



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE BOARD OF TRUSTEES
June 28, 2022**

A work session of the Board of Trustees for the Town of Palisade began at 5:30 pm to interview three candidates for one open Tourism Advisory Board seat. Present were Mayor Greg Mikolai, Trustees Jamie Sommerville, Bill Carlson, Nicole Maxwell, Stan Harbaugh, and Mayor Pro-Tem Ellen Turner. Trustee Thea Chase was absent. Also in attendance were Town Manager Janet Hawkinson and Town Clerk Keli Frasier.

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 present: Jamie Sommerville, Bill Carlson, Nicole Maxwell, Stan Harbaugh, and Mayor Pro-Tem Ellen Turner. Trustee Thea Chase was absent. A quorum was declared. Also in attendance were Town Manager Janet Hawkinson and Town Clerk Keli Frasier.

AGENDA ADOPTION

Motion #1 by Trustee Somerville, seconded by Mayor Pro-Tem Turner, to approve the agenda as presented.

A voice vote was requested
Motion carried unanimously

PRESENTATIONS

Sue Ellen Rodwick of Food Bank of the Rockies gave the Board an update on the construction of the new facility in Grand Junction.

Juliann Adams, Chair of the Tourism Advisory Board, and Ryan Burke with Slate Communications gave a brief presentation on the accomplishments and goals of the Tourism Advisory Board.

PUBLIC COMMENT

Corinna Scott, 937 Logan Court, Palisade; expressed personal concerns regarding the Town.

TOWN MANAGER REPORT

Town Manager Janet Hawkinson reviewed her Town Manager's report (included in the packet) and offered to answer any questions or concerns from the Board.

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 – May 20, 2022 – June 22, 2022

- **Minutes**

Minutes from the May 24, 2022, Regular Board Meeting

Motion #2 by Trustee Somerville, seconded by Mayor Pro-Tem Turner, to approve the consent agenda as presented.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Maxwell, Trustee Harbaugh, Mayor Pro-Tem Turner, Trustee Somerville, Trustee Carlson

No:

Absent: Trustee Chase

Motion carried.

PUBLIC HEARING I

Beer and Wine Liquor License Application for JCC Enterprises, LLC

Mayor Mikolai opened the public hearing at 6:54 pm.

Town Clerk Keli Frasier reviewed her staff report, reiterating the results of the investigation and reminding the Board of the criteria they need to consider with approving or denying the application.

Before entering any decision, approving or denying the application, the local licensing authority shall:

- Consider the facts and evidence gathered as part of its investigation, as well as any other facts, the reasonable requirements of the neighborhood for the type of license being considered
- The desires of the adult inhabitants of the neighborhood
- The number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration
- Any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.

Attorney Trent Cromartie (Bar #52917) read a brief introductory statement, and then questioned his client, Rhonda Hummell, regarding all aspects of the application for a beer and wine liquor license.

Mayor Mikolai opened the hearing to public comment.

None was offered.

Mayor Mikolai opened the hearing to Board comment.

Trustee Somerville and Trustee Maxwell asked staff for clarification on the *Needs and Desires* petition and if there were a required number of signatures.

Trustee Carlson and Trustee Harbaugh asked the applicant for clarification on the two businesses in the proposed licensed building (Purple Bee and Hummel Real Estate). Mrs. Hummel clarified the drawing and the two businesses.

Trustee Maxwell and Mayor Mikolai expressed concerns about the access from Main Street to the courtyard and questioned how the alcohol would be secured in that area. Mrs. Hummell responded

that they will have security cameras in the area, as well as she and her husband (and possibly additional staff) will be walking the area.

Various members of the Board began discussing the possibility of a food truck and live music in the area after Mrs. Hummel stated it might be a potential future for the business. Attorney Cromartie objected to the line of discussion, stating that the hearing was regarding the application for a liquor license, and future permits should not be under discussion at this time. Mayor Mikolai directed the Board's discussion back to the application in front of them.

Mayor Pro-Tem Turner observed the number of liquor licenses in the Town limits as well as the number of licenses within 500 feet of the requested license and commented that the area is becoming oversaturated.

Applicant Rhonda Hummel gave a brief closing statement requesting approval of her application for a beer and wine liquor license.

Motion #3 by Mayor Pro-Tem Turner, seconded by Trustee Carlson, to deny the application for a beer and wine liquor license as applied for by JCC Enterprises, LLC, located at 211-213 Main Street in Palisade, Colorado, finding that "The number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration" is already at a high enough capacity to deem this application unnecessary in the neighborhood.

A roll call vote was requested.

Yes: Mayor Pro-Tem Turner, Trustee Carlson

No: Trustee Harbaugh, Trustee Somerville, Mayor Mikolai, Trustee Maxwell

Absent: Trustee Chase

Motion failed.

Motion #4 by Trustee Somerville, seconded by Trustee Harbaugh, to approve the application for a beer and wine liquor license as applied for by JCC Enterprises, LLC, located at 211-213 Main Street in Palisade, Colorado, finding that the application meets all requirements.

A roll call vote was requested.

Yes: Trustee Harbaugh, Trustee Somerville, Mayor Mikolai, Trustee Maxwell

No: Mayor Pro-Tem Turner, Trustee Carlson

Absent: Trustee Chase

Motion carried.

Mayor Mikolai closed the public hearing at 7:34 pm.

NEW BUSINESS

Appointment to the Tourism Advisory Board

The Board of Trustees held a silent ballot vote to choose one candidate from the three interviewed during the work session prior to the regular meeting. *The results of this vote will be a permanent attachment to these minutes.*

Motion #5 by Mayor Pro-Tem Turner, seconded by Trustee Carlson to appoint Ashley McGee to the Tourism Advisory Board for a two-yeer term.

A roll call vote was requested.

Yes: Trustee Somerville, Trustee Carlson, Mayor Mikolai, Trustee Maxwell, Trustee Harbaugh, Mayor Pro-Tem Turner

No:

Absent: Trustee Chase

Motion carried.

Ordinance 2022-13 – Text Amendment to the Palisade Liquor Code

Town Clerk Frasier explained that current State of Colorado liquor laws permits certain applicants to apply for an Alcohol Festival Permit with only ten days' notice to the local municipality and no other approval process unless the Local Licensing Authority adopts a permitting process of their own. Ordinance 2022-13 adopts similar standards for an alcohol festival permit that are required for special event permits.

Motion #6 by Trustee Somerville, seconded by Mayor Pro-Tem Turner to approve Ordinance 2022-13.

A roll call vote was requested.

Yes: Trustee Carlson, Mayor Mikolai, Trustee Maxwell, Trustee Harbaugh, Mayor Pro-Tem Turner, Trustee Somerville

No:

Absent: Trustee Chase

Motion carried.

Resolution 2022-10 – Fee Schedule Update

Town Clerk Frasier summarized that the Board of Trustees passed Ordinance 2022-10 amending the concert permit process on March 22, 2022, and Resolution 2022-10 adopts a fee for that permit.

Motion #7 by Mayor Pro-Tem Turner, seconded by Trustee Maxwell to approve Resolution 2022-10.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Maxwell, Trustee Harbaugh, Mayor Pro-Tem Turner, Trustee Somerville, Trustee Carlson

No:

Absent: Trustee Chase

Motion carried.

Ordinance 2022-14 – Amending Ordinance 2021-07

Town Manager Hawkinson reported that Ordinance 2022-14 proposes to extend the deadline for High Country Orchards, LLC to apply for a building permit for 244 W 3rd Street, Palisade, Colorado, as specified in Ordinance 2021-07 due to additional time and research necessary in preparing the plans for the restoration of this historical structure.

Motion #8 by Trustee Somerville, seconded by Trustee Harbaugh to approve Ordinance 2022-14.

A roll call vote was requested.

Yes: Trustee Maxwell, Trustee Harbaugh, Mayor Pro-Tem Turner, Trustee Somerville, Trustee Carlson, Mayor Mikolai

No:

Absent: Trustee Chase

Motion carried.

COMMITTEE REPORTS

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

OPEN DISCUSSION

Mayor Pro-Tem Turner requested a work session with the Town Attorney to discuss:

- Adding an Ordinance regarding public comment during meetings
- Adding an Ordinance to allow Board participation via Zoom if away on Town business
- Removing YouTube as a public viewing option for meetings and instead going to Zoom only

Trustee Maxwell described the YouTube audio as horrific when she viewed the last meeting online (due to being away on Town Business). Trustee Maxwell asked about a staff appreciation lunch and if there was anything the Board could do to help move it along. She stated that she received a very nice email regarding the Palisade Police Department and wanted to pass along the kudos.

Trustee Somerville and Trustee Harbaugh stated Bluegrass was awesome, and they heard nothing but positive feedback.

Trustee Carlson and Trustee Maxwell both commented on how stressed staff seemed leading up to Bluegrass and that staff should not be so busy with the festival that Town Hall gets shut down two days before the festival. Trustee Carlson suggested getting an outside company to run the festival, and Town Staff solely supervises.

Trustee Carlson also asked staff for information regarding the difference between Home Rule Towns/Cities and Statutory Towns/Cities.

ADJOURNMENT

Motion #6 by Trustee Maxwell, seconded by Trustee Somerville to adjourn the meeting at 8:16 pm.

A voice vote was requested.

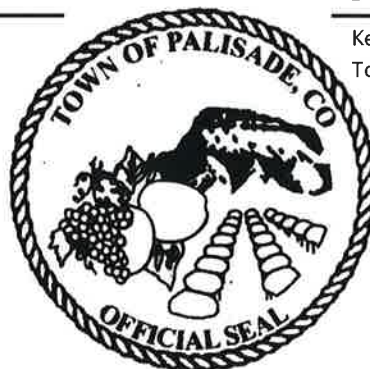
Motion carried unanimously.

X 

 Greg Mikolai
 Mayor

X 

 Keli Frasier
 Town Clerk



Trustee Stan Harbaugh

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole

Trustee Bill Carlson

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole

Mayor Pro-Tem Ellen Turner

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole

Trustee Nicole Maxwell

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole

Mayor Greg Mikolai

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole

Trustee Jamie Somerville

Tourism Advisory Board Appointment

06/28/2022

Vote for 1

| |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
| <input type="checkbox"/> |
| <input type="checkbox"/> |

Coleman, Joey

McGee, Ashley

Wilson-Balien, Nicole



Board of Trustees Regular Meeting JUNE 28, 2022 Tourism Advisory Board Appointments Tally Sheet

(Individual Board Member Votes Will Be Attached to This Sheet
as a Permanent Attachment to the 06/28/2022 Minutes)

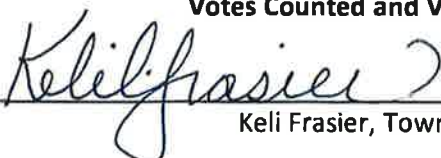
Vote 1

| | <u>Coleman, Joey</u> | <u>McGee, Ashley</u> | <u>Wilson-Balien, Nicole</u> |
|-----------------------------------|----------------------|----------------------|------------------------------|
| <u>Mayor Greg Mikolai</u> | 1 | | |
| <u>Mayor Pro-Tem Ellen Turner</u> | | 1 | |
| <u>Trustee Thea Chase</u> | ABSENT | ABSENT | ABSENT |
| <u>Trustee Bill Carlson</u> | | 1 | |
| <u>Trustee Jamie Somerville</u> | 1 | | |
| <u>Trustee Nicole Maxwell</u> | | | 1 |
| <u>Trustee Stan Harbaugh</u> | | 1 | |
| Total: | 2 | 3 | 1 |

Vote 2

| | <u>Coleman, Joey</u> | <u>McGee, Ashley</u> | <u>Wilson-Balien, Nicole</u> |
|-----------------------------------|----------------------|----------------------|------------------------------|
| <u>Mayor Greg Mikolai</u> | | | |
| <u>Mayor Pro-Tem Ellen Turner</u> | | | |
| <u>Trustee Thea Chase</u> | ABSENT | ABSENT | ABSENT |
| <u>Trustee Bill Carlson</u> | | | |
| <u>Trustee Jamie Somerville</u> | | | |
| <u>Trustee Nicole Maxwell</u> | | | |
| <u>Trustee Stan Harbaugh</u> | | | |
| Total: | | | |

Votes Counted and Verified By:


 Keli Frasier, Town Clerk