

MINUTES OF MEETING
PALISADE BOARD OF TRUSTEES
February 11, 2020

The regular meeting of the Board of Trustees for the Town of Palisade was called to order at 6:00 p.m. by Mayor Granat with Trustees present: Bonds, Sundermeier, Somerville, Mayor Pro-Tem Mikolai, and Trustee L'Hommedieu. Trustee Chase was absent. A quorum was declared. Also, in attendance were Town Manager Janet Hawkinson, Town Clerk Lindsey Chitwood, Finance Director Travis Boyd, Utilities Director Matt Lemon, Community Development Director Allyson Shellhorn, and Fire Chief Richard Rupp.

AGENDA ADOPTION

Motion #1 by Mayor Granat, seconded by Trustee Somerville, to approve the agenda as amended to remove Resolution #2020-02 entitled, "A Resolution by the Board of Trustees of the Palisade Fire Protection District Adopting the 2018 Edition of the International Fire Code (IFC) Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the Palisade Fire Protection District; Providing for the Issuance of Permits and Collection Fees therefore; and Repealing the 2012 Edition of the International Fire Code and Amendments thereto and all other Fire Codes and Ordinances and Parts of Ordinances in Conflict therewith."

A voice vote was requested
Motion carried unanimously

CONSENT AGENDA

The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board members may ask that an item be removed from the Consent Agenda for individual consideration.

- **Expenditures**
Approval of Bills from Various Town Funds – January 25, 2020 – February 7, 2020
- **Minutes**
Minutes from January 28, 2020 Board Meeting

Motion #2 by Mayor Pro-Tem Mikolai, seconded by Trustee L'Hommedieu, to approve the Consent Agenda as presented.

A roll call vote was requested.

Yes: Trustee Bonds, Trustee Sundermeier, Trustee Somerville, Mayor Granat, Mayor Pro-Tem Mikolai, Trustee L'Hommedieu

No: None

Absent: Trustee Chase

Motion carried.

PUBLIC COMMENT

[Kara Felton 3921 Hickman Road](#) attended the meeting to express support of the Town creating a new splash Pad at the Palisade Pool and encouraged it to happen as soon as this coming spring.

PUBLIC HEARING I
Ordinance #2020-03

Should the Board of Trustees for the Town of Palisade, Colorado, approve Ordinance #2020-03 entitled, "An Ordinance of the Town of Palisade, Colorado, Enacting Land Development Code Section 2.02, 3.08, 4.06 and Section 7.05 to Require Site Plan Applications to be a Public Hearing Subject to the Planning Commission Final Decision."?

Mayor Granat opened the public hearing at 6:05 p.m.

Motion #3 by Mayor Granat, seconded by Trustee Somerville to table Ordinance #2020-03 until the regularly scheduled Board meeting on February 25, 2020.

Community Development Director Allyson Shellhorn stated that after speaking with the Town Attorney, the staff decided that it would be in the Town's best interest to table this public hearing indefinitely to better review the proposed changes to the Palisade Land Development Code.

Motion #4 to amend Motion #3 by Mayor Pro-Tem Mikolai, seconded by Trustee Somerville to strike the date of February 25, 2020, and include "indefinitely."

A roll call vote was requested.

Yes: Trustee Sundermeier, Trustee Somerville, Mayor Granat, Mayor Pro-Tem Mikolai, Trustee L'Hommedieu, Trustee

Bonds

No: None

Absent: Trustee Chase

Motion carried.

Amended Motion #3 to table Ordinance #2020-03 indefinitely.

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Granat, Mayor Pro-Tem Mikolai, Trustee L'Hommedieu, Trustee Bonds, Trustee Sundermeier

No: None

Absent: Trustee Chase

Motion carried.

Mayor Granat closed the Public Hearing at 6:08 p.m.

PUBLIC HEARING II

Ordinance #2020-04

Should the Board of Trustees for the Town of Palisade, Colorado, approve Ordinance #2020-04 entitled, *"An Ordinance of the Town of Palisade, Colorado, Enacting Land Development Code Section 2.02, 2.03, and 4.12 to Require Variance Applications to be a Public Hearing Presented to the Planning Commission for Final Decision."*?

Mayor Granat opened the public hearing at 6:08 p.m.

The Community Development Director stated that staff is proposing an improvement to the variance application process detailed in the Land Development Code, section 4.12. This would require the application to comply with the public hearing notice and receive a final decision from the Planning Commission. After a final decision is made by the Planning Commission, the Community Development Director will provide a report on the decision. The Board of Trustees can call up an application for review with a majority vote. If there is a majority vote to review the application and the Planning Commission decision, the Board of Trustees can then vote on the application for a final decision.

The Planning Commission reviewed this text amendment at the February 4, 2020, public hearing and voted to recommend approval of the text amendment to require variance applications to be a public hearing subject to the Planning Commission's final decision.

Ms. Shellhorn stated that this text amendment is consistent with other zoning and development procedures within Article 4 of the Land Development Code. Other procedures require a public notice and public hearing in front of the Planning Commission and/or the Board of Trustees. Since the Planning Commission is greatly involved in determining the intent of the Land Development Code, it would be consistent with the LDC to have the Planning Commission act as the final authority on variance requests. This text amendment will ensure that all applications for a variance comply with the findings of fact for a variance request.

STAFF RECOMMENDATION:

Staff is recommending approval of Ordinance 2020-4, amending Land Development Code, sections 2.02, 2.03, and 4.12 to require variance applications to be subject to Planning Commission final decision.

Mayor Granat asked for public comment.

Citizens spoke to the Board briefly regarding the proposed Land Development Code text amendment with the following points being made:

- Community involvement with this process would include bringing concerns before the Board of Trustees if the Planning Commission approved something they disagreed with.
- Planning Commission is appointed and not elected.
- The text amendment sounds convoluted, and variances should continue to go to the Board of Trustees.

A lengthy discussion ensued amongst the Board of Trustees with the following points being made:

- The process for a variance doesn't seem streamlined as the total process could take up to 35 days to complete.
- Not thrilled with the idea of variances being approved by an appointed Board instead of an elected one,
- It feels like quite a few things get unanimously approved by the Planning Commission, and when reviewed by the Board for final approval, they get denied.
- It seems like a very complicated process.
- There doesn't seem like there's a problem with the way things work now.

No motion was made.

Mayor Granat closed the public hearing at 6:27 p.m.

NEW BUSINESS

Direction from the Board of Trustees for the Town Administrator to enter into a Contract with Adcock Concrete for the Third and Kluge Bump Outs.

Utilities Director Matt Lemon advised the Board that the bump-outs were designed in-house and submitted an RFP directly to five or six different contractors in Mesa County, and we received one response from Adcock Concrete for \$15,356. They would install three bulb-outs on the corners of 3rd Street and Kluge Avenue. The estimated completion time of the project is expected to be about two weeks.

A brief discussion ensued amongst the Board with the following points being made:

- Each bulb-out will take away one full parking space.
- Will semi-trucks have a hard time making the turn to the grocery store – Mr. Lemon stated that they should not. It will be no different than if a car was parked there, if not take up a little less space than a car and make it easier to make that turn.
- What's the point of the bulb-out that does not have a stop sign associated with it? Mr. Lemon stated it was mostly for aesthetics.
- What's the reason we only received one response? The consensus was that there are just so many other projects going on in the Valley.
- It's still going to be difficult to see the stop sign by the laundry mat with the utility pole in the way.
- Should we put a "stop sign ahead" sign before the railroad tracks to help with the utility pole visibility issue?

The consensus of the Board is to allow the Town Administrator to enter into a Contract with Adcock Concrete for the Third and Kluge Bump Outs.

When would the Board of Trustees prefer to Appoint Tourism Advisory Board Members?

The Town Manager stated that there are four reappointments pending and three open seats currently in the Tourism Advisory Board. Staff is looking for direction if the Board wants to appoint members in March or wait until after the April election.

After a brief discussion, the consensus of the Board is to wait until after the April election.

Update on April 7, 2020, Palisade Municipal Election.

Town Clerk Lindsey Chitwood stated that the Town will be doing all levels of the election this year because Mesa County was unwilling to enter into an MOU with us.

Mayor Granat stated that he would like to see us reach out to rent a ballot counting machine, and even though it will cost a little more money, it is our best option.

After a brief discussion amongst the Board, the consensus is to move forward with renting machines to count ballots.

ADJOURNMENT

Mayor Granat, stating that there was no further business before the Board, adjourned the meeting at 7:11 p.m.



X *Roger L. Granat*

Roger L. Granat
Mayor

X *Keli Frasier*

Keli Frasier
Administrative Supervisor