

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JULY 24, 2017 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 Bruegger, Goodfellow, Jenkins, Kudron, Lewis, and Solgot; Town Manager White, Town Clerk Nicholls, Town Planner Shull, and Town Attorney Krob.

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 Grand Lake Yacht Club Regatta will be held July 29th – August 6th.

Mayor Peterson then announced that Spirit of the Lake Regatta Brews & Crews will be held Saturday, August 12th.

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.

There were no conflicts of interest.

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

There were no unscheduled public comments.

SCHEDULED
PRESENTATIONS/
DELEGATIONS:

None.

MINUTES APPROVAL:

Trustee Lewis moved to approve the July 10, 2017 Minutes as presented. Trustee Solgot seconded the motion and all Trustees voted aye.

REPORTS: SALES TAX
CASH FLOW REPORT
FOR JUNE 2017:

Mayor Peterson asked Financial Trustee Goodfellow to present the sales tax cash flow report. Goodfellow reported that the amount of revenue received in June 2017 for the month of May 2017 was \$74,172 or \$260,320 year-to-date. This amount was 7.23% above what was received through May 2016. Sales Tax Bond Revenue for the same period was \$17,539 or \$61,627 year-to-date.

REPORTS: FINANCIAL
REPORT FOR
JUNE 2017:

Mayor Peterson asked Financial Trustee Goodfellow to present the Financial Report for June 2017. Goodfellow reported that the General Fund expenditures through the end of June 2017 totaled \$939,038 or 28.6% of budget. He said the Water Fund expenditures for the same period totaled \$377,573 or 26.6% of budget, the Marina Fund expenditures totaled \$122,026 or 48.1% of budget, the PAYT Fund expenditures totaled \$8,334 or 23.9% of budget, and the Grand Lake Center expenditures totaled \$88,637 or 45.7% of budget.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT
PERMIT APPLICATION FROM THE GRAND LAKE AREA
HISTORICAL SOCIETY FOR A "CHICKEN DINNER"

EVENT – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated that an application for a Special Events Liquor Permit was received with the appropriate local fee, proof of possession, certificate of good corporate standing, and floor diagram, from the Grand Lake Area Historical Society. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for a "Chicken Dinner" event to be held Sunday, August 20, 2017 from 5:30 p.m. to 9:00 p.m. The Grand Lake Area Historical Society qualifies for a Special Events Permit in that it is incorporated with the State of Colorado as a nonprofit social group, and has not received more than 15 Special Events Liquor License Permits for 2017, this is their 1st request. The proposed location is the Smith Eslick Cottage Court at 729 Lake Avenue, which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location. Public notice

was posted on the premises and attested to by Grand Lake's Code Administrator, Erin O'Rourke on July 7, 2017. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. 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. She concluded by stating that Elin Capps was present.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Grand Lake Area Historical Society for a "Chicken Dinner" event to be held Sunday, August 20, 2017 from 5:30 p.m. to 9:00 p.m. Trustee Kudron seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FROM INFINITE WEST, INC. FOR A "SPIRIT OF THE LAKE REGATTA BREWS & CREWS" EVENT – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated that an application for a Special Events Liquor Permit was received with the appropriate local fee, proof of possession, certificate of good corporate standing, and floor diagram, from the Infinite West Inc. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for a "Spirit of the Lake Regatta Brews and Crews" event to be held Saturday, August 12, 2017 from 12:00 p.m. to 5:00 p.m. Infinite West Inc. qualifies for a Special Events Permit in that it is incorporated with the State of Colorado as a nonprofit philanthropic institution, and has not received more than 15 Special Events Liquor License Permits for 2017, this is their 1st request. The proposed location is Lower Lakefront Park at 1117 Lake Avenue, which is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location. Public notice was posted on the premises and attested to by Grand Lake's Code Administrator, Erin O'Rourke on July 7, 2017. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. She noted that the Grand Lake Area Chamber of Commerce has the event listed as free with \$35 unlimited drinking. While this is not prohibited by the Colorado Revised Statute, the Local Liquor Licensing Authority may wish to remind the applicant of its duties to not serve anyone displaying any visible signs of intoxication as is required under Colorado State Liquor Rules & Regulations. 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. She concluded by stating that Thomas Harris was present.

Thomas Harris, 263 Elkhorn Drive, Tabernash, was recognized by the Chair. Mr. Harris stated it will be the fifth year of the event and he encouraged everyone to come to the event.

After a brief discussion of the event and the liquor area diagram, Trustee Solgot moved to approve the Special Events Liquor Permit Application from Infinite West Inc. for a "Spirit of the Lake Regatta Brews and Crews" event to be held Saturday, August 12, 2017 from 5:30 p.m. to 9:00 p.m. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS:

None.

NEW BUSINESS:

PUBLIC HEARING – CONSIDERATION OF CONSTRUCTION OF A NEW PROPOSED 300,000 GALLON WATER STORAGE TANK; AND AWARD BIDS FOR THE SITE WORK AND CONSTRUCTION – Mayor Peterson opened the Public hearing and asked Water Superintendent Dave Johnson to present this matter to the Board. Johnson stated that the current 250,000 gallon steel above-ground storage water tank is past its life expectancy. Design and installation of a new water tank has been proposed with a 300,000 gallon underground concrete tank to be installed and completed in fall 2018.

A discussion ensued regarding the removal of the old tank, and construction timeline.

John Enochs, Diamondback Engineering, was recognized by the Chair. Mr. Enochs stated that four bids were received, two for the site work and two for the tank construction. ATH Specialties and Sales was the low bid for the site work project and Preload, LLC the low bid for the tank construction project. He then reviewed the proposed construction schedule. ATH would like to begin as soon as their bonding is in place, which is expected in the next couple of weeks. Excavation should be complete by the end of August. Preload, LLC would like to put in the foundation, and precast the walls for the tank this fall, let it sit over winter, and begin again in the spring. He then presented a PowerPoint presentation reviewing the project, benefits of an underground concrete tank, and how the construction of the tank occurs. He stated that the plans are approved by the Health Department, and funding has been applied for and is expected by January. The Water

Department has enough saved money for the tank and can pay for the fall work until the funding is received.

A discussion ensued regarding funding, Water Department budget, life expectancy of the tank, tank switch over, and security requirements.

Mayor Peterson asked for any Public Comments, there were none. He then closed the Public Meeting.

Trustee Bruegger moved to authorize Diamondback Engineering to sign the Notice of Awards to ATH Specialties and Sales in the amount of \$304,205 for the site work, and Preload, LLC in the amount of \$685,700 for the tank construction. Trustee Solgot seconded the motion and all Trustees voted aye.

Trustee Lewis moved to authorize Town Manager Jim White to sign all contracts with ATH Specialties and Sales in the amount of \$304,205 for the site work, and Preload, LLC in the amount of \$685,700 for the tank construction once the required bonds are in place. Trustee Solgot seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF TWO MEMORANDUMS OF UNDERSTANDINGS WITH UNIVERSITY OF COLORADO DENVER – Mayor Peterson asked Town Manager White to present this matter to the Board. White stated that upon the Town's request, the Town has received two proposals through partnership with the Colorado Department of Local Affairs through Greg Winkler, DOLA Field Representative, and the University of Colorado Denver, Colorado Center for Community Development through its primary contact, Jeff Wood. The first proposal is to consider assistance in discerning public opinion and a plan for use and expansion of the Lakefront Park area. He then reviewed the scope of work which includes: the danger of cars and kids in close proximity; recapturing parking spaces; gateways along Grand Avenue to bring people to the park. The second proposal is for assistance in an assessment of the existing Community House for development into a small venue Music Hall/Theater. He then reviewed the most recent improvements to the Community House. He concluded by stating that both projects have been discussed in various degrees for the past several years, yet no action or formal planning has taken place. For very reasonable prices, the Town can get assistance from university students to move these planning efforts forward by July of 2018. This is the same program used for the Grand Lake Center.

A discussion ensued regarding the Community House improvements and plans to expand office space in Town Hall, and the \$22,000 in the Conservation Trust Fund earmarked for Lakefront Park improvements.

A discussion ensued regarding the plan's proposal to close the road and the comprehensive plan. The Board requested that the plan include an option with the road open as well.

Trustee Solgot moved to approve the Memorandum of Understanding between the Colorado Department of Local Affairs, University of Colorado Denver and the Town of Grand Lake in the amount of \$2,600, with \$1,040 from DOLA and the Town's share of \$1,560, to be taken out of the \$22,000 earmarked for Lakefront Park improvements, to assist in a public consideration of an expansion to the Lakefront Park area. Trustee Lewis seconded the motion and all Trustees voted aye.

Trustee Lewis moved to approve the Memorandum of Understanding between the Colorado Department of Local Affairs/University of Colorado Denver and the Town of Grand Lake in the amount of \$2,175, with \$870 from DOLA and the Town's share of \$1,305 to assist in an assessment of the existing Community House for development into a Music Hall/Theater contingent that Town Manager White locates funds of \$1,305. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION 10-2017, A RESOLUTION GRANTING CERTAIN VARIANCE TO MUNICIPAL CODE 12-2-28 PARKING REGULATIONS FOR TRACT B, BLOCK 20, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 626 GRAND AVENUE – Mayor Peterson asked Town Planner Shull to present this matter to the Board. Shull stated that the Town has received a parking variance request application from Munn Architecture, LLC on behalf of property owner Jim Felix, which requires Board approval. The applicant is seeking relief of hardship for the required alley-accessible loading and unloading area as required by Municipal Code 12-2-28 (B). He provided a brief background of the property and then stated that the nature of this particular parking variance is unique, given it does not request a relief of hardship from parking stall and/or parking lot regulations and design standards specifically. Therefore, Staff believes the only criterion which applies to this particular request is criterion (a), which states that *the proposed parking plan requesting the variance has a mitigation plan in place for the requested variance*. Staff believes the applicant's parking plan provides a mitigation plan for the lack of alley-access loading and unloading

zone. The proposed alternative loading/unloading area meets the required size dimensions and specified in the Code; is accessible via a 24' wide drive lane, larger enough to accommodate large trucks and their turning radius; and is set back towards the southern boundary of the property, closest to the kitchen access. Staff recognizes that the required snow storage area overlaps the proposed loading/unloading zone. With fewer patrons during the winter, the applicant anticipates less parking space usage. The applicant has also informed Staff that they plan to clear a pathway to the kitchen for loading trucks if necessary. The Commission recommended approval with the condition that upon the BOT granting approval, the applicant agrees to pay \$4,000 fee-in-lieu of parking to the Town for the missing required parking stalls per Municipal Code 12-2-28(B)1. He concluded by stating that Staff suggests the Board grant the parking variance following the Planning Commission recommendation.

A discussion ensued regarding impact upon Streetscape, access, fee-in-lieu requirements, clearance area for delivery trucks, and delivery trucks unloading on Grand Avenue.

Trustee Kudron moved to approve Resolution 10-2017, a resolution granting certain variance to Municipal Code 12-2-28 parking regulations for Tract B, Block 20, Town of Grand Lake; more commonly referred to as 626 Grand Avenue. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF PROPOSED CALENDAR FOR 2018 BUDGET – Mayor Peterson asked Town Manager White to present this matter to the Board. White stated that calendar of action in connection with the 2018 Budget has been provided to the Board, based on the statutory deadlines. The Board needs to set a date for the Budget Workshop. Since this is a Special Meeting and not a regularly scheduled Board Meeting, it does not necessarily have to be on a Monday. Staff would like to suggest that this first workshop be scheduled for a date in late August or in September, starting at 12:30 until 4:30, unless we need to work later. Staff is aiming for a public hearing on October 9 or 23 and budget adoption by November 13 this year. Four affirmative Board member votes are required.

A discussion ensued regarding schedules. The Board decided to schedule the first Budget Workshop on August 16, 2017 at 12:30 p.m. to 4:30 p.m.

**MAYOR'S REPORT
AND COMMENT:**

Mayor Peterson asked the Board if they have seen the new power poles along Highway 34. He stated that it has been intimated in

RECORD OF PROCEEDINGS

the past that the same type of poles may be placed from the Adam's Tunnel. He noted their appearance and suggested the Board stay on top of this issue.

A discussion ensued regarding the poles. The Board directed Town Manager White to write a letter of concern.

At 8:39 p.m. the Board entered executive session.

EXECUTIVE SESSION: Trustee Jenkins moved to go into executive session for discussion of a personnel matter under C.R.C. Section 24-6-402(4)(f). Trustee Lewis seconded the motion and all Trustees voted aye.

The Board exited executive session at 8:50 p.m.

ADJOURNMENT: Trustee Lewis moved to adjourn, seconded by Trustee Solgot. All Trustees voted aye, and the meeting was adjourned at 8:50 p.m., July 24, 2017.



JAMES C. PETERSON,
MAYOR

ATTEST: 

KATIE NICHOLLS,
TOWN CLERK

