



**MINUTES OF THE REGULAR (and VIRTUAL) MEETING OF THE
PALISADE BOARD OF TRUSTEES
July 13, 2021**

The regular meeting of the Board of Trustees for the Town of Palisade was called to order at 6:00 pm by Mayor Greg Mikolai with Trustees Jamie Somerville, Susan L'Hommedieu, Bill Carlson, Ellen Turner, Nicole Maxwell, and Mayor Pro-Tem Thea Chase present. Also present were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Community Development Director Brian Rusche, Police Chief Deb Funston, Fire Chief Charles Balke, and Parks, Recreation, and Events Director Troy Ward.

AGENDA ADOPTION

Motion #1 by Trustee Somerville, seconded by Trustee L'Hommedieu, to approve the agenda as presented.

A voice vote was requested.
Motion carried unanimously.

PRESENTATIONS

Proclamation for Interfaith Awareness Week presented by Mayor Mikolai to David Edwards and Reverend Carla Ryan.

TOWN MANAGER REPORT

Town Manager Janet Hawkinson reviewed her report, focusing on supporting the drought awareness proclamation being presented to the Mesa County Commissioners as well as outlining the Opioid Settlement Board being led by Mesa County Commissioner Janet Rowland.

The consensus of the Board was to appoint Trustee Maxwell as a voting member of the Opioid Settlement Board and Town Manager Hawkinson as a non-voting member.

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 – June 16, 2021 – July 7, 2021

- **Minutes**
Minutes from the June 22, 2021 Board Meeting

Motion #2 by Trustee Somerville, seconded by Trustee Turner, to approve the Consent Agenda as presented.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell

No:

Absent:

Motion carried.

PUBLIC COMMENT

Gail Evans 126 Majestic Court praised the Board of Trustees, Planning Commission, and Town Manager Hawkinson for all the projects accomplished over the last year and the grant funding that has been awarded to the Town.

PUBLIC HEARING I

PRO 2021-12 - Conditional Use Permit for a mural located at 305 Main Street (Parcel # 2937-091-04-001) as applied for by REO Holdings LLC

Mayor Mikolai opened the public hearing at 6:18 pm.

Community Development Director Rusche reviewed his staff report, clarifying the findings of fact.

1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

The proposed mural will not endanger the public health or safety if located where proposed as it will only be visible from East Third Street (facing west), and vehicular traffic would pass the mural before the four-way stop at Third and Main.

Pedestrian traffic would be encouraged to interact with the mural, as described by the applicant, which should not be an issue as pedestrian traffic throughout downtown is encouraged to walk slowly and interact with the various shops and restaurants; the mural would provide one more opportunity to slow down and take pictures if desired.

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.

The application conforms to practices of sound land use planning. Converting an otherwise blank wall space into a piece of art is a good use of land and contributes to the ambiance of downtown. Having interesting things to see and do in a downtown area helps create a unique sense of place.

3. That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The east side of the building is currently a blank wall facing a parking lot. The addition of an artistic mural will only enhance the value of the building itself and will not injure the value of adjacent properties. Even residential properties further east on Third Street will have something other than a blank wall to see from their front yards.

4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

The Comprehensive Plan (2007) includes language about streetscapes. Under Community Character & Design, Desired Future Condition – Policy 2 states: “Encourage more aesthetic streetscapes such as street edge landscaping (including street trees), benches, gardens, ornamental light fixtures, hanging flower baskets, banners and works of art [underscore added].” In addition, under Land Use and Growth Management, it states: “A community feels like a village when it enhances the walkability of the entire community and creates a pleasant ambiance, such as tree-lined streets, flowers, benches along sidewalks, art and attractive signs throughout the community, especially in the village center.”

There is an existing mural across Third Street that faces the west, so murals would be consistent with the aesthetic of adjacent properties.

Applicant Alex Hood, representing REO Holdings, LLC (owner of 305 Main Street), outlined the plan for improving the back of the building and the proposed artwork for the requested mural.

Mayor Mikolai opened the hearing to public comment.

Gail Evans 126 Majestic Court gave her opinion on the proposed artwork and requested that the Board seek input from Palisade Art Vision (PAV) on the design.

Gary Hauschulz 316 33 ¼ Road felt that the design was not ready for implementation on such a prominent area of Palisade, and the mural should be vetted before moving forward.

Mayor Mikolai opened the hearing to Board comment.

Board members discussed the First Amendment and what restrictions the Freedom of Speech put on them regarding design approval. They also reviewed the Municipal Code requirements for murals and grounds for consideration (cannot be derogatory, obscene, or critical of the Town of Palisade).

Mr. Hood’s closing remarks reminded the Board that 305 Main Street is a private building, and the mural is being paid for with private funds and that they must vote on the conditional use, not the design elements of the proposed mural.

Motion #3 by Trustee Turner, seconded by Trustee L’Hommedieu to approve PRO 2021-12 - Conditional Use Permit for a mural located at 305 Main Street (Parcel # 2937-091-04-001) as applied for by REO Holdings LLC.

Motion #4 by Mayor Pro-Tem Chase to waive the CUP fee as the Board had done for a previous application.

Motion failed due to lack of a second.

A roll call vote was requested for *Motion #3*.

Yes: Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L’Hommedieu, Trustee Maxwell, Mayor Mikolai

No:

Absent:

Motion carried.

Mayor Mikolai closed the public hearing at 7:05 pm.

PUBLIC HEARING II

PRO 2021-11 – Major Subdivision – Preliminary Plat for the Stone Orchard Townhomes, located at 3691 G Road (Parcel # 2941-041-00-079) as applied for by Darin J. Carei

Mayor Mikolai opened the public hearing at 7:07 pm.

Community Development Director Rusche reviewed his staff report, giving a brief history of the project and citing the findings of fact.

1. Consistency with the adopted plans of the Town

This parcel was anticipated for residential development by the Comprehensive Plan (2007) and subsequently annexed by the Town in 2008. The current Hospitality Retail (HR) zoning was established by Ordinance No. 2019-02, and the proposed subdivision into fourteen (14) townhomes is consistent with the density and dimensional standards for Town-house development in Table 5.10: HR District Standards as well as the residential use standards in Section 7.01.F – Townhouse.

2. The subdivision meets all required specifications of Article 9, Subdivision Regulations, and other applicable requirements of this LDC

The subdivision has been reviewed by Town staff and outside agencies for consistency with requirements found in Article 9. The subdivision meets the specifications for Access, Street and Lot Design, and provision of Utilities. The developer will be responsible for the construction of all required improvements, as well as the payment of traffic, school impact, and open space fees.

3. The subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area.

The subdivision is adjacent to Palisade High School and directly north of existing residential subdivisions already built. The existing residential subdivisions consist of a mix of one and two-story single-family residences. The maximum height of townhomes in the HR zone is 25 feet, compared to the maximum height allowed in the Low Density Residential (LDR) zone of 35 feet. The setback of the units along the southern property line, the only side that borders two (2) existing residences, is 20 feet, which is consistent with the standard rear yard setback for the LDR zone; all other setbacks are interior to the property (between buildings within the same subdivision) or adjacent to the highway or parking lot of the high school. Therefore, the subdivision will not violate the character of existing standards for development of properties in the surrounding area.

4. The subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure and will not materially endanger the environment, public health, safety or the general welfare.

The subdivision has cul-de-sac access from Shiraz Drive that eliminates the need to drive through the existing residential subdivisions to access the highway from the new townhomes. CDOT and the applicant's engineer have been coordinating on obtaining an access permit, as required due to a projected increase in existing traffic volume at the intersection of Shiraz and Highway 6. This increase, however, does not warrant auxiliary lanes on this section of the highway, according to the traffic study.

Improvements to pedestrian mobility will be provided with the construction of sidewalks along the south side of Highway 6 to the high school. A sidewalk is shown on this preliminary plat and will be coordinated with the Town to ensure timely integration and construction with the remainder of the sidewalks to be constructed from Iowa west to the High School.

All other infrastructure is already available within Shiraz Drive and will be extended into the development at the developer's expense. These improvements collectively will not materially endanger the environment, public health, safety, or the general welfare.

Kim Kerk with Kerk Land Consulting & Development and Stephen Swindell of Vortex Engineering gave a brief presentation on behalf of the applicant/owner Darin Carei.

Mayor Mikolai opened the hearing to public comment.
None was offered.

Mayor Mikolai opened the hearing to Board comment.

Members of the Board agreed that the changes that have been made since the applicants first proposed the project are beautiful. They also asked for clarification regarding:

- Proposed retaining walls or elevation changes – *There will be no retaining walls or permanent elevation changes*
- Do first-responders have easy access to the homes/streets – *Chief Balke replied that there are no issues with access and that the one fire hydrant they requested adding has been agreed to.*
- Parking – *All homes have dedicated parking spaces.*
- Will street lights be dark-sky compliant – *applicants are working with Xcel Energy and will do the best they can to implement dark-sky lighting.*

The applicants thanked the Board for working with them on the project.

Motion #5 by Trustee Turner, seconded by Trustee Somerville to approve PRO 2021-11 – Major Subdivision – Preliminary Plat for the Stone Orchard Townhomes, located at 3691 G Road (Parcel # 2941-041-00-079) as applied for by Darin J. Carei.

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner

No:

Absent:

Motion carried.

Mayor Mikolai closed the public hearing at 7:37 pm.

Mayor Pro-Tem Chase left the meeting at this time, and the Mayor called for a five-minute recess.

NEW BUSINESS

Request to Purchase an Ambulance

Town Manager Hawkinson and Fire Chief Balke reviewed the request for an ambulance, reminding the Board that the request was approved at a prior meeting, and they were asking for specific funds to be allocated to the endeavor.

Motion #6 by Trustee Somerville, seconded by Trustee Turner to approve the request to purchase an ambulance for a cost not to exceed \$220,000.00 and upon the Town Attorney's review of the final contract.

A roll call vote was requested.

Yes: Trustee Carlson, Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner, Trustee Somerville

No:

Absent: Mayor Pro-Tem Chase

Motion carried.

Request to Purchase a Water Tender

Chief Balke reviewed his request for a water tender, reminding the Board that it too was approved at a prior meeting, and he was asking for specific funds to be allocated to the endeavor.

Motion #7 by Trustee Turner, seconded by Trustee Somerville to approve the request to purchase a water tender for a cost not to exceed \$140,000.00 and upon the Town Attorney's review of the final contract.

A roll call vote was requested.

Yes: Trustee L'Hommedieu, Trustee Maxwell, Mayor Mikolai, Trustee Turner, Trustee Somerville, Trustee Carlson

No:

Absent: Mayor Pro-Tem Chase

Motion carried.

Permission to Dispose of or Donate Two Shuttle Busses

Town Manager Hawkinson explained that the two shuttle busses owned by the Town are in severe disrepair. Staff is requesting to donate them to the Cameo Sport Shooting Complex (who has expressed interest) or auction them off to the highest bidder.

Parks, Recreation, and Events Director Ward explained that the Town would rent vans or contract with outside providers if Town events require shuttle services.

Motion #8 by Trustee Turner, seconded by Trustee Carlson to donate or auction two Town-owned shuttle busses.

A roll call vote was requested.

Yes: Trustee Maxwell, Mayor Mikolai, Trustee Turner, Trustee Somerville, Trustee Carlson, Trustee L'Hommedieu

No:

Absent: Mayor Pro-Tem Chase

Motion carried.

OPEN DISCUSSION

Trustee Maxwell thanked the Palisade Sunrise Rotary for new signs and mentioned the possibility of donating the Town's old ambulance to the local community college for their EMT program. Chief Balke stated that he was already in contact with them to discuss the possibility.

Trustee Maxwell also asked to revisit the possibility of re-energizing the Parks and Recreation Board. Board members discussed the possibility at length, reviewing the history of the group and why it was dissolved when the Recreation department was restructured. The Board agreed to look into the idea of a recreation group similar to PAV to focus on what the residents of Palisade want and need.

Trustee Carlson requested an opportunity to have a local grower give a presentation on a machine that would make irrigation more viable in the Town to discuss its potential before the budget season.

COMMITTEE REPORTS

Board members briefly explained the various meetings they had recently attended.

ADJOURNMENT

Motion #9 by Trustee Somerville, seconded by Trustee Maxwell to adjourn the meeting at 8:12 pm.

A voice vote was requested.

Motion carried unanimously.

WORK SESSION

A work session of the Board of Trustees was held to discuss special events. Present for the work session were Mayor Mikolai, Trustees Jamie Somerville, Susan L'Hommedieu, Bill Carlson, Ellen Turner, and Nicole Maxwell. Also present were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Police Chief Deb Funston, Fire Chief Charles Balke, and Parks, Recreation, and Events Director Troy Ward.

X 

Greg Mikolai
Mayor

X 

Keli L. Frasier
Town Clerk

