

**MINUTES OF MEETING
PALISADE BOARD OF TRUSTEES
March 10, 2020**

work session of the Board of Trustees for the Town of Palisade began at 5:00 pm in order to discuss a DOLA grant exploring the feasibility of consolidating Town staff and to discuss the Palisade Art Vision Committee (PAV).

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, Trustees Chase and L'Hommedieu. A quorum was declared. Also, in attendance were Town Manager Janet Hawkinson, Town Attorney Jim Neu, Interim Town Clerk Keli Frasier, Finance Director Travis Boyd, Utilities Director Matt Lemon, Police Chief Deb Funston, Community Development Director Allyson Shellhorn, Parks, Recreation and Events Director Troy Ward and Fire Chief Richard Rupp.

AGENDA ADOPTION

Motion #1 by Mayor Pro-Tem Mikolai, seconded by Trustee Sundermeier, to approve the agenda as amended to remove the presentation for thanks and appreciation for Palisade Municipal Court Judge Marna Lake, as she was unable to attend.

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 – February 21, 2020 – March 5, 2020

- **Minutes**
Minutes from February 25, 2020 Board Meeting

Motion #2 by Mayor Pro-Tem Mikolai, seconded by Trustee Sundermeier, 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 Chase, Trustee L'Hommedieu

No: None

Absent: None

Motion carried.

PUBLIC COMMENT

Jesse Loughman, 378 W 5th – Stated that seeing the street sweeper throughout town is great to see; however, he feels not really working to clean up, it's more or less pushing the dirt around. Utilities Director Matt Lemon stated that because they've been behind, it's taking more than one pass to clean everything up, and his crew is working on catching up as quickly as possible. Mr. Laughman also announced that the Board Chambers looks amazing, and thanked Roger for his service as Mayor.

Ellen Turner, 614 Lincoln – Asked the Board if the public will be able to make comments on new business items? Mayor Granat stated, yes.

Bill Carlson, 865 Montclair – Believes that no one understands the collection of special events sales tax. And handed out an information sheet explaining the process according to the State. *NOTE: this will be a permanent attachment to these minutes.*

NEW BUSINESS

Discussion of Municipal Judge Interviews

Mayor Granat stated that he and Mayor Pro-Tem Mikolai interviewed two candidates for the position of Municipal Judge, and they both agreed that one of them would be a better fit for Palisade than the other. Candidate Dan Robinson was asked to be present at the meeting, and Mayor Granat asked the Board if they had any questions for him. Trustee Chase explained that she has known Mr. Robinson for a long time and believes that he will be an excellent Judge for Palisade.

Motion #3 by Mayor Granat, seconded by Mayor Pro-Tem Mikolai to approve Resolution #2020-04 entitled "A Resolution of the Board of Trustees of the Town of Palisade, Colorado, Appointing Dan Robinson as the Town Municipal Judge" as presented.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried.

First reading and setting of Public Hearing date for Ordinance 2020-07 titled "An Ordinance of the Town of Palisade, Colorado, adopting and Amending the latest edition of the International Fire Code; Replacing all Ordinances of the Town of Palisade, in conflict or inconsistent herewith, including Article XI of Chapter 18 of the Palisade Municipal Code; providing penalties for violation of the provisions of this primary code; and providing for the effective date of this ordinance and the code adopted herein by reference."

Town Attorney Jim Neu stated that this item was before the Board simply to introduce the proposed ordinance and to set the public hearing date. The public hearing is set for the next regularly scheduled Board of Trustees meeting on March 24, 2020. Fire Chief Rupp stated that it has been 18 years since the Town has updated the Fire Code, and by moving forward with this, it will keep us equal with everyone else in the Valley.

Palisade Chamber of Commerce Car Show

Andrew Webber, Palisade Chamber of Commerce Director, handed out a petition signed by a majority of local businesses supporting the idea of a car show organized by the Palisade Chamber of Commerce occurring on Father's Day 202 in downtown Palisade. *NOTE: this will be a permanent attachment to these minutes.* Mr. Webber address concerns that were brought up by various Board members at the previous meeting. In response to questions from the Board, Fire Chief Rupp stated that he feels the layout will be sufficient for fire trucks and ambulances to move through downtown in case of an emergency, Police Chief Funston stated that they will have to pay officers overtime for this event, and Town Manager Hawkinson stated that she is comfortable with the traffic control proposal the Chamber presented to minimize the need for Town staff's involvement with the event. Mr. Webber responded to Board questions by stating that the City of Grand Junction would like to cross-promote their downtown car show with this one, he feels he will have no problem obtaining volunteers to help run the event, and he will explore options to collect feedback from local businesses, attendees and residents regarding the event.

Motion # 4 by Trustee Chase, seconded by Trustee Sundermeier to approve the application submitted by the Palisade Chamber of Commerce to have a car show in downtown Palisade on Father's Day 2020.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried.

Request to approve the 2020 Budgeted Expense of purchasing wholesale trees for Riverbend Park.

Parks, Recreation, and Events Director Troy Ward requested approval from the Board to purchase approximately 24 trees for Riverbend Park and explained that the funds were approved in the 2020 Budget.

Motion #5 by Mayor Pro-Tem Mikolai, seconded by Trustee Chase to approve the 2020 budgeted expense of purchasing wholesale trees for Riverbend Park.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried.

Request to approve the 2020 Budgeted Expense of purchasing a Lawn Mower for the Cemetery.

Parks, Recreation and Events Director Troy Ward requested approval from the Board to purchase a new lawnmower for the cemetery and explained that the funds were approved in the 2020 Budget.

Motion #6 by Trustee Sundermeier, seconded by Trustee Somerville to approve the 2020 budgeted expense of purchasing a new lawnmower for the cemetery.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried.

Is the Town interested in leasing Property from CDOT?

The Town Manager stated that the Colorado Department of Transportation (CDOT) is interested in leasing the Town a parcel of land on the east side of the bridge for a possible public park. After a brief discussion amongst the Board, the consensus was to move forward with gathering more information including what would be involved with making that parcel a public park, what CDOT wants for the property and if they would be willing to clean up the land prior to the Town Taking responsibility for it.

Resolution #2020-03 entitled "A Resolution of the Board Of Trustees of the Town of Palisade, Colorado, Appointing the Town Administrator as the Town Clerk and Town Treasurer Pursuant to C.R.S. §31-4-304."

The Town Attorney stated that he provided the Board of Trustees a confidential memo explaining what the purpose of this resolution is, but upon hearing that the public has questions and concerns, he will release a non-confidential version of the memo that will explain a lot for the public to view if they wish. He explained that no policies were being changed with this resolution, and really it's just implementing the organizational chart that the Board adopted last year. Colorado statutes also require that the Board of Trustees appoint a Town Clerk and Town Treasurer, however, because the Board cannot oversee those two positions on a day-to-day basis, by appointing the Town Administrator as both officers and having that person delegate those positions to other staff, the Board can then ensure, through the Town Administrator, that those duties are being performed. Mr. Neu assured the Board and citizens that this resolution does not give the Town Administrator any additional powers, authority, or money.

Ellen Turner 614 Lincoln Avenue, Jesse Loughman 378 W 5th Street and Nicole Maxwell 102 Davis Circle, addressed concerns to the Board including:

- The language in the resolution doesn't match what the Town Attorney is stating about not giving additional powers and authority to the Town Administrator.
- Would like to see the Town Administrator required to delegate those duties to other staff ("Shall instead of may").
- Essentially this makes it easier on the Board of Trustees to oversee one person instead of three.

After a lengthy discussion amongst the board:

Motion #7 by Trustee Somerville to approve Resolution #2020-03 entitled "A Resolution of the Board Of Trustees of the Town of Palisade, Colorado, Appointing the Town Administrator as the Town Clerk and Town Treasurer Pursuant to C.R.S. §31-4-304" as presented.

Motion #8 by Mayor Pro-Tem Mikolai, seconded by Trustee Somerville to amend *Motion #7* to replace the word "may" to "shall" in the last paragraph of the resolution regarding the Town Administrator delegating the duties of Town Clerk and Town Treasurer to employees.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried

AMENDED Motion #7 by Trustee Somerville, seconded by Mayor Pro-Tem Mikolai to approve Resolution #2020-03 entitled "A Resolution of the Board Of Trustees of the Town of Palisade, Colorado, Appointing the Town Administrator as the Town Clerk and Town Treasurer Pursuant to C.R.S. §31-4-304" as amended to replace the word "may" to "shall" in

the last paragraph of the resolution regarding the Town Administrator delegating the duties of Town Clerk and Town Treasurer to employees.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried

PUBLIC HEARING I

Should the Board of Trustees for the Town of Palisade, Colorado, approve entitled "An application to vacate a portion of a public right-of-way located east of the property 244 W Third St. (Parcel # 2937-092-034-001) and west of the property 238 W Third St. (Parcel # 2937-092-07-003)"?

Mayor Granat opened the public hearing at 7:21 p.m.

The Community Development Director stated that the Town of Palisade received an application to vacate a portion of a public right-of-way. The owner of the property at 244 W Third Street (Parcel # 2937-092-34-001) is requesting the vacation of a portion of a public right-of-way located east of the property 244 W Third St. (Parcel # 2937-092-034-001) and west of the property 238 W Third St. (Parcel # 2937-092-07-003). The application would vacate 50' of the public right-of-way, and the approximate 10' remaining would stay Town public right-of-way as a possible future pedestrian access. The Town would reserve a 20' utility easement.

Historically, the right-of-way was intended to be used to connect Peach Avenue. The Town does not intend to extend Peach Avenue in the future, leaving the public right-of-way, not of use to the Town. If the public right-of-way is vacated, the applicant plans on utilizing the space for landscaping and as an entry into the building space at 244 W Third Street. This would allow for the development of the current facility at the property while preserving the historical integrity of the area.

The application was presented to the Planning Commission on March 3rd, 2020. Planning Commission was asked to determine if vacating the public right-of-way was the in the best interest of the land use and if it complied with the approval criteria for vacating a public right-of-way. Planning Commission voted to recommend approval of Ordinance 2020-8, with a vote of 5-0. Staff is asking the Board of Trustees to review the application and make a final decision on Ordinance 2020-8.

Staff is recommending approval of Ordinance 2020-8, vacating a portion of a public right-of-way located east of the property 244 W Third St. (Parcel # 2937-092-034-001) and west of the property 238 W Third St. (Parcel # 2937-092-07-003).

Mayor Granat asked for public comment.

Andrew Webber Palisade Chamber of Commerce Director, Bill Carlson 865 Montclair Drive, Rondo Beucheler 237 Main Street, Cassidy Shull CAVE Director and Jesse Loughman 378 W 5th Street all spoke in favor of the application stating:

- The quality of the applicant's collection is world renown
- Love the idea
- Very Unique opportunity
- No brainer

A brief discussion ensued amongst the Board, echoing public comment.

A roll call vote was requested.

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

No: None

Absent: None

Motion carried

Mayor Granat closed the public hearing at 7:51 p.m.

ADJOURNMENT

Mayor Granat, stating that there was no further business before the Board, adjourned the meeting at 8:08 p.m.



X Roger L. Granat

Roger L. Granat
Mayor

X Keli Frasier

Keli Frasier
Town Clerk