

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JULY 11, 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, Jenkins, Kudron, Lewis, and Sabo; Town Manager White, Town Clerk Nicholls, Town Planner Biller and Town Code Administrator Rendon.

ABSENT: None.

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 the Juniper Library will conduct a used book sale July 15th – 17th at the Pitkin Annex beginning at 10 a.m.

Mayor Peterson announced that the 69th Annual Buffalo BBQ celebration will include the Rotary's 42nd Annual Pancake Breakfast from 7 – 11 a.m., and a 5K run and bingo on the 16th. Cowboy Church in the park and a parade on the 17th. Boardwalk sales, BBQ and live music on both days.

Mayor Peterson announced that antique and classic wooden boats will be on display July 23rd at the Public docks.

Mayor Peterson then thanked the Town Staff, Public Works and Fire Department for a job well done on the Fourth of July.

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 Jenkins announced that she had a conflict with a Local Liquor Licensing issue and the Nightly Rental License Application

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as her family holds an interest in the Gateway Inn, a hotel with a liquor license.

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.

Stephen Wall, 12692 US Highway 34, was recognized by the Chair. Ms. Wall stated that the Town should recognize all the work the Rotary did for little shut out in the Park.

SCHEDULED

PRESENTATIONS/

DELEGATIONS:

Mayor Peterson introduced Samantha Bruegger, Executive Director, Grand Lake Area Chamber of Commerce. Ms. Bruegger stated visitation at the Visitors Center has gone up exponentially as have the Park numbers. Memorial Day and Ride the Rockies both turned out well. She continued that they learned a lot about event preparation from the Ride the Rockies event. First Saturdays in the Park turned out to be a young family demographic. She concluded by reviewing the website and FaceBook page usage, car counts and the budget to actuals for the year.

A brief discussion ensued regarding traffic and overall growth.

CONSENT AGENDA:

Mayor Peterson introduced the Consent Agenda which contained the following: Minutes from the June 27, 2016 Meeting and Accounts Payable for June 2016.

Trustee Lewis moved to approve the Consent Agenda as presented. Trustee Gasner seconded the motion and all Trustees voted aye, except Trustee Jenkins who abstained.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE GRAND ARTS COUNCIL FOR A "NIGHT IN MOROCCO SHOW and CONSIDERATION OF A TRANSFER OF OWNERSHIP APPLICATION FOR THE HOTEL & RESTAURANT LIQUOR LICENSE FROM LEGS, INC., D/B/A EG'S TO TRIFECTA MK&K, D/B/A PINE RESTAURANT & BAR –
Town Clerk Nicholls noted that the applicants for the Liquor

Licensing Authority were not present. Trustee Gasner moved to table the Liquor Licensing Authority to the next available meeting on both items. Trustee Lewis 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 INFINITE WEST, INC. FOR THEIR "SPIRIT OF THE LAKE REGATTA BREWS & CREWS FEST" 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 Infinite West, Inc. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their "Spirit of the Lake Regatta Brews & Crews Fest" to be held Saturday, August 13, 2016 from 11:30 a.m. to 5:00 p.m. The proposed location is the Lake Front Park at Lake Avenue. Public notice was posted on the premises on July 1, 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 passed out letters of support for the event. Rendon stated Infinite West has submitted a Special Event Permit Application for consideration of conducting a Spirit of the Lake Brews and Crews Fest. Because the liquor portion of this event was held at Town Square Park in 2014, and is being proposed to move to Stover Lake Front Park in 2016, and the sponsor for this event changed from the Grand Lake Area Chamber of Commerce in 2014, to Infinite West in 2016, action by the Board of Trustees is required. On July 22, 2014, a similar event known as Grand Lake Brew and Crew Fest was approved by the Board of Trustees and the event took place on Saturday, August 23, 2014. No complaints were filed with the Town of Grand Lake after the 2014 event took place. This event was not held in 2015. The Event being proposed will take place on Saturday, August 13, 2016, from 7:00 a.m. until 5:00 p.m. with cleanup to take place immediately following the Event. The Applicant is requesting the following uses: Stover Lakefront Park near the

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Public Restrooms, Beach and Public Dock Areas; Lake Avenue intermittently closed from the public restrooms to Miyauchi's on August 13, 2016, from 5:00 a.m. until noon to allow the boaters to cross the road and for set-up; and closure of the parking lot on Lake Avenue, below Pancho and Lefty's from August 12, 2016 at 5:00 p.m. until August 13, 2016 at 8:00 a.m. to allow the boaters to stage their boats. The Applicant agrees to leave open access to the EV Charging Station during the duration of the Event. The Applicant stated that they have consulted with all of the local business along Lake Avenue that may be impacted by the Event. To date, Town Staff has received no negative concerns regarding the Event. He noted that the waters of Grand Lake are outside of the town limits, and therefore, the town cannot and does not grant authority or accept responsibility or liability for any activities on Grand Lake itself. All participants, visitors, organizers and their volunteers are at their own risk. 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 and the Applicant. The Board should review and discuss the application, taking into consideration the factors listed above as well as input from the Applicant. He concluded by stating Thomas Harris, President, was present.

Thomas Harris, President, Infinite West, Inc. was recognized by the Chair. Mr. Harris stated it will be the fourth year doing the event. They are moving the location down to where it seemed to be going. He has been working with the business owners to make the event more accommodating for them.

Trustee Kudron raised a question about the layout of the event. Mr. Harris clarified that they might be putting the environmental fair booths on the other side of the street if necessary, but the alcohol would remain in the one section of the park.

Andy Murphy, 10553 US Highway 34, was recognized by the Chair. Mr. Murphy disclosed that he is in the Paddle Board business and he is also a paid supporter and sponsor of Infinite West. He stated that he is in full support of the event and his only concern, along with the other lake front businesses, was regarding the street closure on a permanent basis. He said that he felt Mr. Harris has alleviated those concerns with his plan. He stated his favor of having more events by the lake as long as the access to the public is maintained. He concluded by asking the Board to further consider development of the west end of the beach beyond the volleyball court.

A brief discussion ensued regarding the Mayor's Challenge. Mayor Peterson accepted the challenge.

Stephen Wall, 12692 US Highway 34, was recognized by the Chair. Ms. Wall questioned if events by the lake were not considerate to the other guests not going to the event. She raised questions about the access to the bathrooms for the public, specifically families having to take children through a crowd of people drinking and being rowdy, and if the facilities were adequate for everyone.

Mr. Harris stated that his plan to have porta-potties has changed due to the provider cancelling on him due to lack of staff. He further stated that the plan entails leaving the bathrooms open to the public.

Samantha Bruegger, 217 Marina Drive 1B, was recognized by the Chair. Ms. Bruegger stated she felt that people drinking would want to take their drinks into the restroom with them. She said it would create more trash and keeping open cups of beer around was unsafe.

After discussion it was agreed to have the bathrooms watched and consider a different layout next year if needed.

Trustee Lewis moved to approve the Special Event Permit and the Liquor License Application for the Infinite West Spirit of the Lake Brews and Crews, 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 Jenkins seconded the motion and all Trustees voted aye.

OLD BUSINESS:

None.

At 8:01 p.m. Trustee Jenkins excused herself and sat in the audience.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 11-2016; A RESOLUTION GRANTING A NIGHTLY RENTAL LICENSE IN A RESIDENTIAL NEIGHBORHOOD LOCATED AT LOT 8, BLOCK 22, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 602 W. PORTAL ROAD – Mayor Peterson asked Town Code Administrator Rendon to present this matter to the Board. Rendon stated Town Staff received a Nightly Rental License Application from Aspen Fox, LLC (Rebekah Wilson). During the application process, Town Staff received two written letters of objections which requires Board of Trustees review. The written letters of objections were received from Kay and Julius Vargo and Lalenia Quinlan Aweida. The written letter of objections stated the following reasons for objections to the proposed Nightly Rental

Conditional Use: trespassing on public property by renters; difficulties with resolving past property concerns between applicant and neighbors; negative impact on property value; parking concerns; and access to property through Portal Road per Memorandum of Understanding. On July 6, 2016, the Town of Grand Lake Planning Commission reviewed the Nightly Rental Application at a Public Meeting and forwards, by motion, a recommendation of approval with the condition that the Property Owners must maintain access to all adjacent properties while the Nightly Rental property is being rented. Town Staff has verified that all the requirements of the Nightly Rental License Application have been satisfied by the Property Owner. Town Staff recommends the Board adopt the resolution as presented. If the Nightly Rental License is issued, the Property Owner would be subject to all the provisions for Nightly Rental License renewal, which includes written complaints in the previous 12 month period. The Board should first determine if a Public Hearing is necessary. If the Board determines a Public Hearing is not necessary, they should discuss the Nightly Rental License Application, the written letters of objections, and the recommendation of the Planning Commission. He concluded by stating Rebecca Wilson was present.

Rebecca Wilson, 602 Portal Road, was recognized by the Chair. Ms. Wilson stated they own several properties in the Town which they use for long-term rentals, seasonal rentals, vacation rentals and even donate housing for the benefit of the community. The vacation rental aspect requires that they keep the homes in the best working order and be responsive in order to retain their rating. She requested the same rental options for the home in question. They plan to live in the Town in the future and have been very ingrained into the community. The neighbors closer in proximity have shown support, while the complaints are from neighbors further away. She concluded by stating that the concerns voiced by the Vargos have nothing to do with their vacation rental license, but they are more personally based.

After a brief discussion Mayor Peterson explained that several members of the Board will be abstaining as they are on the Planning Commission. Trustee Gasner further clarified that he feels it is his duty to support the Planning Commission vote.

Trustee Kudron moved to adopt Resolution 11-2016; a resolution granting a Nightly Rental License in a residential neighborhood located at Lot 8, Block 22, Town of Grand Lake; more commonly referred to as 602 W. Portal Road with the condition the property owner must maintain access to all adjacent properties while the Nightly Rental Property is being rented. Mayor Peterson seconded

the motion. After a brief discussion Trustee Kudron, Trustee Lewis and Mayor Peterson voted aye, and Trustee Gasner, Trustee Goodfellow and Trustee Sabo abstained.

Trustee Jenkins resumed her seat at 8:14 p.m.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 12-2016; A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AGREEMENT FOR SERVICES FOR SURVEYING AND DESIGN SERVICES FOR DOWNTOWN GRAND LAKE – Mayor Peterson asked Town Planner Biller to present this matter to the Board. Biller stated the Town has received three competitive bids for professional services related to implementing the Grand Avenue Streetscape Masterplan, Wayfinding Masterplan, and the November ballot question. Board review is required before an Agreement for Professional Services can be awarded. The 2006 Comprehensive Plan recommended Pedestrian Circulation / Boardwalk Extension and Boardwalk extension–West of Ellsworth. The 2013 Downtown Assessment recommended the following: create a master streetscape plan for downtown including a defined area for the historic boardwalk treatment; and develop a block-by-block plan for the greenbelt area and boardwalk that coincides with grade change, property use and access. The 2014 Gateway Community Livability Assessment recommended the following: add sidewalks, curb extensions, crosswalks, parking, and landscaping to make small towns more walkable and economically viable; improve connections between neighborhoods and main streets, schools, parks, housing and services; and incorporate community design and land use planning, mobility and accessibility, public health, environmental protection, and economic development. The Town contracted with Munn Architecture in 2014 to complete a Wayfinding Masterplan and a Grand Avenue Streetscape Masterplan. Each plan was adopted in 2014 and 2015, respectively. The Grand Avenue Streetscape Masterplan states the following: explore traditional and alternative funding sources for the streetscape masterplan implementation; evaluate and map the existing infrastructure within the entire Grand Avenue corridor; and the Town should plan for any improvements to these utilities to occur prior to or in conjunction with streetscape, greenway and boardwalk improvements to minimize impacts to the improvements resulting from this master plan. The Wayfinding Masterplan states the following: determine funding source for sign installation and maintenance; and explore traditional and alternative funding sources for sign plan implementation. The Town has received three competitive bids for the professional services requested. All of the bids are from qualified firms who have varying levels of experience working with the Town. The

Request for Proposals includes surveying and design services for the downtown area to conduct capital improvements as outlined in the master plans. These design services will provide the Town with accurate cost estimates for the November ballot question in addition to providing preliminary construction plans for implementation of many capital improvements. The work will provide the Town with valuable information regardless if the ballot measure passes. Per the Municipal Code, the Board is responsible for determining the most qualified firm. The Board should consider authorizing the Town Manager to administer procurement for professional services related to the November ballot question. Biller passed out a rate sheet of the bids to the Board.

A discussion ensued about the bids, rates, timing of the project, bond issue, and the benefits of having the Town Manager make the decision.

Trustee Jenkins moved to adopt Resolution 12-2016; a resolution authorizing the Town Manager to execute an Agreement for Services for Surveying and Design Services for Downtown Grand Lake. Trustee Lewis seconded the motion and all Trustees voted aye.

MAYOR'S REPORT
AND COMMENT:

Mayor Peterson stated the Town has been extremely busy since Memorial Day without any slow down. The advertising and heat of Denver have likely added to the increase in business and he is looking forward to a great summer and perhaps it will billow over in to winter.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Gasner. All Trustees voted aye, and the meeting was adjourned at 8:34 p.m., July 11, 2016.



JAMES C. PETERSON,
MAYOR

ATTEST: 

KATIE NICHOLLS,
TOWN CLERK