowed per the Sign Code. Staff received the application, for the posting of the Grand Arts Council banner, on 6/9/2014. According to the Town of Grand Lake Sign Code definition 6-2-6-(A)6(d)3, *any banner or pennant that represents a civic occasion, sporting event, arts and humanities event, or convention that is to be placed over or on public property can only be posted with the approval of the Town of Grand Lake Board of Trustees.* Approval for the application was at risk due to the fact that the Grand Lake Board of Trustees scheduled meeting would not take place until 6/23/2014. Approval from the Board of Trustees could not be obtained in accordance with the requested posting date of Friday, June 13, 2014. The application request was escalated to Mayor Judy M. Burke and the Town Manager David Hook on 6/13/2014 for discussion and approval. The request is for an off-premise sign, double sided with dimensions 3' x 10' that advertises for an event, the "Art and Architecture Home Tour". The dates of the request are beginning on Friday, June 13, 2014 through Sunday, June 22, 2014. The Town has allowed this request and similar requests in the past. Staff agreed that in lieu of the current scheduling conflict and because there would be no negative impact to the Town, the approval for the application would be authorized. It was also agreed that it would be a one-time approval and all future requests that do not meet the requirements of the Municipal Sign Code 6-2-1 would not be approved. It was also agreed that the \$10.00 Application Fee would be waived since the Grand Arts Council is a non-profit organization. On 6/13/2014 the application was approved by the Town Code Administrator and Andrea Cox of the Grand Arts Council was notified of the decision to approve the application with the stipulations agreed upon by staff. It was also agreed that the resolution would be retroactive and discussed at the next Board of Trustees meeting to be held on 6/23/2014. Staff recommends that the Board adopt the resolution as presented. Additional input, regarding the approval of the application, may be required to determine if the sign is appropriate for use on Town property.

The Board has the following options:

1. Adopt the resolution as presented, thus allowing the use of Town property for an event banner; or
2. Not adopt the resolution, thus denying the request.

Trustee Lewis moved to adopt Resolution No. 14-2014; a Resolution Authorizing the Temporary Placement of a Banner by the Grand Arts Council on the Entrance Marquee to the Town of Grand Lake, as presented. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION TO AUTHORIZE MAYOR BURKE TO SIGN A GRANT REQUEST LETTER AND TO AUTHORIZE THE TOWN MANAGER TO SIGN AN AGREEMENT FOR SERVICES WITH MUNN ARCHITECTURE FOR THE GRAND AVENUE STREETScape MASTER PLAN AND WAYFINDING MASTER PLAN PROJECTS AND TO AUTHORIZE THE TOWN MANAGER TO ADMINISTER THE PROJECTS** – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that execution of agreements, project administration authorization, and submission of letters signed by Mayor Burke require action by the Board of Trustees (Board). Based on discussion at the Board's most recent retreat, the planning and design of these two projects were given priority for implementation. Two Requests for Proposals were issued May 8. A mandatory pre-proposal meeting was held May 15. Proposals were received by the Town on May 30. At the meeting held on June 9, the Board awarded both projects to one firm and directed staff to negotiate a final contract with Munn Architecture as the first priority firm. Final proposed total cost is \$49,126, plus a \$1,750 allowance for reimbursable expenses, printing and structural design, for a total cost not to exceed \$50,876. The Department of Local Affairs (DOLA) has confirmed that both projects can move forward with funding from one DOLA Administrative Grant at the maximum value of \$25,000. Thus, per the final draft agreement with Munn Architecture, the net out-of-pocket cost to the Town would be no more than \$25,876 including the \$1,750 for reimbursable expenses. To accommodate the addition of the wayfinding project to the grant scope, a revised grant request letter must be submitted to DOLA, replacing the grant request letter previously authorized by the Board and submitted to DOLA. Upon approval of the grant, DOLA will forward a grant agreement for Town review and execution. The 2014 Town budget has specific line items of \$10,000 for Wayfinding and \$50,000 for Project Planning. The full \$50,000 is available as soon as the DOLA Administrative Grant is approved – a function of when, not if. Greg Winkler, DOLA Regional Manager, is ready to process the revised letter with his superiors as soon as it is submitted. As for the wayfinding budget, about \$8,900 of that has been spent because the phase 1 sign installation did not happen soon enough to be paid from the \$10,000 line item in the 2013 budget as originally anticipated. Final design and construction of streetscape improvements and wayfinding signage will be a part of future project phases utilizing funding that may include Town funds, grants, DOLA, GOCO, etc., and/or debt funding, business improvement district, general obligation bonds, etc. The Design Committee is ready to move forward on both projects with Munn Architecture as soon as the Notice to Proceed is issued by the Town. Staff met with Munn Architecture on June 11 to discuss final refinements to scope, schedule and budget. They were very willing to make minor adjustments that both increased and decreased scope and costs. In general, the decreased costs, efficiencies with combining both projects into one contract and with overlapping parallel efforts, were offset by adding some elements of scope, a survey of Grand Avenue businesses, additional meetings with the Design Committee and the Board, an Action Plan for the final reports, and

certain graphics for public outreach and final reports. Munn Architecture provided preliminary draft exhibits on June 16. After staff review and some minor revisions by Munn Architecture, the final draft exhibits were provided on June 19. Staff has checked references provided by Munn Architecture in their proposal and did not get any negative feedback. Staff believes that it would simplify administration of the project if all costs were allocated to the Project Planning line item of the 2014 budget. This means that the \$50,000 line item would be slightly overspent by \$876 as proposed. Other line items in the capital budget will not be spent at all or in full, so the overall capital budget will end the year well below budget. Staff believes that a phased Notice to Proceed will be required to kick-off the projects on June 25 as scheduled and avoid getting out of the good graces of DOLA. DOLA has confirmed that we can initiate the project prior to full execution of the grant agreement. However, the Town should not expend more than its local share prior to final grant agreement execution. By issuing a first Notice to Proceed for only Task 1 and Task 2, we can begin work in late June on data collection and public outreach while the DOLA grant process is completed on a parallel path. A second Notice to Proceed will be issued for Tasks 3 through 6 only after the grant agreement is finalized. The grant agreement should be finalized by mid-July, well before Task 3 is scheduled to begin in early August. The Board should discuss the merits of authorizing Mayor Burke to sign a revised grant request letter to DOLA to combine both projects into the grant scope. Additionally, the Board should discuss the merits of the final proposed scope, schedule and budget. Further, the Board should discuss the merits of authorizing the Town Manager to execute the agreement and to administer the project, including a phased Notice to Proceed, allocation of all project costs to the Project Planning line item of the 2014 budget, and execution of the DOLA grant agreement when finalized. Staff recommends that the Board authorize Mayor Burke to sign a revised grant request letter to DOLA to combine both projects into the grant scope. Additionally, staff recommends that the Board authorize Town Manager Hook to sign the agreement with Munn Architecture and to administer the project, including a phased Notice to Proceed, allocation of all project costs to the Project Planning line item of the 2014 budget, and execution of the DOLA grant agreement when finalized.

The Board has many options to consider, including:

- Authorizing or not authorizing Mayor Burke to sign a revised grant request letter to DOLA to combine both projects into the grant scope
- Authorizing or not authorizing the Town Manager to sign the agreement with Munn Architecture
- Authorizing or not authorizing the Town Manager to administer the project
- Approving or not approving a phased Notice to Proceed
- Allocating all costs to the Project Planning line item or splitting costs between the Wayfinding line item and the Project Planning line item
- Authorizing or not authorizing the Town Manager to sign the DOLA grant agreement when finalized



Following discussion, Trustee Gasner moved to authorize Mayor Burke to sign a revised grant request letter to DOLA to combine both projects into the grant scope; to authorize the Town Manager to sign the Agreement for Services with Munn Architecture for the Grand Avenue Streetscape Master Plan and Wayfinding Master Plan Projects; and to authorize the Town Manager to administer the projects, including a phased Notice to Proceed, allocation of all project costs to the Project Planning line item of the 2014 budget. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION TO AWARD THE BID FOR THE PITKIN ANNEX WATER DAMAGE REPAIR PROJECT** – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Town has received authorization from CIRSA to repair the water damage sustained at Pitkin Annex. The bid award and Town Manager project administration authorization requires Board action. Sometime this past winter, Pitkin Annex sustained water damage to some of its ceilings, walls and floors. The damage was discovered by staff in early April and immediately contacted CIRSA, the Town’s insurance provider about a possible claim. CIRSA sent an insurance adjuster, Engle Martin & Associates, to the site on April 24. On June 9, staff received authorization from CIRSA to repair the damage as an insurance claim. Staff discussed the status of the damage and repair with the Board at the June 9 workshop session. The Board’s direction to staff was to do what it takes to ‘dry-out’ the building to avoid mold issues and to immediately initiate a regular bid process for the repairs. Town of Grand Lake Municipal Code Chapter 2, Article 4, Section 7(A.2) authorizes the Town Manager to procure open market services in an emergency condition. Based on the Board’s June 9 direction, staff obtained a quote from Rocky Mountain Catastrophe and Restoration (RMCR) on Tuesday, June 10 to dry-out the building. That quote also included testing for asbestos. The scope of work for the dry-out process also included demolition activities so they could remove all potentially wet materials and expose all other potentially wet materials that will remain (e.g. wood framing) for the dry-out process. CIRSA gave their approval to proceed with the testing, demolition, and dry-out on Monday, June 16. Staff met with RMCR on Tuesday, June 17 to confirm scope, schedule and budget. Based on the urgency the Board provided in its direction on June 9, and with the emergency authority granted the Town Manager by Municipal Code 4-2-7(A.2), staff authorized RMCR to proceed on Wednesday, June 18. Based on the Board’s June 9 direction, staff placed a Bid Invitation ad in the Sky-Hi News on Tuesday, June 10. The bid ad first published on Friday, June 13. A pre-bid meeting was held on Tuesday, June 17 with a total of two firms in attendance. Bids are due on Monday, June 30. The Bid Document includes two alternate bids, one for replacing the entire roof instead of just a few spot repairs authorized by CIRSA and one for replacing a damaged window that CIRSA did not authorize. The Town has a \$1,000 deductible with CIRSA. Unless we pursue either of the alternate bids, our net out of pocket cost should be \$1,000. Since this damage repair project was not anticipated, there is no specific line item in the Board’s 2014 budget for this repair. Juniper Library had

been planning on using Pitkin Annex for their annual book fair over Buffalo Barbeque weekend. Since the building will be unavailable due to the repair work, we are coordinating with them on a Plan B. At the June 9 meeting, it was discussed that bid award could occur at least two different ways – via action at the regular meeting on July 14 after all bids are received and opened or via action at the June 23 meeting, authorizing designated staff and Board members to act prior to the Board’s July 14 meeting. There seemed to be support of the latter option – advance authorization that will expedite the start of the repairs. Staff supports the concept of moving forward as expeditiously as possible, without a delay to July 14. Under these circumstances, an update on status and progress would be appropriate at the July 14 board meeting. The Board should discuss the merits of providing advance authorization to a small group to award the work and authorizing staff to proceed with project administration. Additionally, the Board should discuss ratifying the emergency procurement for the testing, demo and dry-out activities. Staff recommends that the Board authorize staff and two Trustees to review and award the bid for CIRSA authorized repairs as soon as practical prior to the July 14 Board meeting. Additionally, staff recommends that the Town Manager be authorized to administer the project, including signing of the agreement. Further, staff recommends that all repairs not authorized by CIRSA be brought to the full Board for consideration. Additionally, staff recommends that the emergency bid award action taken by the Town Manager be ratified by the Board.

The Board has several options to consider, including:

- Authorizing or not authorizing the Town Manager and two Trustees to review and award the bid for CIRSA authorized repairs as soon as practical prior to the July 14 Board meeting
- Authorizing or not authorizing the Town Manager to administer the project as authorized by CIRSA and the Board, including signing of agreements
- Authorizing or not authorizing staff to address the additional work not authorized by CIRSA
- Ratifying or not ratifying the emergency bid action taken by the Town Manager for the testing, demolition and dry-out of the building

Following brief discussion, Trustee Jenkins moved to authorize the Town Manager and two Trustees to review and award the bid for CIRSA authorized repairs at Pitkin Annex as soon as practical prior to the July 14 Board meeting; to authorize the Town Manager to administer the Pitkin Annex repair project as authorized by CIRSA and the Board, including execution of agreements; and to ratify the emergency bid action taken by the Town Manager for the testing, demolition and dry-out of Pitkin Annex. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 8:21 p.m. Trustee Lanzi excused himself and left the room.

NEW BUSINESS:

Added to the agenda as a table setting was **CONSIDERATION OF A REVISED SPECIAL EVENT PERMIT APPLICATION FROM KATHLEEN BROWN TO HOST A INDEPENDENCE DAY BLOCK PARTY AND PARADE ON ELK LANE** – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received a revised Special Event Permit (SEP) Application from Kathleen Brown for the closure of Elk Lane on July 4th, 2014. This is first time application which requires Board review. The Board denied the original application at their June 9 regular board meeting.

Municipal Code 11-6-3 Special Event Permitting states:

*(B)1(b) If the event is a first time event and proposed to be held for more than one (1) day, the application must be submitted at least ninety (90) days prior to the dates(s) of the event.*

*(B)1(c) 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.*

*(C) Special Event Permit Application Review and Approval*

*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.*

*2. Special Event Permit Approval*

*(a) Approval by the Mayor*

*The Mayor or the Mayor's Designee may review and may approve the SEP based on 11-6-3(C)1. Review Considerations and the following additional criteria:*

- 1. This is a reoccurring event with no issues in the past; and*
- 2. The event does not involve a Special Events Liquor Permit.*

*The Mayor or the Mayor's Designee, for any reason, may defer review and approval of the SEP to the Board of Trustees.*

*(b) Approval by Board of Trustees*

*If approval is not obtained by Nature of the past event issues or similar past event issues.*

*2. Special Event Permit Approval*

*(a) Approval by the Mayor, the Board of Trustees shall review the SEP application.*

*The Board shall review and may approve the application based on 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 has reviewed the revised SEP and believes the applicant has addressed Staff's concerns from the previous application. Ms. Brown has revised her application for shorter closure of Elk Lane, providing insurance naming the Town additionally insured, and no obligation of Town personnel.

In general, the applicant is proposing the following:

- Closure of Elk Lane from 3pm to 6pm on July 4th
- A bike parade on the street
- A "block party" for the neighborhood

Staff suggested to Ms. Brown to involve the Grand Lake Estates Homeowners Association. She has opted not to involve the HOA and proceed with the application herself. Staff recommends the Board add the review of the SEP to the evening agenda. The Board should discuss the use of Town facilities by the Applicant taking into consideration the follow factors:

- (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.

Kathleen Brown, 332 Elk Lane, was then recognized from the audience. During discussion she said that they did not want to place any kind of burden on Town staff on what is probably the busiest day of the year so they will be renting barricades and road closure signs.

Following discussion, Trustee Gasner moved to grant the revised Special Event Permit Application from Kathleen Brown for the closure of Elk Lane on July 4, 2014 for a Independence Day Block Party and Parade. Trustee Lewis seconded the motion and all Trustees voted aye.

At 8:29 p.m. Trustee Lanzi resumed his seat.

CITIZEN PARTICIPATION: Bert Rewold, 401 Park Avenue, was recognized from the audience. He said that he purchased the vacant lot next to his property that included a paid water tap and is now having to pay for water that he is not using and doesn't feel that it is fair. Trustee Gasner asked him to write down his concerns and bring them

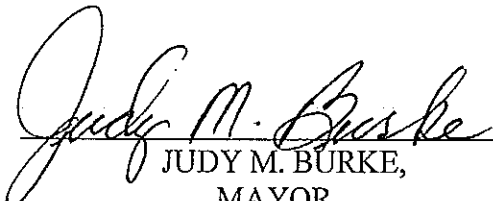
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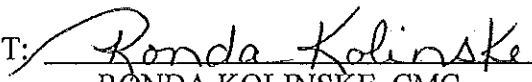
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to staff during regular business hours. Town Manager Hook stated that he spoke with Mr. Rewold about a week ago but hasn't had a chance to follow up with him. He said that it is his intent to follow up and respond to him.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Gasner. All Trustees voted aye, and the meeting was adjourned at 8:32 p.m., June 23, 2014.

  
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JUDY M. BURKE,  
MAYOR

ATTEST:   
\_\_\_\_\_  
RONDA KOLINSKE, CMC,  
TOWN CLERK