

Woodland Park City Council
Council Chambers - City Hall
March 18, 2021 Council Meeting Minutes
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.

1. ROLL CALL - 6:00 PM

The following members of Council present via zoom were: Mayor Pro-tem Hilary LaBarre, Councilmembers Stephanie Alfieri, Kellie Case, Rusty Neal and Jim Pfaff. Councilmember Robert Zuluaga appeared in person.

The following Staff Members also in attendance via zoom for this meeting were: Planning Director, Sally Riley, Utilities Director, Kip Wiley and Public Works Director Robyn Brown. Acting City Manager Michael Lawson, City Attorney Geoff Wilson, City Clerk Suzanne Leclercq, Finance Director Emily Katsimpalis and Management Analyst Robert Felts were in person.

Motion: To move into Executive Session pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, regarding the purchase of property. Neal/Case. Motion carried 6-0.

The following individuals were present for the Executive Session: Mayor Pro-tem LaBarre, Councilmembers Alfieri, Case, Pfaff, Neal and Zuluaga. Acting City Manager Michael Lawson, City Attorney Geoff Wilson, Planning Director Sally Riley and City Clerk Suzanne Leclercq were also present for the Executive Session.

The Executive Session began at 6:04 PM.

The Executive Session concluded at 6:40 PM and Mayor Pro-tem LaBarre opened the Public Meeting at 7:00 PM.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

A. None

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None

5. CONSENT CALENDAR: (4.26)

Clerk Leclercq read the following into the Consent Calendar:

- A. Approval of minutes from the March 4, 2021 Regular City Council Meeting.
- B. Approval of February 2021 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

Councilmember Zuluaga had some questions regarding the February 2021 Statement of Expenditures regarding Muni Revs, a refund for a developer and the purchase of a new truck. Finance Director Katsimpalis answered his questions.

MOTION: To approve the Consent Agenda as presented. Zuluaga/Neal. 6-0. Motion carried.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: (13.00)

Dr. Muthanna Yacoub shared some concerns of high levels of cadmium that presented in a patient of his that was a resident of Woodland Park.

Tony Perry had some questions he directed to Councilmember Pfaff regarding his residency and his desire to meet with Councilmember Pfaff in person to discuss. Perry shared that he is requesting this information of Pfaff to keep them from starting the recall process.

Carrol Harvey shared that there is still an open investigation with the District Attorney's Office regarding Councilmember Pfaff's residency. Harvey asked Pfaff to answer the question of where did he live prior to May 26, 2019.

Councilmember Pfaff shared that he discussed this information with the District Attorney's Office and that the investigation has been closed.

Joe Fury shared that there has been an issue of catalytic convertors being stolen and that they are known to have cadmium in them.

7. UNFINISHED BUSINESS:

A. None

8. ORDINANCES ON INITIAL POSTING

A. None

9. PUBLIC HEARINGS (36.17)

Mayor Pro-tem LaBarre shared that there will be no Public Comment taken on item A.

A. Council vote pursuant to Woodland Park City Charter Section 3.14 (conflict of interest).

City Attorney Wilson shared with Council the following regarding City Charter Section 3.14 (conflict of interest) and Councilmember Pfaff regarding Ordinance No. 1392, Series 2021.

MOTION: Council vote pursuant to Woodland Park City Charter Section 3.14 (conflict of interest) to have Councilmember Pfaff recused from the vote on Ordinance No. 1392, Series 2021. Case/Neal. Motion carried 3-2 with Alfieri and Zuluaga voting no. Councilmember Pfaff did not vote.

B. Approve Ordinance No. 1392, Series 2021 establishing a 12 month moratorium on the applicability and effective date two definitions contained in Ordinance No. 1383, Series 2020 recreational park trailers and recreational vehicles. (1.05.40)

Planning Director Sally Riley reviewed Ordinance No. 1392, Series 2021.

At this time Mayor Pro-tem LaBarre opened up the Public Comment portion of the Public Hearing. The following individuals spoke:

Ivan Mehlhaff - spoke on Ordinance No. 1392 stating that he believes the issue is based on fabrication by the City and not even on reality. He asked Council to review page 22 of the FPA

1194 for RV's and see what the nationally recognized standard for RV's is and Council will see that the City fabricated their standards.

Jeff Baldwin read the following into the record:

"My name is Jeff Baldwin. I live at 505 Falcons Rest Pl. in Woodland Park. We own Woodland RV Park.

I am not here to ask you to vote against the 1 year moratorium. I am here to put on the record why once you have agreed to the one year moratorium, you need to address the 180 day limit ordinance immediately. We are already losing business, our tenants are upset and nervous.

My wife Jean and I bought the Woodland RV Park in 1984. There were 6 long term RV's at the time in the park, and now we have 40 spaces with long term RV's. We are full most of the year. To answer your question, Mr. Neal, our water lines are buried 6' deep.

When we heard, just by accident, about the passage of the 180 day ordinance, we were dismayed, to say the least. We were never notified that it was even being considered. Now we are losing business because folks don't want to move in, knowing they cannot stay as long as they would like.

I served on the Planning Commission for 10 years, from 1988 to 1998 and then on City Council for 8 years, from 1998 to 2006. I know that there is a process whereby an impacted party has a chance for a hearing or redress, that should have taken place before this ordinance was even passed. We understand that this ordinance started in the Planning Commission. The 180 day number was pulled out of the sky and rubber stamped by Council without any understanding of the consequences, and NO notification to the parties who have their lifetime work at risk because of this ordinance.

Why 180 days? Why is it Ok to stay in an RV for 180 days, but not 181? What should we tell the over 80 families that will be affected by this ordinance that they cannot stay in their Rv for more than 180 days? Why do you think you need to be the Nanny that tells an individual living in the city of WP that they can't live in their RV for more than 180 days, but in Teller county, El Paso county and millions of RV'ers nationwide have chosen this lifestyle and are allowed to do so freely.

We cannot stay in business without year round full time occupancy, and will be forced to close our park 180 days after this moratorium ends. Please get rid of the length of stay part of this ordinance. I just turned 77 and am too old to start over.

Thank you- are there any questions?"

Tony Perry - shared that he recognizes everyone has strong opinions on this ordinance before Council this evening. Perry stated that Council needed to provide their leadership tonight regarding this moratorium. Perry stated that the reality of the matter is that this ordinance has never been enforced. Perry shared that both businesses represented here this evening by Mr. Mehlhoff and Mr. Baldwin do a good job and have earned the right to be grandfathered in if this ordinance should pass. Perry implored Council to do the right thing for its residents and citizens.

Mike Nakai - shared that this was a very important topic before the Council this evening and that he was all for splitting up the definitions and the ordinance. Nakai shared that a work session is needed for the Council and the citizens regarding this ordinance. Nakai also reminded council that Planning Director Riley could pull the moratorium as soon as a decision is made as to what to do with this ordinance.

MOTION: Approve Ordinance No. 1392, Series 2021 establishing a 12 month moratorium on the applicability and effective date two definitions contained in Ordinance No. 1383, Series 2020 recreational park trailers and recreational vehicles. Alfieri/Zuluaga. Motion carried 5-0. Councilmember Pfaff did not vote.

The time being 9:00 PM Mayor Pro-tem LaBarre called for a 10 minute recess.

The time being 9:10 PM Mayor Pro-tem LaBarre reconvened the Council Meeting.

10. NEW BUSINESS (1.58.04)

A. Approve Resolution No. 873, Series 2021 Reconciliation of the 2020 Water Tap Management Plan and recommendation of the Water and Sewer Plant Investment Fees for 2021.

Utilities Director Kip Wiley presented Resolution No. 873, Series 2021.

Following Wiley's presentation the following motion was made:

MOTION: Approve Resolution No. 873, Series 2021 Reconciliation of the 2020 Water Tap Management Plan and recommendation of the Water and Sewer Plant Investment Fees for 2021. Motion carried 5-1 with Alfieri voting no.

11. REPORTS: (2:35:23)

A. Mayor's Report: Mayor Pro-tem LaBarre shared the upcoming events of the next two weeks.

B. Council Reports:

Councilmember Case shared that she is working with Jim Wear and County Commissioner Dan Williams on a collaborative event for the Veterans Motorcycle rally to be held on August 20, 2021.

Councilmember Zuluaga reported that the DDA has met with realtors regarding marketing Midland Station and because it is such a specialized type of marketing the DDA is unable to find a realtor willing to assist them at the moment. DDA is looking at using Midland Station as an open space and a venue to hold events.

Councilmember Zuluaga reported that meeting between Main Street and DOLA had taken place.

Councilmember Zuluaga also shared that he felt it was time to get back together and meet in person as a Council.

C. City Attorney Reports: None

D. City Managers Reports: Planning Director Riley shared a Comp Plan update and Finance Director Katsimpalis reviewed the Sales Tax and Lodging Tax Report for January 2021.

Discussion was held by Council regarding businesses, muni-revs and conveyance fees.

Acting City Manager Michael Lawson shared that there is a new stimulus package regarding COVID available and that this will mean additional funds to the City. Lawson will be learning the details and sharing them with Council.

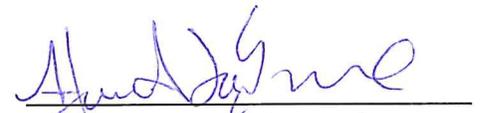
Lawson thanked the City Snow Plow Drivers on their hard work Monday during the snow storm. Lawson also thanked Kelly Simpkins and Judy Bundy for their good work in the Utilities Department.

Mayor Pro-tem LaBarre adjourned the meeting at 10:23 PM.

Respectfully submitted:


Suzanne Leclercq MMC, City Clerk

APPROVED THIS 15th DAY OF April, 2021


Hilary LaBarre, Mayor Pro-tem