

**TOWN OF GREEN MOUNTAIN FALLS**  
**Regular Board of Trustee Meeting**  
**January 19, 2020 – 7:00 P.M.**  
**MEETING MINUTES**

**Board Members Present**

Mayor Jane Newberry  
Trustee Margaret Peterson  
Trustee Katharine Guthrie  
Trustee Dyani Loo  
Trustee Chris Quinn

**Board Members Absent**

**Town Attorney**  
Not present

**Town Manager**

Angie Sprang

**Public Works**

Not present

**Town Clerk**

Matt Gordon

**Marshal's Dept.**

Virgil Hodges

**Administrative Assistant**

Not present

**Planning Director**

Julia Simmons

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

Mayor Newberry called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

**2. Additions, Deletions, or Corrections to the Agenda**

Town Clerk/Treasurer Gordon requested two corrections to the agenda regarding the dates of accounts payable changing the January 2020 date to January 2021 and to address various spelling and numbering mistakes. Mayor Newberry moved to approve the agenda as corrected. Seconded by Trustee Loo. Motion passed unanimously.

**3. Persons Not Present on the Agenda**

(3 minutes given per speaker)

Resident Olds complimented the public works crew for their work and Mayor Newberry's cat. Resident Dixon shared concerns regarding budget overages on the Midland Avenue Project and the specifics of Board of Trustees meeting minutes from previous meetings. Resident Bratton asked questions regarding the Midland Culvert Project in relation to budget issues and project costs, provided suggestions on how to cover the project's costs, and provided comments on the project's design and management. Resident Pitrone deferred to the public hearing. Resident Mathews shared concerns regarding the Midland Avenue Project cost overages and project management as well as additional concerns regarding lack of access of BOT meeting videos on the Town website and BOT meeting specifics.

Mayor Newberry addressed concerns related to the Midland Avenue Project change order by sharing excerpts from a letter sent by Andre Brackin, Senior Water Resources Project Manager for Wilson and Company and manager of the project being addressed.

Resident Douglas shared comments on various tenants of project management and expressed concerns regarding the Midland Avenue project's design and management and BOT accountability and meeting transparency related to the project. Resident Blasi thanked Town Clerk/Treasurer Gordon for including his correspondence in the BOT meeting packet that included various recommendations to improve the

Town Government, shared concerns regarding the Midland Avenue Project's cost overrun and BOT accountability and meeting transparency related to the project, and lastly requested a future community forum to discuss paid town staff positions.

#### **4. Consent Agenda**

**a. Bring into record Accounts Payable for 1/7/2021 to 1/15/2021**

**b. BOT Meeting Minutes from 1/5/2020 and 1/7/2020 BOT Meetings**

Mayor Newberry moved to approve the consent agenda as presented. Seconded by Trustee Guthrie. Motion passed unanimously.

#### **5. Consideration of Ordinance No. 2021-03, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Zoning Certain Recently Annexed Property to Business District (Joyland Church Parcel Annexation)**

Mayor Newberry opened the public hearing at 7:22 pm. Town Planner Simmons opened the public hearing with a short report regarding the proposed Ordinance No. 2021-03 and shared that the Planning Commission unanimously recommended approval of this Ordinance No. 2021-03 to the BOT on 1/12 conveyed by memo.

Resident Eely shared concerns regarding the proposed structures and their locations to be built on Red Devil Mountain. Resident Pitrone agreed with Resident Eely, asked why artwork would compete with the lake or gazebo as a focal point for the Town and suggested a location for the artwork, and asked to include additional verbiage in the contracts for the project related to trail width and a declaration from the Petitioner that they intend to construct trails, toilets, and artwork and that the owner has agreed to adhere to Town regulations, and lastly asked questions related to road improvements and Town responsibility on private property.

Petitioner Stroope addressed Resident Eely's concerns by sharing where the art locations are, their size, and that his team worked with the artists to use materials that match the surrounding geography and will maintain dark skies. Petitioner Stroope addressed Resident Pitrone's concerns by clarifying that the trail proposed is not 30 feet wide but that the Town requested a 30 ft easement and clarified that the trail is a standard 18 to 24 inch hiking trail, stated that the project will respect Town building regulations, and clarified that no roads are planned for the project other than an ATV access trail.

Resident Pitrone asked additional questions related to road verbiage included in the annexation agreement and expressed concerns about the Town seeking reimbursement for roads from private property owners. Petitioner Stroope responded that the Town Attorney drafted the agreement and that roads and utilities are always included in annexation agreements even if there will be none. Resident Pitrone went on to discuss utilities related to the project and shared comments regarding the easements related to the project. Resident Pitrone ended on concerns regarding potential construction scars on the mountain. Petitioner Stroope addressed Resident Pitrone's concerns sharing that the utilities will be installed under the trail to avoid additional construction scarring and that his organization will mitigate construction scars and eliminate existing roads.

Trustee Loo asked for clarification regarding the listing of two different entities, Green Mountain Rd, LLC. and the Historic Green Mountain Falls Foundation, LLC, on the annexation agreements. Town Planner Simmons and Petitioner Stroope clarified that the annexed parcels were owned by two separate owners/entities and that is why there are two separate owners/entities on the agreements.

Mayor Newberry closed the public hearing at 7:38 pm.

Trustee Quinn moved to approve the Ordinance 2021-03. Seconded by Trustee Peterson. Motion passed unanimously.

**6. Consideration of Ordinance No. 2021-04, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Zoning Certain Recently Annexed Property to Public Lands District (Red Devil Mountain Parcel Annexation)**

Mayor Newberry shared for the public record that despite what is being said publicly the restrooms are not being built or paid for by the Town.

Trustee Peterson asked whether letters were sent to adjacent neighbors. Town Planner Simmons clarified that public notice was sent to all adjacent neighbors as well as published in the Gazette in December of 2020 and included these notifications in the agenda packet.

Mayor Newberry shared that Colorado Springs Utilities had no objections to the proposed use. Mayor Newberry went on to outline the steps the BOT could take related to this ordinance and shared her opinion on if this project went back to the County that the Town would have limited ability to protect the surrounding geography from development. Trustee Guthrie shared comments regarding the high quality of work of the proposed artist, the desire not to dictate the design of the art to the artists, and negative public opinion of renderings made by the artist. Mayor Newberry expanded on Trustee Guthrie's comments stating that the artist must present their proposed work to the Board in the future before BOT approval. Trustee Guthrie expressed that she appreciates that the Petitioner will be addressing potential construction scarring.

Trustee Peterson moved to approve. Seconded by Trustee Quinn. Motion passed unanimously.

**7. Planning Commission 2021 Bylaws**

Planning Commission Chair Dixon expressed that the Planning Commission has had a quality review period in putting together the bylaws and had no further comment. Mayor Newberry shared her thanks to the Planning Commission for their work on these recent annexations. Trustee Guthrie thanked the Planning Commission and Town Staff for their work on the Planning Commission 2021 Bylaws.

Mayor Newberry moved to accept and approve. Seconded by Trustee Guthrie. Motion passed unanimously.

**8. Consideration of a Special Use Permit for Public Restrooms at 10400 El Paso Avenue**

Mayor Newberry expressed that the Planning Commission reviewed the specifics of and recommended the special use permit at their 1/12 meeting.

Mayor Newberry moved to approve. Seconded by Trustee Guthrie. Motion passed unanimously.

**9. CORRESPONDENCE**

**a. Letter from Rocco Blasi**

Mayor Newberry took the letter under advisement.

**10. REPORTS**

**a. Trustee Reports**

Trustee Peterson shared that the Pikes Peak Chamber will be starting Bronc Day planning soon. Trustee Guthrie expressed that the CDBG grant application, a grant focused on making Gazebo Lake Park ADA compliant, will be completed for the next BOT meeting and requested that photos for the project be sent to Town Clerk/Treasurer Gordon. Trustee Peterson asked if the CDBG grant application requires

letter of support. Trustee Loo clarified that in addition to ADA compliance, the project would include infrastructure improvements around the lake. Trustee Loo announced that the PRT Committee had a scheduled meeting coming up. Trustee Loo responded to a Zoom chat request related to creating a template for a letter of support and Town Manager Sprang stated that the Town had a template that could be provided.

Mayor Newberry expressed her appreciation to the members of the BOT and Town committees for their work. Mayor Newberry went on to address comments made by the public related to irrigating at parks and the necessity for backflow preventers in proper working order, comments related to hosting virtual Board and committee meetings during the COVID-19 pandemic and recommended that meetings should be virtual until a vaccine is more widely distributed, comments related to email correspondence and cautioned attendees to give grace to people when communicating, and lastly addressed comments related to the organization of the Town's employment structure specifically the necessity and value of the Town Manager position and the failure and legal liability of the Trustee Liaison structure.

#### **b. Committee Reports**

#### **c. Staff Reports**

Town Clerk/Treasurer Gordon expressed that the Town has transitioned from paper to digital in processing business and short-term rental licenses and directed residents to the Town's website, shared about his work regarding Town finances, announced that the PRT committee and FMC had meetings coming up, and lastly announced that processing for dog licenses will begin when metal tags are received.

Town Manager Sprang provided specifics related to the change order for the DOLA Flood Recovery Project stating that the project went over its budget by 8% and that it is typical for this to happen with a project like this, requested guidance from the Mayor and BOT regarding an emergency declaration and stated that the emergency declaration would be included on the next BOT agenda. Town Manager Sprang ended by thanking Town Planner Simmons, Petitioner Stroope, the BOT, and the public for their input.

### **11. ADJOURNMENT**

Mayor Newberry adjourned the meeting at 8:11 PM.

*Matthew Gordon*  
Matthew Gordon (Feb 4, 2021 13:45 MST)  
Matt Gordon, Town Clerk/Treasurer

*Jane Newberry*  
Jane Newberry (Feb 4, 2021 13:28 MST)  
Jane Newberry, Town Mayor