



**MINUTES OF THE REGULAR MEETING OF THE  
PALISADE BOARD OF TRUSTEES  
December 13, 2022**

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: Thea Chase, Nicole Maxwell, Stan Harbaugh, and Mayor Pro-Tem Ellen Turner. Trustee Jamie Somerville arrived at the meeting at 6:09 pm, and Trustee Bill Carlson was absent. A quorum was declared. Also in attendance were Town Attorney Jim Neu, Town Clerk Keli Frasier, Community Development Director Brian Rusche, Finance Director Travis Boyd, and Town Engineer Bret Guillory.

**AGENDA ADOPTION**

*Motion #1* by Mayor Pro-Tem Turner, seconded by Trustee Maxwell, to approve the agenda as presented. A voice vote was requested  
Motion carried unanimously

**TOWN MANAGER REPORT**

Finance Director Travis Boyd informed the Board that a Request for Proposal (RFP) for a new audit firm was published, and he would like a committee to interview the applicants and form a recommendation of who to hire to the Board of Trustees at the January 10, 2023 meeting. ***The consensus of the Board is to appoint Finance Director Boyd, Town Manager Janet Hawkinson, Trustee Harbaugh, and Trustee Chase to the Audit Firm Interview Committee.***

Town Clerk Keli Frasier stated that due to Town Manager Hawkinson having COVID and being unable to attend the meeting, she was asked to announce that the projects listed in the Town Manager's report are all running smoothly and on schedule. Town Clerk Frasier went on to explain that the list of future agenda items included in the Town Manager Report are projects that are developing at the staff level and coming their way soon. Staff will continue to update the list to improve communication with the Board, so they'll all have a heads-up about upcoming items and understand that things are not last minute.

Community Development Director Brian Rusche and Town Clerk Frasier announced that *TextMyGov* is live and encouraged all Board members and citizens to visit the Town website to learn more and to sign up to receive Town updates.

**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 – November 10, 2022 – December 8, 2022
- **Minutes**  
Minutes from the November 15, 2022, Regular Board of Trustees Meeting

- **Resolution 2022-28**
- **Resolution 2022-20**
- **Grand Valley Metropolitan Planning Organization Intergovernmental Agreement (IGA)**
- **Grand Valley Transit Intergovernmental Agreement (IGA)**

*Motion #2* by Trustee Chase, 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 Chase, Trustee Harbaugh, Mayor Pro-Tem Turner

**No:**

**Absent:** Trustee Somerville, Trustee Carlson

Motion carried.

### **PUBLIC HEARING I**

#### **ORDINANCE 2022-21: Amending the Land Development Code (LDC) regarding Building Height Measurement**

Mayor Mikolai opened the public hearing at 6:08 pm.

Community Development Director Brian Rusche reviewed his staff report and confirmed that Town Clerk Frasier published all required public notices.

Community Development Director Rusche explained that building height is currently measured from the lowest finished grade to the top of the highest roof beam or the peak of a gable, hip, or pitched roof (Section 5.06.C of the Land Development Code). Mesa County utilizes another way to measure which is the average height between the eaves and the ridge line of a gable or hip roof. This method is used in unincorporated Mesa County, which includes areas adjacent to the Town of Palisade.

In evaluating any proposed amendment of the text of the Land Development Code, the following shall be considered:

1. The extent to which the proposed text amendment is consistent with the remainder of the LDC, including, specifically, any purpose and intent statements;  
*The proposed text amendment is consistent with the remainder of the LDC, as it does not change the residential design standard that favors pitched roofs nor does it change the maximum height in any zone.*
2. The amendment must not adversely affect the public health, safety or general welfare;  
*The proposed text amendment would not affect the public health, safety or general welfare as all new buildings and renovations of existing buildings would still need to meet the standards of the building code.*
3. The amendment is necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas affected;  
*Architectural styles change over time and the goal is to create standards that encourage new construction to complement historic styles, while it is still necessary to design to modern codes.*
4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law; or  
*The proposed text amendment does not go against any state or federal statutes or case law.*
5. The proposed text is found to be consistent with the Town's adopted comprehensive plan.  
*The Town is currently updating the Comprehensive Plan. This amendment would not materially affect that project.*

Community Development Director Rusche went on to announce that the Palisade Planning Commission reviewed the proposed text amendments on December 6, 2022, and voted unanimously to recommend approval.

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

Mayor Mikolai opened the hearing to Board comment.

Board members discussed the possibility of architects or contractors taking advantage of the proposed language to make taller homes, the views of the valley that taller houses could potentially impede, and the impact of having variance requests continue to come before the Board. They went on to discuss a recent housing development that was able to put up a subdivision while staying within current code standards.

*Motion #3* by Mayor Pro-Tem Turner, seconded by Trustee Somerville, to deny Ordinance 2022-21 Amending the Land Development Code (LDC) regarding Building Height Measurement.

A roll call vote was requested.

**Yes:** Trustee Maxwell, Trustee Chase, Trustee Harbaugh, Mayor Pro-Tem Turner, Trustee Somerville

**No:** Mayor Mikolai

**Absent:** Trustee Carlson

Motion carried.

Mayor Mikolai closed the public hearing at 6:32 pm.

## **PUBLIC HEARING II**

### **RESOLUTION 2022-29: Amending the Property Tax Levy for the 2023 Budget for the Town of Palisade**

Mayor Mikolai opened the public hearing at 6:32 pm.

Finance Director Boyd reviewed his staff report explaining that at the regular meeting of the Board of Trustees on November 14, 2022, when the 2023 Budget for the Town of Palisade was approved, it was noted that once the Mesa County Assessor's Office released the Certification of Valuation, the Board was advised that they may be asked to amend the budget to reflect their assessment.

The proposed Resolution is required in order to allow Mesa County to collect the tax on behalf of the Town of Palisade, and the Property Tax Levy of 17.5 mills will remain the same.

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

Mayor Mikolai opened the hearing to Board comment.

*Trustee Maxwell* asked for clarification on the impacts of not approving the proposed Resolution.

Finance Director Boyd outlined the ramifications.

*Motion #4* by Trustee Chase, seconded by Trustee Somerville, to approve Resolution 2022-29 Amending the Property Tax Levy for the 2023 Budget for the Town of Palisade.

A roll call vote was requested.

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

**No:**

**Absent:** Trustee Carlson

Motion carried.

Mayor Mikolai closed the public hearing at 6:36 pm.

**NEW BUSINESS**

***ORDINANCE 2022-22: Property Maintenance Code Adoption***

Community Development Director Rusche announced that this is the first reading of the proposed Ordinance to adopt the Property Maintenance Code by title and that the Board is to set a public hearing date for the proposed adoption.

*Motion #5* by Trustee Chase, seconded by Trustee Harbaugh, to set the public hearing date to consider Ordinance 2022-22 for January 10, 2023 and ordered the Town Clerk to publish all necessary notices. A roll call vote was requested.

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

**No:**

**Absent:** Trustee Carlson

Motion carried.

***RESOLUTION 2022-30 Setting the Time, Place, and Designated Posting Location for Public Meetings for the Town of Palisade, Colorado***

Town Clerk Frasier explained that Resolution 2022-30 is usually a general housekeeping Resolution to comply with Colorado Open Meetings Law (Sunshine Act), but wanted to bring the Board's attention to the fact that a regularly scheduled work session has been scheduled for the first Tuesday of every month to discuss upcoming agenda items, ongoing and upcoming projects, Board Trainings, etc.

Various members of the Board discussed what would be allowable to discuss at work sessions and agreed that if a work session was not needed, they would be canceled.

*Motion #6* by Trustee Harbaugh, seconded by Trustee Chase, to approve Resolution 2022-30 Setting the Time, Place, and Designated Posting Location for Public Meetings for the Town of Palisade, Colorado. A roll call vote was requested.

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

**No:**

**Absent:** Trustee Carlson

Motion carried.

***Request to Auction Town Equipment***

Finance Director Boyd reviewed the equipment that is being requested that the Town put up for auction and the reasons for the necessity of disposing of said equipment.

**Motion #7** by Trustee Somerville, seconded by Mayor Pro-Tem Turner, to approve the auction of a 1976 Ford Dump Truck with street salt/sand spreading box, a 1999 John Deere 510C Backhoe, a 2001 John Deere 310G Backhoe, a 1982 PemFab 55' Ladder Truck, and a 1983 FMC Omega Fire Engine. A roll call vote was requested.

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

**No:**

**Absent:** Trustee Carlson

Motion carried.

***Troyer Lift Station Engineering Contract***

Town Engineer Bret Guillory, with J-U-B Engineers, explained the proposed contract for the design and engineering of the Troyer Lift Station.

Mayor Pro-Tem Turner asked if the Troyer Lift Station project and the proposed contract fees were included in the 2023 budget. Finance Director Boyd stated that they are.

**Motion #8** by Trustee Chase, seconded by Mayor Pro-Tem Turner, to direct the Town Manager to enter into a contract with J-U-B Engineers for a contract for the design and engineering of the Troyer lift station.

A roll call vote was requested.

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

**No:**

**Absent:** Trustee Carlson

Motion carried.

**PUBLIC COMMENT**

None was offered.

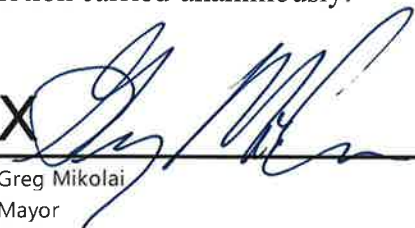
**COMMITTEE REPORTS**

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

**ADJOURNMENT**

**Motion #9** by Trustee Somerville, seconded by Trustee Harbaugh to adjourn the meeting at 6:54 pm.

A voice vote was requested.  
Motion carried unanimously.

X   
\_\_\_\_\_  
Greg Mikolai  
Mayor

X   
\_\_\_\_\_  
Keli Frasier  
Town Clerk

