



City of Woodland Park
City Council Agenda
July 15, 2021

The Woodland Park City Council is pleased to have residents of the community take time to attend City Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared and will generally be limited to five (5) minutes in order to allow everyone the opportunity to be heard. **PUBLIC COMMENTS ARE EXPECTED TO BE CONSTRUCTIVE.** ¹ Questions raised on non-agenda items may be answered at a later date by letter in order to facilitate proper research.

PLEASE SIGN IN TO SPEAK ON A PARTICULAR AGENDA ITEM

Written comments are welcome and should be given to the City Clerk prior to the start of the meeting. Written materials **will not** be accepted during regular agenda items in the interest of time.

7:00 PM

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Presentation by Pikes Peak Area Council of Governments (PPACG) by Executive Director Andrew Gunning.
- B. Quarterly Financial Update to the City Council.
(Presenter, City Manager, Michael Lawson)
- C. Appointment of new Councilmember.
(Presenter, Mayor Pro-tem LaBarre)
- D. Confirmation of Finance Director.
(Presenter, City Manager Michael Lawson)

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA
5. CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine business by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Calendar and considered separately.

- A. Approval of the July 1, 2021 Regular City Council Meeting Minutes. **(A)**
(Presenter, City Clerk Suzanne Leclercq)

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA ¹

7. UNFINISHED BUSINESS
(Public Comment may be heard ¹)
 - A. None

8. ORDINANCES ON INITIAL POSTING
(Public comment may be heard ¹)

- A. None

9. PUBLIC HEARINGS

(Public comment may be heard ¹)

- A. Approve Ordinance 1400, Series 2021 appropriating the purchase of certain water shares.
(A) (Presenter, Utilities Director, Kip Wiley)

- B. Consider a request by Kim Packham (Applicant) and the Ute Pass Saddle Club Inc. (property owner) for on-site vendor camping from August 16 - 23, 2021 for the Woodland Park Rock, Gem and Jewelry Show special event at 19250 E US Hwy 24 in the Service Commercial (SC) zone district. (QJ)
(Presenter: City Planner Lor Pellegrino)

10. NEW BUSINESS

(Public comment may be heard ¹)

- A. None

11. REPORTS

(Public comment not necessary)

- A. Mayor's Report
- B. Council Reports
- C. City Attorney's Report
- D. City Manager's Report
 - 1. Salute to Veterans Rally - update.

12. ADJOURNMENT

*Per Ordinance No. 1391, Series 2021 posted on the City Website 7/7/2021

Key to agenda abbreviations:

(A) **Administrative** – matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L) **Legislative**- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ) **Quasi-Judicial** - apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial.

¹

Public comment is intended for the community to provide feedback to the City Council. In an effort to facilitate a productive meeting, we urge everyone to strive to be respectful of one another. Public Comment is not intended to be a platform for argument or abrasive conduct. City Council and staff will take note of your concerns and comments and will work towards providing a response at a later time as appropriate. We ask that you state your name and municipality of residence before you begin your comments. Comments will be limited to 5 minutes. We appreciate your assistance in creating an atmosphere of civility as we all work together for the betterment of our community.

Woodland Park City Council
Council Chambers - City Hall
July 1, 2021
7:00 PM
(In Person/Via Zoom)

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video. Time stamp after each item is noted for your convenience and corresponds with recorded video.

6:15 PM Quasi-Judicial Workshop presented by Nina Williams, Attorney for the City of Woodland Park Worksession was held

1. CALL TO ORDER AND ROLL CALL

Mayor Pro-tem LaBarre called the meeting to order at 7:00 PM.

City Clerk Leclercq called roll with the following members of Council present:

Mayor Pro-tem LaBarre, Councilmember Alfieri, Councilmember Case, Councilmember Neal, and Councilmember Zuluaga.

The following staff members appeared in person: City Manager Michael Lawson, City Attorney Nina Williams, City Clerk Suzanne Leclercq, Planning Director Sally Riley, Management Analyst Rob Felts, Parks and Recreation Director Cindy Keating and Public Works Director Robyn Brown.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. Appointment to the Keep Woodland Park Beautiful Committee. [\(2:41\)](#)

Motion: To appoint Jeanette Horwood to the Keep Woodland Park Beautiful Committee. Zuluaga/Neal. Motion carried 5-0.

City Clerk Leclercq administered the Oath of Office to Horwood.

Prior to the start of the DDA appointments Councilmember Alfieri recused herself. [\(4:22\)](#)

At this time Council made a motion to move into Executive Session: [\(6:24\)](#)

MOTION: To move into Executive Session pursuant to CRS: Section 24-6-402 for the purpose of Council receiving legal advice from the City Attorney regarding the conflict of interest of DDA applicants. Zuluaga/Neal. Motion carried 3 - 1 with Case voting no.

Executive Session began at 7:16 PM and concluded at 7:37 PM with the following individuals present: Mayor Pro-tem LaBarre, Councilmembers Case, Neal, Zuluaga, City Manager Michael Lawson and City Attorney Nin Williams. Executive session concluded at 7:37 PM.

B. Appointments to the Downtown Development Authority Board of Directors. [\(34:27\)](#)

MOTION: To appoint incumbent Al Born to the DDA Board. Case/Neal. Motion carried 4-0.

MOTION: To appoint Tony Perry to the DDA Board. Case/Neal. Motion carried 4-0.

MOTION: To appoint Arden Weatherford to the DDA Board. Case/Neal. Motion carried 3 - 1 with Zuluaga voting no.

MOTION: To appoint Jon Gelmelke to the DDA Board to fill the rest of Ellen Carrick's term. Case/Neal. Motion carried 3-1 with Zuluaga voting no.

City Clerk Leclercq administered the Oath of Office to Perry, Weatherford and Gelmelke. Al Born was not present.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR: (51:40)

A. Approval of the June 17, 2021 Regular Meeting Minutes.

Councilmember Zuluaga asked for a correction to be made to the minutes. Zuluaga asked that on page 2 to add that "the Attorneys" shared their concerns. Leclercq agreed that change would be made.

B. Approval of the contract with Meyers Land Surveying for \$35,100 to conduct geophysical survey with ground penetrating radar and mapping of the Woodland Park cemetery.

Management Analyst Rob felts shared with Council the need for this contract.

MOTION: To approve the Consent Calendar with amendments to the minutes as presented. Case/Neal. Motion carried 4-0.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: (59:24)

- Max Levy shared with the Council his opinion of their performance.
- David Buttery shared a brief presentation with the Council to protect the 410 Fund and the need to hire more street crews.

7. UNFINISHED BUSINESS:

A. None

8. ORDINANCES ON INITIAL POSTING (1:08:05)

A. Approve Ordinance 1400 Series 2021 appropriating the purchase of certain water shares on initial posting and set the Public Hearing for July 15, 2021.

City Clerk Leclercq asked Council if Ordinance No.1400 and Resolution No. 877 could be considered

at the same time. Council agreed. Leclercq presented both Ordinance No. 1400 and Resolution No. 877 on behalf of Utilities Director Kip Wiley who was on vacation.

MOTION: To approve Ordinance 1400 Series 2021 appropriating the purchase of certain water shares on initial posting and set the Public Hearing for July 15, 2021. Case/Neal. Motion carried. 4 - 0.

MOTION: To approve Resolution No. 877, Series 2021 authorizing the purchase of water shares from certain sellers, and appropriating cash from the Enterprise Funds for said Purchase. Case/Zuluaga. Motion carried 4-0.

B. Approve Ordinance No. 1397, Series 2021 repealing the 180 day occupancy limitation for the definitions of Recreational Park Trailers and Recreational Vehicles and set the public hearing on August 5, 2021.

Planning Director Riley presented this ordinance on initial posting. There being no Council discussion Mayor Pro-tem LaBarre opened up the Public Comment portion of the Public Hearing. Karl and Kris Kiermayr spoke against this ordinance passing. Mayor Pro-tem closed the Public hearing.

MOTION: Approve Ordinance No. 1397, Series 2021 repealing the 180 day occupancy limitation for the definitions of Recreational Park Trailers and Recreational Vehicles and set the public hearing on August 5, 2021. Neal/Zuluaga. Motion carried 4-0.

9. PUBLIC HEARINGS [\(1:33:13\)](#)

A. Approve Ordinance No. 1399, Series 2021, eliminating the school related distance restrictions applicable to premises holding a Liquor License located in the Gold Hill South Shopping Center with addresses of 701 through 797 Gold Hill Place and 519 West US 24.

City clerk Leclercq presented this Ordinance to the City Council. Concerns were addressed by Councilmembers Zuluaga and Neal. Mayor Pro-tem LaBarre opened the Public Comment portion of the Public Hearing.

Katie Illingworth spoke on behalf of the Merit academy and asked for Council to approve the ordinance.

Mike Nakai spoke regarding his concerns of changing the distance requirements in the code to allow for this Ordinance to pass.

Following Council discussion the following motion was made:

MOTION: To approve Ordinance No. 1399, Series 2021, eliminating the school related distance restrictions applicable to premises holding a Liquor License located in the Gold Hill South Shopping Center with addresses of 701 through 797 Gold Hill Place and 519 West US 24. Neal/Case. Motion carried 3 - 1 with Zuluaga voting no.

The time being 8:56 PM the Council took a short recess.

Mayor Pro-tem LaBarre called the meeting back into session at 9:09 PM. [\(2:06:35\)](#)

B. Approve Ordinance No.1398, Series 2021 an Ordinance amending Chapter 14 of the Woodland Park Municipal Code to repeal and reenact Section 14.04.030 #25 concerning hours of closure of City Parks.

Parks and Recreation Director Cindy Keating reviewed this Ordinance with Council. Keating reviewed with Council that her Parks and Recreation Advisory Board recommended that the “30 minutes before and after sunset” be removed.

Mayor Pro-tem LaBarre opened the Public Comment portion of the Public Hearing. There being no Public Comment or Council discussion the following motion was made.

MOTION: Approve Ordinance No.1398, Series 2021 an Ordinance amending Chapter 14 of the Woodland Park Municipal Code to repeal and reenact Section 14.04.030 #25 concerning hours of closure of City Parks. Zuluaga/Case. Motion carried 4-0.

10. NEW BUSINESS (2:09:45)

A. Approval of the dedication of a Memorial Plaque for former Mayor Neil levy to be located at Panther Field, Meadowood Sports Complex.

MOTION: Approval of the dedication of a Memorial Plaque for former Mayor Neil levy to be located at Panther Field, Meadowood Sports Complex. Case/Zuluaga. Motion carried 4-0.

11. REPORTS (2:12:02)

A. Mayor’s Report - Mayor Pro-tem LaBarre shared the upcoming events for the next two weeks.

B. Council Reports - Councilmembers Case, Neal and Zuluaga updated the Council on the various boards and committees that they are liaisons to.

C. City Attorney’s Report - none

D. City Manager’s Report

1. Planning Director Riley updated the Council on the Comp Plan.

12. ADJOURNMENT

Mayor Pro-tem LaBarre adjourned the Council Meeting at 9:25 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City

Clerk

APPROVED THIS _____ DAY OF _____, 2021

Hilary LaBarre, Mayor Pro-tem



City of Woodland Park Staff Report for City Council

Meeting Date: July 15, 2021

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
9A	Utilities Office	Kip Wiley Utilities Director

ITEM:

Ordinance 1400, approval of certain water shares

BACKGROUND:

On July 1st City Council approved Resolution 877 authorizes the Mayor and City Clerk to enter into a contract for the City's purchase of 1.0 shares of stock in the Twin Lakes Reservoir and Canal Company from Leonard and Shirley Talkington. Ordinance 1400 is the acceptance of the 1.0 Twin lake shares as they are considered real property. The Twin Lakes shares are extremely vital to our water customers. Twin Lakes Reservoir shares produce transbasin water as well as providing water storage space in Twin Lakes Reservoir. The water that is produced from the shares is fully consumable water and the City uses this water to replace the consumable portion of our local water therefore making it legal to pump water from our local water sources. This share purchase does not expand our available water however it ensures our water security for future years.

All parties have accepted our offer for the 1.0 Twin Lakes shares. This is a onetime cash payment. The purchase will be funded with water capital funds from the Water Utility Enterprise. We cannot predict when reservoir shares might become available and this expense was not included in the 2021 budget. The fund balance for the Water Enterprise is healthy and we are in a great position to take this opportunity to help secure our water future.

STAFF RECOMMENDATION:

Approve Ordinance 1400 after the Public Hearing authorizing the Mayor and City Clerk to execute and attest the 1.0 Twin Lake Reservoir water shares from Leonard and Shirley Talkington.

**CITY OF WOODLAND PARK
ORDINANCE NO. 1400, SERIES 2021**

AN ORDINANCE APPROVING THE PURCHASE OF CERTAIN WATER SHARES.

WHEREAS, pursuant to Charter Section 12.3, the City is empowered to buy water rights; and

WHEREAS, pursuant to Resolution No. 877, Series 2021, the City Council authorized entering into contracts for the purchase of certain water shares, which water shares are more specifically described in Exhibit A attached hereto and incorporated by this reference (the "Shares"), subject to the terms and conditions contained in said contracts and subject to the provisions of the Woodland Park Municipal Charter, Section 15.2, requiring an ordinance be adopted for the purchase of real property; and

WHEREAS, the City has conducted the necessary due diligence under the terms of the contracts; and

WHEREAS, the sellers of the Shares have agreed to sell the Shares to the City of Woodland Park; and

WHEREAS, pursuant to Charter Section 15.2, the City Council by ordinance may purchase interests in real property, and the Shares constitute real property.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO ORDAINS as follows;

Section 1. The City Council hereby approves the purchase of the Shares and authorizes and directs the City Manager or the Utilities Director to effect the closing on the purchase of the Shares and authorize them to execute the documents necessary to effect the closing.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING, THIS _____ DAY OF _____, 2021.

Hilary LaBarre, Mayor Pro-Tem

ATTEST:

Suzanne Leclercq, City Clerk

EXHIBIT A
The Water Shares

Leonard and Shirley Talkington
11300 County Road F
Olney Springs, CO 81062

1.0 Shares



Planning and
Building

City of Woodland Park Staff Report

City Council Meeting Date: July 15, 2021

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
9.B	Planning	Lor Pellegrino, AICP City Planner

ITEM: Consider a request by Kim Packham (Applicant) and the Ute Pass Saddle Club Inc. (property owner) for on-site vendor camping from August 16 - 23, 2021 for the Woodland Park Rock, Gem and Jewelry Show special event at 19250 E US Hwy 24 in the Service Commercial (SC) zone district. (QJ)

BACKGROUND: Pursuant to Municipal Code §8.12 Camping in Designated Areas, City Council may permit self-contained camping units in designated locations other than licensed campgrounds. The City has received a written request to camp overnight in conjunction with the Rock, Gem and Jewelry Show. Camping for approximately 45 vendors is scheduled to occur from August 16 through August 23 (7 nights). Overnight camping is limited to show vendors and event volunteers only and camp sites are proposed to be located within the designated vendor spaces to provide maximum merchandise security and vendor convenience. This will be the eleventh (11th) year for camping in conjunction with the Woodland Park Rock, Gem and Jewelry show at this location.

City staff has reviewed this request for compliance with Municipal Code §8.12.020. Public notice of this request was provided by publication of the agenda in the Pikes Peak Courier, posters on-site, and letters mailed to all property owners within 150 feet. As of the writing of this staff report, no written comments or concerns were received.

STAFF RECOMMENDATION

Motion to **APPROVE** camping on the Ute Pass Saddle Club grounds (19250 E US Hwy 24) in conjunction with the Woodland Park Rock, Gem and Jewelry Show special event subject to the following conditions:

1. Camping shall occur only between 9 a.m. August 16 through 9 p.m. August 23, 2021.
2. Camping shall be for event volunteers and vendors only with no more than 45 camping units permitted on-site at any given time.
3. Camping units shall include tents, camper trailers, recreational vehicles and pickup campers.
4. Camping units shall not be connected to City water or sewer and shall be self-contained.
5. On and off-site trash, garbage or debris shall be cleaned up during and upon cessation of camping. On-site clean-up shall be coordinated with and enforced by the property owner and event coordinator.
6. The event coordinator shall be responsive to complaints received, if any.
7. All lighting for the camping and event areas, if any, shall be downcast, fully shielded, and turned off by 9 p.m. each night.
8. All generators (if any) shall be turned off by 9 p.m.
9. The event coordinator and all campers shall at all times be subject to Municipal Code §9.41 Noise.
10. At no time shall campers, vendors, event volunteers or guests/participants obstruct access to the City of Woodland Park lift station.

Attachment: Site Plan



