

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
July 17, 2018 – 7:00 P.M.

MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Cameron Thorne
Trustee Chris Quinn
Trustee Tyler Stevens

Board Members Absent

Trustee David Pearlman

Town Attorney

Not present.

Interim Town Manager

Jason Wells

Public Works

Danny Vanderhoef

Interim Town Clerk

Judy Egbert

Marshal's Dept.

Virgil Hodges

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Newberry called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda

Mr. Wells requested to change item 4.d. to "gravel road update", and move it to 4.b.

Mayor Newberry moved, seconded by Trustee Stevens, to approve the agenda with the recommended change. The motion carried unanimously.

3. Consent Agenda

- a. Approve Board of Trustees Meeting Minutes June 12, 2018 special meeting
- b. Approve Board of Trustees Meeting Minutes June 19, 2018 regular meeting
- c. Bring Into Record Bills Run July 3, 2018 and July 17, 2018

Trustee Thorne noted a typo in the June 12 minutes and the last line on page one should read "contract" rather than "contact"; and a mis-spelling of Water on Marris.

Trustee Stevens moved, seconded by Trustee Quinn, to approve the consent agenda with the changes to the agenda as noted. The motion carried unanimously.

4. New Business

a. Resolution No. 2018 – 07 A Resolution Accepting The Resignation Of Trustee David Pearlman and Declaring One Trustee Position Vacant

Trustee Stevens moved, seconded by Trustee Thorne to adopt Resolution No. 2018-07. The motion carried unanimously.

b. Gravel Road Update, Jennifer Irvine (moved and retitled, originally item 4.d.)

Ms. Irvine updated the Board on efforts toward gravel road maintenance. She noted two issues that affect the ability to maintain roads. The first factor is the crown and drainage slope. Secondly the moisture content affects the ability to be effective.

She went on to say that the condition of Green Mountain Falls' roads are 65-70 on a scale of 1-100. Maintaining gravel roads takes very skilled operators, who are hard to find. El Paso County staff are sharing information with GMF staff. It's important to take advantage of the window of workable time right after moisture.

Ms. Irvine told the Board that Mr. Wells is on the right track and handling the roads appropriately.

Mr. Wells agreed that it is difficult to find contractors skilled in this area. He has two potential contractors to consider. One is a single operator, and one a crew of three. He recommended contracting with both to be able to accomplish as much as possible in a short window of time available before the August 1 date of the mag chloride application.

The Board agreed by consensus to do both the single operator and crew and recommended.

Although this item was not scheduled for citizen comment, Mayor Newberry allowed several citizens to speak.

The Belvidere project is progressing, and a full update will be given at the next meeting.

b. Consideration of Revocable Permit to allow horse-drawn carriage rides as requested by Curry Carriage Service.

This application was recommended for approval by the Planning Commission, although concern was expressed about operating on Town streets.

Dick Bratton spoke representing the Planning Commission encouraging the Board to pursue creating a license specific for this type of business.

Applicant Mike Curry described his proposed business. He committed to any needed clean-up, and described the gentleness of his horses. He will carry the appropriate insurance.

Trustee Stevens moved, seconded by Quinn, to approve this revocable permit as recommended, with the conditions of clean-up and insurance as noted. The motion carried unanimously.

c. Discussion and direction – fence permits

Planning Commission has recommended a \$50 fee that would apply to both new fences and repairs.

The Board agreed by consensus to include this change with the comprehensive code review. Fees will be addressed through a separate Resolution and not contained in the Code.

d. Belvidere Road update, El Paso County Engineer Jennifer Irvine (retitled and moved to item 4.b.)

e. November 6, 2018 Special Election action items:

1) Resolution No. 2018-08, A Resolution Of The Town Of Green Mountain Falls, Colorado, Calling A Special Election To Be Held On November 6, 2018, To Be Coordinated With El Paso And Teller Counties

Trustee Thorne moved, seconded by Trustee Stevens, to adopt Resolution 2018-08 as presented. The motion carried unanimously.

2) Resolution No. 2018-09, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election A Ballot Issue On Whether To Enact A Lodging Occupation Tax

Mr. Wells led the Board in a discussion regarding an appropriate amount to be entered into the ballot text, with no determination made.

The Board also discussed the need to clarify language regarding how the occupation tax is applied. Is it per room, per bed, or per person?

Trustee Stevens moved, seconded by Trustee Quinn to table action to the next meeting for the purposes of allowing staff to make a recommendation on the tax amount and to request that the attorney draft language that is more clear regarding how the tax is to be applied. The motion carried unanimously.

3) Introduction Of Ordinance No. 2018-05, An Ordinance Repealing And Reenacting Article VI, Chapter 4, Of The Green Mountain Falls Municipal Code To Create A Valid Lodging Occupation Tax

The Board discussed the exception noted for 501(c)(3), querying why this would not include all non-profits.

Mayor Newberry moved, second by Trustee Stevens to introduce Ordinance No. 2018-05 and to set a workshop and public hearing for August 7, 2018 starting at 7:00 p.m. The motion carried unanimously.

4) Introduction And Final Action, Emergency Ordinance No 2018-06, An Emergency Ordinance Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Reduce The Size Of The Board Of Trustees

Trustee Stevens moved, seconded by Trustee Thorne, to introduce and adopt Emergency Ordinance No. 2018-06 as presented. The motion carried unanimously.

5) Resolution No. 2018-10, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Publish Town Ordinances By Title Only

The Board expressed desire to add language reflecting a positive stance indicating that the Town may make the full ordinances available to the public in other methods.

Mayor Newberry moved, seconded by Trustee Stevens to request input and language revision if appropriate from the Town Attorney and table action until the next meeting. The motion carried unanimously.

6) Resolution No. 2018-11, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring To Voters At The November 6, 2018 Special Election The Question Of Whether To Stop Publishing Town Bills In A Newspaper

The Board expressed desire to add language reflecting a positive stance indicating that the Town may make the bills list available to the public in other methods.

Trustee Stevens moved, seconded by Trustee Thorne to request input and language revision if appropriate from the Town Attorney and table action until the next meeting. The motion carried unanimously.

7) Resolution No. 2018-12, A Resolution Of The Town Of Green Mountain Falls, Colorado, Referring The Election Of Two Trustees To Voters At The November 6, 2018 Special Election

Trustee Thorne moved, seconded by Mayor Newberry, to adopt Resolution No. 2018-12 as presented. The motion carried unanimously.

f. Introduction Of Ordinance No. 2018-07, An Ordinance Amending Article IV, Chapter 4, Of The Green Mountain Falls Municipal Code To Re-Codify The Town's Sales Tax Without A Tax Policy Change

Trustee Stevens moved, seconded by Trustee Quinn to introduce Ordinance No. 2018-07 and to set a workshop and public hearing for August 7, 2018. The motion carried unanimously.

g. Consider Submitting Request For Extension of Time To File Audit

Mayor Newberry moved, seconded by Trustee Stevens to submit the request for extension of time to file the 2017 audit. The motion carried unanimously.

5. OLD BUSINESS

a. Public Hearing And Consideration Of Final Adoption Of Ordinance No. 2018-03, An Ordinance Amending Section 17-85(C) Of The Municipal Code Of The Town Of Green Mountain Falls, Colorado, Regarding The Procedure For Obtaining Grading Permits

Mayor Newberry opened the public hearing at 8:54 p.m. and asked for those wishing to speak.

Gary Florence asked if this ordinance would change anything underway with the Fire District's project. It will not.

Trustee Thorne read the ordinance in full.

Howard Price asked the standard for needing a permit. Dick Bratton replied that 50 cubic yards is the threshold.

There being no one further wishing to speak, the hearing closed at 8:57 p.m.

Trustee Thorne pointed out that "permit" should be singular.

Trustee Thorne moved, seconded by Stevens to adopt Ordinance No. 2018-03 with the grammatical correction as noted. The motion carried unanimously.

b. Introduction and Final Action, Emergency Ordinance No. 2018-04, An Ordinance Amending Chapter 6, Article VIII, Of The Green Mountain Falls Municipal Code, Adopted As Ordinance No. 04-2017, Regarding Short-Term Rental Property Licenses

Mayor Newberry reviewed the reason behind licensing short term rentals, and the history of the licensing process.

The Board discussed the density and overall cap requirements.

Mayor Newberry allowed citizens to comment. This was done informally, without citizens identifying themselves and often speaking at the same time. In summary, their concerns were:

- Safety
- Smoking
- Number of people
- Protection of community relationships among neighbors
- There are rentals currently in operation that do not have a license, and there is no enforcement.

Mr. Wells clarified that there are no pending applications because of the current ordinance's lack of clarity. This proposed ordinance would provide the needed clarity and a permit structure. This ordinance was first presented two meetings ago, at which time it did not have any action taken. It was on the agenda for the last meeting, which was cancelled because of a lack of quorum. No permit approvals have been issued.

After further discussion the Board agreed on the following desired changes:

- Section 6-153 title is changed to reference "sales and other applicable taxes"
- Section 6-155(a)(4) is to read "Parking plan for guests indicating the manner in which the maximum allowable number of cars permitted are to be parked so as to avoid any conflicts with neighbors or public right of way."
- Section 6-155(b)(12), or in another section if appropriate, is to have language added to specify that conviction of a municipal code violation that is pertinent to the permitted property within the past year be a criterion for consideration in determination eligibility for issuance or renewal.
- The distance for notification and appeal standing is to be 150 feet.

Mayor Newberry moved, seconded by Trustee Stevens to adopt this ordinance with the four noted changes. On discussion, the Board again discussed the potential desire for a density limit per street, and agreed that this issue could be addressed later. Mayor Newberry called for a roll call vote, with Newberry, Stevens, and Quinn voting yes, and Thorne voting no. The motion carried, meeting the $\frac{3}{4}$ threshold for an emergency ordinance.

c. Discussion and potential action – naming road to new Fire Department facility

Gary Florence presented the recommendation to name the road to the Fire Department Carsell Way in honor of former Town employee Timmy Carsell.

The Board expressed desire to keep the Town Hall address unchanged.

Trustee Stevens moved, seconded by Mayor Newberry to name the new road Carsell Way, with the understanding that Town Hall address would remain unchanged. The motion carried unanimously.

d. Discussion – Budget and Staffing

After discussion, the consensus was to hold off on any staffing decisions until more financial information is known at the next meeting.

6. PUBLIC INPUT – 3 Minutes Per Speaker None.

7. CORRESPONDENCE: The Planning Commission Minutes of June 26, 2018 and July 10, 2018 were recognized.

8. REPORTS

a. Trustees

Mayor Newberry reported on research regarding street lights. The Town had previously been underbilled due to a clerical error on the part of Colorado Springs Utilities. More information will be provided as information becomes known. The Town may be faced with deciding whether or not to keep all of the lights on.

b. Town Clerk

Ms. Egbert noted that an applicant has been received in consideration of the current Trustee vacancy. The Board directed her to bring this forward at the next meeting for direction.

c. Town Manager

The Board noted a correction on Mr. Wells' written report. The CDBG grant is for the fishing pier. The Fishing is Fun grant is for the automated inlet.

He asked for direction in establishing the fee for the Mobile Food license. The Board agreed on a fee of \$50. This will be incorporated into the next revision of the fee schedule.

d. Marshal

The Board directed Marshal Hodges to move forward with the Axis Audio with the projection option.

Marshal Hodges reviewed his written report.

9. Adjournment

Meeting adjourned at 11:06 p.m.

Mayor Jane Newberry

Judy A. Egbert