



AGENDA
for the Board of Trustees
of the Town of Palisade, Colorado
341 W 7th Street (Palisade Civic Center)

March 14, 2023

6:00 pm Regular Meeting

A live stream of the meeting may be viewed at:

<https://us06web.zoom.us/j/3320075780>

- I. REGULAR MEETING CALLED TO ORDER AT 6:00 pm
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. AGENDA ADOPTION
- V. ANNOUNCEMENTS
 - A. **PUBLIC COMMENT REMINDER:** All emails sent to the Town Clerk for public comment on a specific agenda item prior to the day packets are published will be included in the staff report. Emails received after the packets are posted will be forwarded to the Board of Trustees. Any member of the public who wishes to have a statement or email read into the Minutes is required to appear in person and make said statements to the Board directly.
 - B. **GET INVOLVED WITH OUR COMMUNITY! UPCOMING PUBLIC MEETINGS (Palisade Civic Center 341 W 7th Street):**
 1. **Planning Commission** – Tuesday, March 21, 2023, at 6:00 pm
 2. **Board of Trustees** – Tuesday, March 28, 2023, at 6:00 pm
 - C. **April 29, 2023, Is the Final Day to Submit an Application for the Full or First Half of the Palisade Sunday Farmers Market**
- VI. TOWN MANAGER REPORT
 - A. Waste Removal Price Increase Due to Gas
 - B. Proposition 122 Psychedelic Plants & Fungi
- VII. 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 any Board Member may ask that an item be removed from the Consent Agenda for individual consideration.

 - A. **Expenditures**
 - Approval of Bills from Various Town Funds – February 25, 2023 – March 9, 2023

B. Minutes

- Minutes from February 28, 2023, Regular Board of Trustees Meeting

VIII. PUBLIC HEARING I

A. Ordinance 2023-02 - Land Development Code Amendment Regarding Office Uses in the Town Center (TC) Zone District

The Palisade Board of Trustees will consider text amendments to the Land Development Code (LDC) and Table 6.1 Use Table relating to office uses within the TC (Town Center) zone district.

1. Staff Presentation
2. Applicant Presentation
3. Public Comment (*Please limit comments to **three (3) minutes** or less, and state your name & address*)
4. Applicant Closing Remarks
5. Board Discussion
6. Decision – Motion, Second, Rollcall Vote to:
Approve, deny, or table (until March 28, 2023) Ordinance 2023-02 Amending the Land Development Code regarding Office Uses in the Town Center (TC) Zone District, finding that the criteria of Section 4.01.E have/have not been met

IX. NEW BUSINESS

A. Resolution 2023-03 Authorizing Town Staff to Take Certain Actions Regarding Town Water Rights

The Board of Trustees will consider adopting Resolution 2023-03, authorizing the Town Staff and Town’s water attorney to take the steps necessary in water court to ensure that the granting of the Snowcap Application in whole or part does not adversely affect the Town.

1. Staff Presentation
2. Board Discussion
3. Decision - Motion, Second, and Rollcall Vote to:
Approve, deny, or table (until March 28, 2023) Resolution 2023-03 authorizing Town Staff to take certain actions regarding Town water rights.

B. Agreement with Palisade Pipes and Laterals

The Board of Trustees will consider an agreement with Palisade Pipes & Laterals (PIPL) to transition the operation of the raw water irrigation system to the Town of Palisade beginning with the 2023 irrigation season.

1. Staff Presentation
2. Board Discussion
3. Decision - Motion, Second, and Rollcall Vote to:
Approve, deny, or table (until March 28, 2023), directing the Mayor to enter into an agreement with Palisade Pipes & Laterals to transition the operation of the raw water irrigation system to the Town of Palisade beginning with the 2023 irrigation season.

C. Resolution 2023-04 - Special Event Calendar, Blackout Dates

The Board of Trustees will consider adopting the 2023 special event and blackout dates calendar.

1. Staff Presentation
2. Board Discussion
3. Decision - Motion, Second, and Rollcall Vote to:
Adopt, deny, or table (until March 28, 2023) Resolution 2023-04 approving the 2023 special event calendar and festival blackout dates.

D. Interviews and Appointments to the Palisade Planning Commission

The Board of Trustees will interview five (5) candidates for three (3) open seats on the Palisade Planning Commission. A silent priority vote will occur after the interviews to fill the three (3) positions. A rollcall vote will appoint the commissioners to the respective seats.



1. Applicant Interviews (organized alphabetically by last name)
 - *Burke, Brandon*
 - *Hull, David (incumbent)*
 - *Johnson, Tracy*
 - *Seymour, Ed (incumbent)*
 - *Weis, JJ*
2. Board Discussion
3. Silent Ballot Vote – *Ballots Will be Provided*
4. Decision - Motion, Second, and Rollcall Vote to:
Appoint Name 1, Name 2, and Name 3 to the Palisade Planning Commission for a four-year term ending in February 2027.

X. PUBLIC COMMENT

All those who wish to speak during public comment must sign up on the sheet provided outside the boardroom doors. Please keep comments to 3 MINUTES OR LESS and state your name and address. *Neither the Board of Trustees nor staff will respond to comments at this time. The Board may direct staff to look into specific comments to bring back as an Agenda item at a future meeting; however, the Board reserves the right to clarify information from comments that are factually incorrect.*

XI. COMMITTEE REPORTS

XII. ADJOURNMENT

	Jan '23 25 1 8 15 22 29	Feb '23 5 12 19 26	Mar '23 5 12 19 26
TOWN MANAGER REPORT			
MARCH 2023			
<u>TOWN OF PALISADE CAPITAL IMPROVEMENT PROJECTS</u>			
HISTORIC PALISADE GYM REMODEL			
FUNDING - GENERAL FUND			
New foundation for stairwells completed			
Begin construction of stairs & roof			
			◆ 2/20-3/30
CLINIC			
FUNDING - 100% GRANT & LEASE			
Interior, windows, storm drainage - start grading			
			3/1  4/15
FIBER Middle-mile & CNL construction			
FUNDING - 50% DOLA GRANT, 50% GENERAL FUND			
Contract with Deeply Digital for construction of CNL & Middle Mile			
Start Construction April			
			 4/23 ¹
ELBERTA SIDEWALK IMPROVEMENTS			
FUNDING - 80% MAIN ST GRANT, 20% GENERAL FUND			
Waiting on CDOT for contract			
			 3/8
WASTEWATER CONSOLIDATION			
Board signed intent for funding			
Grant submitted for lagoon remediation to federal CDS program			
			3/1 
COMPREHENSIVE PLAN			
FUNDING - 50% DOLA, 50% GENERAL FUND			
Comprehensive Plan - Complete: February 2023			
TAP GRANT - SIDEWALKS			
FUNDING - 80% TAP GRANT, 20% GENERAL FUND			
Engineering Design - Cresthaven to High School			
Working with CDOT on Elbert & Hwy 6 round-about			
PALISADE IRRIGATION			
Board Decision 3/14/2023			



PALISADE BOARD OF TRUSTEES Staff Report

Meeting Date: March 14, 2023
Department: Police Department
Department Director: Jesse James Stanford, Chief of Police

Stats for February 2023:

- The month of January had 251 Calls for Service (CFS) (30 fewer than January). This is abnormal to be as busy as we were in February, however we are fully staffed with proactive and productive officers who are out and about often and helping to keep our community safe. When you have a team like we have there will be officers out and about being proactive.

Grand Junction Communication Call Summary:

The following information is in summary and if there is an interest in more specific detailed information, please feel free to let me know.

Law Enforcement Response Time (Palisade Police):

Palisade Police Department's average response time for priority one calls for service dispatched to arrival time is approximately 4 minutes and 24 seconds.

Priority one calls are considered urgent and require an emergency response with lights and sirens. These types of calls involve crimes against person, vehicle crash, and can be in progress, so responded urgent is acceptable.

Priority two calls for service from dispatched to arrival is 5 minutes and 14 seconds. Priority two calls are considered non-emergent response and do not involve lights and sirens. These calls are not usually in progress and are considered a cold event.

Priority three calls for service dispatch to arrival 1 minute and 47 seconds. These calls for service are considered non-emergent and most of the time require a phone call to start the contact with a citizen.

Monthly Incident Reports (February 2022-2023)

The following information gives monthly incident reports for the current month and year and gives information from last year during the same month. In 2022 same month, Palisade Police was sitting at 274 calls for service and for 2023 we are sitting at 249 calls for service, which is a difference of -9% down. Year to date in 2022 calls for service total was at 502. In 2023 year to date calls for service total is at 529, which a difference of 5% up. The small increase has more to do with the self-initiated activity performed by each officer on the traffic enforcement side of our service.

In summary Grand Junction Regional Communication Center provides data information each month at my request. Data information is valuable to help Palisade Police understand what services are working well and what services do we need to improve upon. I am happy to report pro-activity from each patrol officer has been consistent and on par with our service goals.

Reports and Summons:

Case Reports 24
Supplement Reports 25

Arrest Reports 19

- Warrant 3
- Fraud 1
- Drug cases 2
- Menacing 1
- DV 1

Traffic:

19 traffic citations were issued this month. Officers took part of multi-agency operation handling aggressive driving and with this made multiple stops. Overall, in town Officers are reporting that the driving behaviors are substantially better than it has been in the past. This is likely due to the consistent traffic enforcement over time.

Total Calls for Service year to date: 532

Training:

- Officer Schimek completed a 2-hour Crime Scene/evidence collection course. Officers were trained on evidence collection and packaging standards and numerous other aspects of crime scene handling.
- All Officers transitioned to the new Taser 7 and completed the training course of about 4 hours. This is a great new tool and keeps our agency up to date with the latest technology.
- Officer Schimek attended a 24-Hour SFST Course, which is setting him up to attend the SFST Instructor course later this year.
- Officer Higgins and DeCarlo started the Less Lethal course through CTS in Reno Nevada. This course was paid for by local POST Board and will allow PPD to improve our ability to handle several different situations. They will get training in Distraction Devices, Chemical Agents, and Impact Munitions and be able to bring that back to increase our operational abilities.
- Lt. Post attended the first week of LPO (Leading Police Organizations) training an in depth and thorough examination of improving operations within a police department.

Investigations:

- Multiple reported Fraud cases reported in December that are still being worked. These cases are complex and require multiple warrants and production of records to investigate.

One fraud case was concluded with a felony arrest warrant issued and officers promptly executed the warrant.

- Attended local work groups to promote inter agency cooperation and information sharing. This helps PPD be an agency that is included with larger operations/events.

Palisade Code Compliance Statistics Report: February 2023

Open Issues before February: 9

February Issues:

- LDC Sec. 10.10 c, 3 Advertising sign off location: 4
- PMC Sec. 7-4 Public Nuisance: 11
- PMC Sec. 7-113 Dogs at large: 1
- PMC Sec. 7-131 Animal Excrement: 1
- PMC Sec. 8-4 (v)9 Oversized trailer on street: 1
- PMC Sec. 8-42(2), 8-44 Abandoned: 1
- PMC Sec. 8-44, 8-46 Public Property: Abandoned, Junked:
Vehicle: 1
- PMC Sec. 11.1 Clear Sidewalks of snow & ice: 1

Total: 21

Closed issues in February: 20

Open issues at end of February: 10

Issues Year to Date: 34

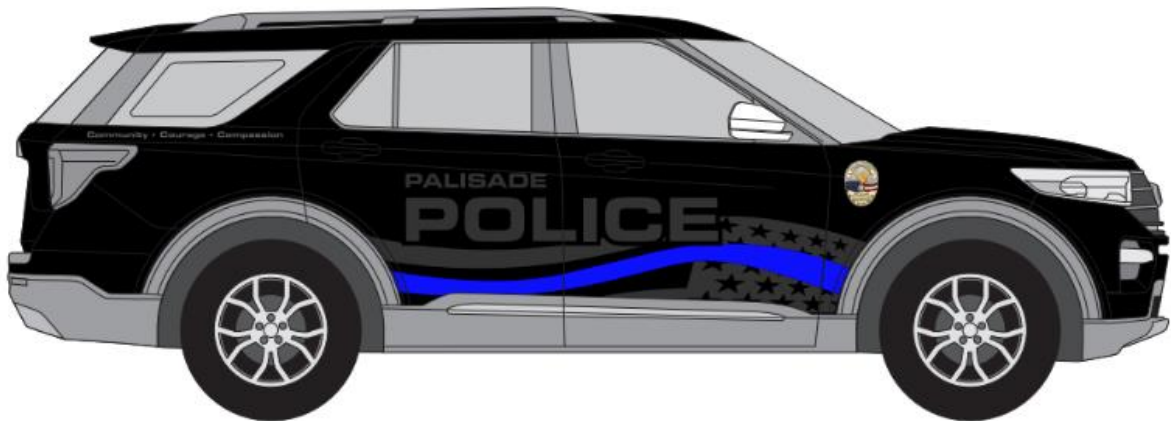
- I completed the International Code Council, 2018 Property Maintenance Code and House Inspector online training.
- One incident involved 37 properties with sidewalks that were not cleared of snow and ice within 24 hours of previous snowfall.

Significant Events:

- We are now fully staffed and working towards continued growth and improvement. The officers we have are vigilant and working hard to address known complaints areas with traffic and other various issues to better our services.
- Two felony drug arrests were made.
- Officers participated in an increased traffic enforcement period with other local agencies.
- New Patrol unit was ordered and is currently being outfitted/upfitted for Patrol use. IS being built and should be ready early March for pickup and will be patrol ready when it is in Palisade! Images of proofs attached.

Message from Chief Jesse James Stanford:

The police department is very excited for the new design on the new patrol unit. Below is an example of the new design. Note not to scale, the motto; Community, Courage, and Compassion is part of the new design and should stand out very nicely, so very excited for that. We are thankful for the support from the town manager and board for trustees for the new safety equipment that will be arriving sooner than later. This will assist the police staff with providing a more efficient service and keep the officers safe while serving the public. Big thank you from all of us at Palisade Police!





PALISADE BOARD OF TRUSTEES

Meeting Date: March 14, 2023

Re: Consent Agenda

The Consent Agenda has been attached as a separate document for ease of reading.

Included in the consent agenda are:

A. Expenditures

- Approval of Bills from Various Town Funds – February 25, 2023 – March 9, 2023

B. Minutes

- Minutes from February 28, 2023, Regular Board of Trustees Meeting

For Review (Non-Voting Items)

Pursuant to Municipal Code Section 2-203(c): Copies of the (planning commission) minutes will be provided to the Board of Trustees as soon as practicable following their approval by the Planning Commission.

- Palisade Planning Commission Minutes January 17, 2023
- Palisade Planning Commission Minutes February 7, 2023



PALISADE BOARD OF TRUSTEES Agenda Item Cover Sheet

Meeting Date: March 14, 2023

Presented By: Brian Rusche, Community Development Director

Department: Community Development

Re: Ordinance 2023-02 – Amending the Land Development Code regarding Office Uses in the Town Center (TC) Zone District.

SUBJECT: ORDINANCE 2023-02– AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE REGARDING OFFICE USES IN THE TOWN CENTER (TC) ZONE DISTRICT.

SUMMARY: On May 25, 2021, the Board of Trustees adopted Ordinance 2021-06, amending the Land Development Code (LDC), specifically Table 6.1 – Use Table. One of the amendments specifically relegated general and medical office uses (along with newspaper publisher and technical, trade, or business school) within the Town Center (TC) zone district to only the upper story of buildings, with the intent of reserving the street level space for uses that would promote shopping and dining within the Town Center, and, by extension, generate sales tax revenue for the Town. This change did not affect any of the existing office uses that were in place within this zone prior to the adoption of the Ordinance. Any existing office use not on the upper story within the TC zone would be categorized as legal nonconforming and be subject to the standards of Section 12.03 – Nonconforming Uses.

The owners of 305 Main Street, REO Holdings, LLC, have applied for a Text Amendment to allow general office use on street level in the TC zone with a conditional use permit. The impetus for this request is the proposed expansion of an existing engineering firm to a portion of the building previously containing retail use, which was vacated at the end of 2022. Since the retail space existed after the adoption of Ordinance 2021-06, a conversion of the space from retail use to office use is not currently permitted.

The proposed amendment, if adopted, would still require a review and approval of a Conditional Use Permit (CUP), which has specific criteria relating to public health and safety, standards of sound land use planning, impact upon the value of adjoining or abutting properties, and consistency with adopted plans and polices as well as character of existing development.

The 2022 Palisade Game Plan, the comprehensive plan adopted by the Board of Trustees on February 7, 2023, did not make any immediate changes to the Land Development Code, as that requires a separate process.

To provide some parameters for consideration of a CUP, if the amendment is adopted, additional standards for all office uses have been proposed by the Community Development Director and are included in the proposed ordinance. The category of Office, Medical is proposed by the

Director to be included in the requested amendment, as it has similar characteristics to the category of Office, General.

CRITERIA: 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 would only impact general and medical office uses, and, if approved, require additional review via the Conditional Use Process by the Planning Commission and Board of Trustees if located on the ground floor in the Town Center (TC) zone district.

2. The amendment must not adversely affect the public health, safety or general welfare;

The proposed text amendment would allow for a greater review of this question on future projects by the Planning Commission and Board of Trustees.

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;

The proposed text amendment is specifically designed to address the economic conditions of the Town Center area, whereby a shortage of retail and/or restaurant space would impact the tourist draw that the intersection of Third and Main strives to be. Additional review and input by the Planning Commission and Board of Trustees is warranted for non-retail/restaurant uses to adequately reflect the community's desires for the Town Center area.

4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law; or

The Town has broad statutory authority to regulate land use.

5. The proposed text is found to be consistent with the Town's adopted comprehensive plan.

The recently adopted Palisade Game Plan contains the following Goals, Strategies, and Actions that are relevant to the discussion of appropriate land uses in the Town Center zone:

Strategy 2.1B: Continue evaluating existing zoning regulations to determine if it promotes balance[d] growth with community preservation.

Action 2.1.C.2: Develop design guidelines for the Future Land Use Designations with input from the community as part of an update to the Land Development Code.

Action 2.1.D.1: Ensure a land use plan that generates additional revenue to support and enhance Palisade's services.

BOARD DIRECTION:

The **Planning Commission** reviewed this request at their regular meeting on March 7, 2023, and having heard from the applicant and one other person in favor and having heard from three person against, **voted 3-1 recommending rejection of the text amendment, with the comment that the Land Development Code will be addressed [as a separate project] in the future.**

SUGGESTED MOTION:

I move to **approve/deny/amend/table** Ordinance 2023-02, Amending the Land Development Code regarding Office Uses in the Town Center (TC) Zone District, finding that the criteria of Section 4.01.E **have/have not** been met.

ATTACHMENTS:

Planning Commission Staff Report
Letter of Intent
Affidavit of Publication
Ordinance 2023-02

PRO 2023-05, TOWN CENTER OFFICE USE TEXT AMENDMENT

Table 6.1 – Use Table

SUMMARY

On May 25, 2021, the Board of Trustees adopted Ordinance 2021-06, amending the Land Development Code (LDC), specifically Table 6.1 – Use Table. One of the amendments specifically relegated general and medical office uses (along with newspaper publisher and technical, trade, or business school) within the Town Center (TC) zone district to only the upper story of buildings, with the intent of reserving the street level space for uses that would promote shopping and dining within the Town Center, and, by extension, generate sales tax revenue for the Town. This change did not affect any of the existing office uses that were in place within this zone prior to the adoption of the Ordinance. Any existing office use not on the upper story within the TC zone would be categorized as legal nonconforming and be subject to the standards of Section 12.03 – Nonconforming Uses.

The owners of 305 Main Street, REO Holdings, LLC, have applied for a Text Amendment to allow general office use on street level in the TC zone with a conditional use permit. The impetus for this request is the proposed expansion of an existing engineering firm to a portion of the building previously containing retail use, which was vacated at the end of 2022. Since the retail space existed after the adoption of Ordinance 2021-06, a conversion of the space from retail use to office use is not currently permitted.

The applicants, in their letter of intent, express support for the policy limiting commercial uses on the street level in the Town Center while noting that there are exceptions where commercial office space makes sense.

The proposed amendment, if adopted, would still require a review and approval of a Conditional Use Permit (CUP), which has specific criteria relating to public health and safety, standards of sound land use planning, impact upon the value of adjoining or abutting properties, and consistency with adopted plans and policies as well as the character of existing development.

The 2022 Palisade Game Plan, the comprehensive plan adopted by the Planning Commission on February 7, 2023, did not make any immediate changes to the Land Development Code, as that requires a separate process. The plan does acknowledge the importance of tourism to the economy of Palisade and the need for revenue from these activities to support services provided by the Town.

To provide some parameters for consideration of a CUP, if the amendment is adopted, additional standards for all office uses have been proposed by the Community Development Director and are included in the project request. The category of Office, Medical, is proposed by the Director to be included in the requested amendment, as it has similar characteristics to the category of Office, General.

The Planning Commission is asked to review the proposed text amendment to the LDC and make a recommendation, based on the approval criteria found in Section 4.01.E, to the Board of Trustees. The Commission may revise or amend the proposed changes for consideration by the Board of Trustees, who will conduct a separate public hearing on the proposed text amendment.

LAND DEVELOPMENT CODE

Table 6.1, Use Table:

The following is the applicant's proposed amendment to Table 6.1, Use Table, which details the allowable uses allowed under the Land Development Code within specified zoning districts. Impacted sections are highlighted in **RED TEXT with new additions underlined and removals in strikethrough.**

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	LI	HR	CP	Specific Use Standards
Newspaper publisher						P	P	P	P			UPPER STORY ONLY IN TC
Office, general*	Advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, contractor or architect; sales office, travel agency or any similar use.				C	P	P	P	P			UPPER STORY ONLY IN TC <div style="border: 1px solid red; padding: 2px; display: inline-block;">Allowed on street level in TC only as conditional use</div> Section 7.03.O
Office, medical*	Doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medical use.					P	P	P	P		P	UPPER STORY ONLY IN TC Section 7.03.O <div style="border: 1px solid red; padding: 2px; display: inline-block;">Allowed on street level in TC only as conditional use</div>
Outdoor recreation*	Any recreational facility where activity takes place primarily outdoors, including RV parks and campgrounds, miniature golf courses, <i>motocross</i> tracks, batting cages, swimming pool, driving range or any similar use.	C					C	C	P			<div style="border: 1px solid red; padding: 2px; display: inline-block;">Allowed on street level in TC only as conditional use</div>
Outdoor storage, general									P			Section 7.03I
Radio or television studio						P	P	P	P			
Recreational club or lodge, private								P				Section 7.03J
Restaurant		C			C	P	P	P	P	P		
Restaurant, drive through										C	C	
Retail, general*	Antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods auto parts (no service repair); plant nursery; plant nursery with landscape supply or any similar use.					C	P	P		P	C	
Retail Marijuana Cultivation Facility, Contiguous		C					C	C	C	C		Section 7.03M
Retail Marijuana Cultivation Facility, Noncontiguous		C					C	C	C	C		Section 7.03M
Retail Marijuana Products Manufacturer		C					C	C	C	C		Section 7.03M

The following amendment is proposed by staff to Section 7.03, Commercial Use Standards, with words changes highlighted in **RED TEXT with new additions underlined and removals in strikethrough**.

Section 7.03 Commercial Use Standards

O. Office Use Standards

Uses categorized as Office, general or Office, medical in Table 6.1 – Use Table shall contribute to the community by adherence to the following standards:

1. Offices shall be open to the public a minimum of 32 hours per calendar week, regardless of the type of work conducted or service offered.
2. Offices shall be designed to encourage walkability to other land uses, regardless of the zone district where the office use is located.
3. Offices shall orient public entrances/lobbies to the primary pedestrian access, with employee only entrances hidden or otherwise located on the side and/or rear of the building.

Section 4.01.E., Text Amendment Approval Criteria

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 would only impact general and medical office uses, and, in the case of the Town Center (TC) zone district, require additional review by the Planning Commission and Board of Trustees if located on the ground floor.

The purpose of the Town Center zone is to provide for business and civic functions that make up the Town core. The TC district has a strong pedestrian character and provides for concentrated commercial activity with buildings covering the entire street frontage. It contains a mix of business, commercial, and residential uses and serves the needs of the entire community.

The TC district is intended to implement and correspond in part to the Comprehensive Plan's "Mixed Use" land use designation.

2. The amendment must not adversely affect the public health, safety, or general welfare;

The proposed text amendment would not adversely affect the public health, safety, or general welfare; in fact, it would allow for a greater review of this question on future projects by the Planning Commission and Board of Trustees.

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;

The proposed text amendment is specifically designed to address the economic conditions of the Town Center area, whereby a shortage of retail and/or restaurant space would impact the tourist draw that the intersection of Third and Main strives to be. Additional review and input by the Planning Commission and Board of Trustees is warranted for non-retail/restaurant uses to adequately reflect the community's desires for the Town Center area.

The square footage of 305 Main Street is 5700 square feet on the ground floor. For comparison, Town Hall is 5300 square feet, and the Dollar General is 9240 square feet.

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. The Town has broad statutory authority to regulate land use.

5. The proposed text is found to be consistent with the Town's adopted comprehensive plan.
The recently adopted Palisade Game Plan contains the following Goals, Strategies, and Actions that are relevant to the discussion of appropriate land uses in the Town Center zone:

Strategy 2.1B: Continue evaluating existing zoning regulations to determine if it promotes balance[d] growth with community preservation.

Action 2.1.C.2: Develop design guidelines for the Future Land Use Designations with input from the community as part of an update to the Land Development Code.

Action 2.1.D.1: Ensure a land use plan that generates additional revenue to support and enhance Palisade's services.

RECOMMENDATION

The Planning Commission is asked to review the proposed text amendment to the LDC and make a recommendation, based on the above approval criteria, to the Board of Trustees. The Commission may revise or amend the proposed changes for consideration by the Board of Trustees, who will conduct a public hearing on the proposed text amendment.

REO Holdings LLC

January 30, 2023

Re: **Letter of Intent For Request For Land Development Code Amendment And Conditional Use Permit**

To Whom it May Concern:

We own and manage REO Holdings LLC, which, in turn, owns the building at 305 Main St., Palisade, CO (the "Building"). Our tenant, J-U-B Engineering ("JUB"), currently rents a substantial portion of the first floor of the Building. JUB would like to expand into a vacant first floor unit adjacent to its current location in the Building, which was previously a retail space. However, our understanding is that the Town recently amended the Land Development Code (the "Code") to bar commercial office uses on the street level in the Town Center zoning district. We respectfully request that (1) the Code be amended to allow commercial office uses on the first floor in the Town Center as conditional uses, and (2) that JUB expanding into the vacant first floor unit in the Building be permitted as a conditional use.

1. The Land Development Code Should Be Amended to Allow Commercial Offices as a Conditional Use in the Town Center Zoning District

We respectfully request that the Code be amended to allow commercial offices on the street level in the Town Center. See Ex. 1, Proposed Code Amendment. First, we want to emphasize that we support the policy behind the recent change to the Code limiting commercial uses on the street level in the Town Center. We share a vision of a Town Center with vibrant retail spaces and busy restaurants. That said, we feel a blanket ban on commercial office uses on the street level goes too far. While the Code should put a thumb on the scale for retail and restaurant spaces, there are surely exceptions where commercial office space makes sense.

This proposal here is an example of such an exception. JUB is a vibrant commercial office space in downtown Palisade, employing eight high paid engineers, who work, eat, and shop in the Town Center every day. Moreover, JUB attracts clients to its office who add to this economic impact. JUB seeks to expand into the vacant adjacent space so it can add approximately seven more engineers. See Ex. 2, Expansion Plan. The new engineers will also be physically present in the Town Center each workday and add to the economic anchor that JUB represents. Moreover, JUB currently occupies 3,359.6 sq. ft. in the Building, and seeks a modest expansion into a vacant 474.8 sq. ft. vacant space. See Ex. 2, Expansion Plan. Quite simply, this small expansion will have a large economic impact.

Further, seven new engineers represent a significant increase in year-round, high paying jobs in the Town. Jobs like these are critical to sustainable growth. The soon to be approved Palisade Game Plan highlights concerns with the current trajectory of the Town and its current heavy reliance on tourism and recreation:

The recreation and tourism industries offer seasonal, lower-wage jobs based on data from the Bureau of Labor Statistics. As more of Palisade's workforce is employed in these types of jobs, unlimited expansion of tourism could impact the high poverty level in Palisade, which could adversely affect the levels of income, health, and other aspects of the community.

See Town of Palisade Game Plan 2022 at 105.

Maintaining a policy encouraging retail and restaurants on the street level of the Town Center, while leaving room for exceptions allowing commercial office space, makes sense to the Town and is consistent with the Town's comprehensive plan. We respectfully request that the Code be amended to allow commercial offices as a conditional use in the Town Center. See Ex. 1, Proposed Code Amendment.

2. JUB's Proposed Expansion Should be Allowed as a Conditional Use

If the Town were to amend the Code to permit commercial offices on the street level in the Town Center, we request that a conditional use permit be issued to allow JUB to expand into Unit 4 in the Building. See Ex. 2, Expansion Plan. Pursuant to Section 4.07(E) of the Code, the permit should be permitted for the following reasons.

- 1. 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.** JUB currently occupies 3,359.6 square feet in the Building adjacent to the proposed expansion. There will be no expansion to the footprint of the Building, nor will there be any material change to the façade of the building facing the street. The expansion will allow an increase in workers occupying the JUB office. But those workers and their associated economic impact will have the positive impact described above: eating in Town, shopping in Town, and paying significant sales tax to the Town by doing so.
- 2. The application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.** For the reasons described above, the proposal addresses the 2022 Game Plan's concerns with over reliance on the tourism and recreation industry. The proposed expansion is otherwise in compliance with the Code.
- 3. 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.** There will be no changes to the Building's footprint and no changes to the Building's street-facing façade. As previously described, the addition of seven high-paying jobs to the Town Center will support the current retail spaces and restaurants in the Town Center and, in turn, result in significant sales tax revenue for the Town. This year-round support for the Town economy is particularly important during the low season.
- 4. 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. As previously described, the proposal addresses concerns raised in the 2022 Game Plan and will support, rather than diminish, the Town Center's existing retail and restaurant spaces.

For all of these reasons, the Code should be amended to allow commercial offices on the street level as a condition use in the Town Center, and the proposed expansion should be allowed as such a conditional use.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Hood", written in a cursive style.

Alexander Hood
For REO Holdings LLC

A handwritten signature in black ink, appearing to read "B. Quarnstrom", written in a cursive style.

Brian Quarnstrom
For REO Holdings LLC

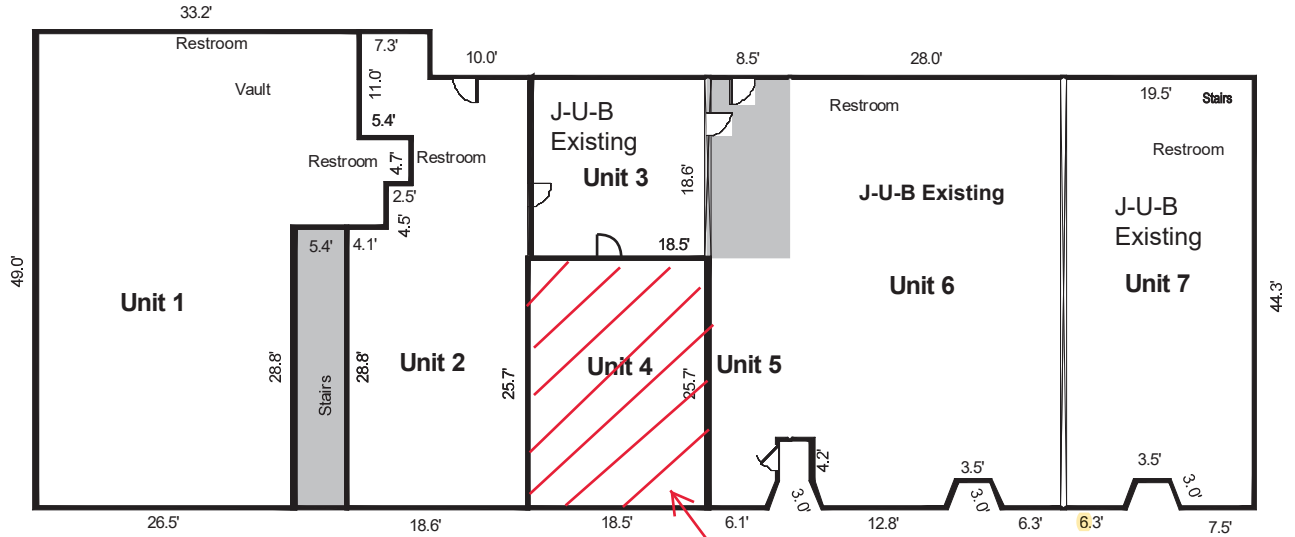
EXHIBIT 1

Table 6.1: Use Table

Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	LI	HR	CP	Specific Use Standards
Newspaper publisher						P	P	P	P			<u>UPPER STORY ONLY IN TC</u>
Office, general*	Advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, contractor or architect; sales office, travel agency or any similar use.				C	P	P	P	P			UPPER STORY ONLY IN TC Allowed on street level in TC only as conditional use
Office, medical*	Doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medical use.					P	P	P	P		P	<u>UPPER STORY ONLY IN TC</u>
Outdoor recreation*	Any recreational facility where activity takes place primarily outdoors, including RV parks and campgrounds, miniature golf courses, motocross tracks, batting cages, swimming pool, driving range or any similar use.	C					C	C	P			
Outdoor storage, general									P			<u>Section 7.03I</u>
Radio or television studio						P	P	P	P			
Recreational club or lodge, private								P				<u>Section 7.03J</u>
Restaurant		C			C	P	P	P	P	P		
Restaurant, drive through									C	C		
Retail, general*	Antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods auto parts (no service repair); plant nursery; plant nursery with landscape supply or any similar use.					C	P	P		P	C	
Retail Marijuana Cultivation Facility, Contiguous		C					C	C	C	C		<u>Section 7.03M</u>
Retail Marijuana Cultivation Facility, Noncontiguous		C					C	C	C	C		<u>Section 7.03M</u>
Retail Marijuana Products Manufacturer		C					C	C	C	C		<u>Section 7.03M</u>

EXHIBIT 2

305 Main St. First Floor



Main Level – 5,670.4 SF

AREA CALCULATIONS SUMMARY				
Code	Description	Net Size	Net Totals	
GBA1	Stairs	156.2		
	Unit 1	1471.0		
	Unit 7	850.0		
	Unit 4	474.8		
	Unit 2	800		
	Rear Stairs	80		
	Unit 6	1545		
	Unit 3	343.6	5670.4	
	GBA2	#200	1498.4	
	Storage	48.0		
Common Area		1119.4		
	#213	752.6		
	#214	695.4		
	#219	853.1		
	#215	756.8	5723.6	
P/P	Covered entry	1000.0		
	Deck	38.0	1038.0	
Net BUILDING Area		(Rounded)	11394	

Unit 4 converted from retail to office space. Scope of work included in attached detailed bid for renovation of units 3 and 4.

Don & Shayne Shelton
 Do It All Handyman Service
 246 Nancy St
 Grand Junction, CO 81503
 Mobile 970-261-5696 or 970-261-2442
 skopanos@yahoo.com

Estimate



Project
JUB Engineering

Description	Quantity	Cost
-------------	----------	------

Build Two Offices		\$7,985
--------------------------	--	----------------

Labor		\$3,360
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Labor to build two offices with two doors in old wine shop.	1 Ea	\$3,360
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Materials		\$4,625
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1/2x4x12' drywall	18 Ea	\$514
2x4x10'	8 Ea	\$97
3 5/8 20 ga. 10' studs	40 Ea	\$778
3 5/8 20 ga. 10' track	10 Ea	\$186
4" rubber cove base	120 LF	\$168
36x80 solid core door	2 Ea	\$608
Corner bead	1 Ea	\$12
Cove base adhesive	3 Ea	\$29
Door and trim paint	2 Gallons	\$146
Door casing kit	4 Ea	\$117
Door hardware	2 Ea	\$109
Door shims, powder and pins, caulk	1 Ea	\$103
Drywall mud and mesh tape	1 Ea	\$67
Primer	10 Gallons	\$182
R13 insulation	4 Ea	\$355
Ram board, masking & painting supplies, duct tape.	1 Ea	\$510
Wall paint	8 Gallons	\$583
Zip strip	10 Ea	\$61

Build Storage Closet		\$2,880
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Labor		\$1,764
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Labor to demo old closet and build a new closet 6'x6' with a 36" door.	1 Ea	\$1,764
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Materials		\$1,116
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1/2x4x8' drywall	8 Ea	\$152
2x4x10'	3 Ea	\$36

Description	Quantity	Cost
Build Storage Closet		
Materials		
3 5/8 20 ga 10' studs	12 Ea	\$233
3 5/8 20 ga 10' track	4 Ea	\$74
36x80" hollow core door	1 Ea	\$182
Corner bead	1 Ea	\$12
Door casing kits	2 Ea	\$58
Door hardware	1 Ea	\$55
Door shims and caulk	1 Ea	\$18
Drywall mud	2 Ea	\$27
Paint	1 Ea	\$243
Zip strip	4 Ea	\$24
Remove Exterior Door And Install Window		\$2,767
Labor		\$1,764
Labor to remove an exterior door, infill, and install a window.	1 Ea	\$1,764
Materials		\$1,003
1/2x4x8' drywall	1 Ea	\$19
1x4x10' exterior cedar trim	3 Ea	\$68
1x4x10' MDF Sill and casing	6 Ea	\$90
3'x6' window	1 Ea	\$608
4x8' exterior siding panel	1 Ea	\$73
Exterior paint and caulk	1 Ea	\$91
Roll insulation	1 Ea	\$55
Remove Interior Door For Walk Through		\$367
Labor		\$252
Labor to remove an interior door and door stop and repair hinge and strike and paint	1 Ea	\$252
Materials		\$115
Brown paint	1 Ea	\$73
Epoxy wood filler	1 Ea	\$24
Sanding discs	1 Ea	\$18
Install Door To Conference Room		\$1,291
Labor		\$756
Labor to cut an opening and install a door to conference room.	1 Ea	\$756
Materials		\$535
2x4x8'	5 Ea	\$33
36x80" solid core door	1 Ea	\$304

Description	Quantity	Cost
Install Door To Conference Room		
Materials		
Door and trim paint	1 Ea	\$73
Door casing kit	2 Ea	\$58
Door hardware	1 Ea	\$55
Door shims	1 Ea	\$12
Install Glass Window To Conference Room		\$1,504
Labor		\$1,008
Labor to cut opening and install a glass panel window in conference room.	1 Ea	\$1,008
Materials		\$496
1x4x10' MDF	4 Ea	\$61
1x6x16' MDF	1 Ea	\$49
2x4x8'	3 Ea	\$20
4x4 panel glass	1 Ea	\$243
Quarter round	32 LF	\$39
White paint and caulk	1 Ea	\$85
Enclose Two Doors With Drywall		\$764
Labor		\$672
Labor to cover two doors with drywall	1 Ea	\$672
Materials		\$92
1/2x4x8' drywall	2 Ea	\$38
2x2x8'	8 Ea	\$53
Demo		\$2,256
Labor		\$1,344
1). Labor to demo areas below display windows in wine shop	1 Ea	\$504
2). Labor to demo wall between wine shop and storage room.	1 Ea	\$840
Materials		\$912
Dumpster and clean up fees	1 Ea	\$912
Project Total		\$19,816

The customer hereby authorizes the contractor to perform the work as specified. Any changes will void this contract unless changes are written and signed by both parties. Material cost due up front and remaining balance due upon job completion.

Approved By: _____ Date: _____ Date: _____

Contractor _____ Customer _____

AFFIDAVIT OF PUBLICATION

State of Colorado, County of Denver, ss:

Leo Hentschker being first duly sworn, deposes and says:
That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agents of Grand Junction Daily Sentinel, a newspaper printed and published 5 days a week in the City of Grand Junction, County of Mesa, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:
19 Feb 2023

NOTICE ID: 8QagWBhhq1cavPz0KXps
PUBLISHER ID: BW158085
NOTICE NAME: Text Amendment - Office Use in TC Zone

Leo Hentschker
(Signature)

VERIFICATION

State of Colorado
County of Denver

Subscribed in my presence and sworn to before me on this: 02/24/2023

Bo-Shan Xiang

Notary Public
Notarized online using audio-video communication

NOTICE OF PUBLIC HEARING
Notice is hereby given that a public hearing will be held before the Planning Commission of the Town of Palsade, Colorado, at the Palsade Civic Center, 341 W. 7th Street, Palsade, Colorado at 6:00 p.m. on March 7, 2023 and before the Palsade Board of Trustees of the Town of Palsade, Colorado, at the Palsade Civic Center, 341 W. 7th Street, Palsade, Colorado at 6:00 p.m. on March 14, 2023 to consider text amendments to the Land Development Code and Table 6.1 Use Table relating to office uses within the TC (Town Center) zone district. All interested parties are encouraged to attend. Additional information may be obtained from the Town Clerk's office at 175 E. Third Street or by calling 464-5602. For virtual meeting information, please visit www.palsade.colorado.gov.

Published: February 19, 2023.

BO-SHAN XIANG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224021973
MY COMMISSION EXPIRES JUNE 2, 2026

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO
AMENDING THE LAND DEVELOPMENT CODE REGARDING OFFICE
USES IN THE TOWN CENTER (TC) ZONE DISTRICT**

WHEREAS, pursuant to Section 31-23-305, C.R.S., the Board of Trustees may adopt, alter or amend zoning and regulations; and

WHEREAS, the Palisade Board of Trustees desires to amend the Land Development Code regarding office uses within the Town Center (TC) zone district; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-306, C.R.S., on March 7, 2023 a public hearing was held before the Planning Commission to consider a recommendation of an amendment of the Land Development Code to the Board of Trustees as set forth herein, following public notice as required by law; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-304, C.R.S., on March 14, 2023 a public hearing was held before the Board of Trustees to consider the amendment of the Land Development Code as set forth herein, following public notice as required by law; and

WHEREAS, the Board of Trustees finds and determines that the amendments to the Land Development Code, as contained herein, are necessary and designed for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Palisade and are consistent with the Town's Comprehensive Plan and the Town's other goals, policies and plans.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Land Development Code Table 6.1 and Section 7.03 are hereby amended **with new additions underlined and deletions in ~~strikethrough~~** as follows:

Section 6.01 – Use Table

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	LI	HR	CP	Specific Use Standards
Newspaper publisher						P	P	P	P			UPPER STORY ONLY IN TC
Office, general*	Advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, contractor or architect; sales office, travel agency or any similar use.				C	P	P	P	P			UPPER STORY ONLY IN TC <div style="border: 1px solid red; padding: 2px; width: fit-content;"> Allowed on street level in TC only as conditional use Section 7.03.O </div>
Office, medical*	Doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medical use.					P	P	P	P		P	UPPER STORY ONLY IN TC Section 7.03.O Allowed on street level in TC only as conditional use
Outdoor recreation*	Any recreational facility where activity takes place primarily outdoors, including RV parks and campgrounds, miniature golf courses, motocross tracks, batting cages, swimming pool, driving range or any similar use.	C					C	C	P			Allowed on street level in TC only as conditional use
Outdoor storage, general									P			Section 7.03I
Radio or television studio						P	P	P	P			
Recreational club or lodge, private								P				Section 7.03J
Restaurant		C			C	P	P	P	P	P		
Restaurant, drive through									C	C		
Retail, general*	Antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods auto parts (no service repair); plant nursery; plant nursery with landscape supply or any similar use.					C	P	P		P	C	
Retail Marijuana Cultivation Facility, Contiguous		C					C	C	C	C		Section 7.03M
Retail Marijuana Cultivation Facility, Noncontiguous		C					C	C	C	C		Section 7.03M
Retail Marijuana Products Manufacturer		C					C	C	C	C		Section 7.03M

Section 7.03 Commercial Use Standards

O. Office Use Standards

Uses categorized as Office, general or Office, medical in Table 6.1 – Use Table shall contribute to the community by adherence to the following standards:

1. Offices shall be open to the public a minimum of 32 hours per calendar week, regardless of the type of work conducted or service offered.
2. Offices shall be designed to encourage walkability to other land uses, regardless of the zone district where the office use is located.
3. Offices shall orient public entrances/lobbies to the primary pedestrian access, with employee only entrances hidden or otherwise located on the side and/or rear of the building.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on March 14, 2023.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk



PALISADE BOARD OF TRUSTEES
Agenda Item Cover Sheet

Meeting Date: **March 14, 2023**

Presented By: **James S. Neu, Town Attorney**

Department: **Legal**

Re: **Resolution 2023-03 - Authorizing Town Staff to Take Certain Actions
Regarding Town Water Rights**

SUBJECT:
Resolution 2023-03 - Authorizing Town Staff to Take Certain Actions Regarding Town Water Rights

SUMMARY:
Resolution 2023-03, if approved, authorizes the Town Staff and the Town's water attorney to take the steps necessary in water court to ensure that the granting of the Snowcap Application in whole or part does not adversely affect the Town.

BOARD DIRECTION:
Approve Resolution 2023-03

Suggested Motion:
Approve Resolution 2023-03 authorizing Town Staff to take the steps necessary in water court to ensure that the granting of the Snowcap Application in whole or part does not adversely affect the Town of Palisade.

**TOWN OF PALISADE
RESOLUTION NO. 2023-03**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
PALISADE, COLORADO AUTHORIZING TOWN STAFF TO TAKE
CERTAIN ACTIONS REGARDING TOWN WATER RIGHTS.**

WHEREAS, the Town has water rights that have been approved by the District Court in and for Water Division No. 5 concerning water rights tributary to Rapid Creek, Cottonwood Creek and the Colorado River; and

WHEREAS, water court applications are published in the regional newspapers each month in the “Water Resume;” and

WHEREAS, the Town reviews the Water Resume to determine if there are applications filed that might affect Town water rights or property; and

WHEREAS, in order to monitor the progression and outcome of water court applications, the Water Court Rules require a interested party to file a Statement of Opposition; and

WHEREAS, on December 29, 2022, Snowcap Coal Company, Inc., Delaware Corporation, filed an Application for Conditional Groundwater Rights, Conditional Storage Right, and for Approval of Plan for Augmentation, Including Exchange Project (Case No. 18CW3197) (“Snowcap Application”); and

WHEREAS, the Town has an interest in monitoring the Snowcap Application, and opposing the entry of decrees therein, as it may affect Town water rights; and

WHEREAS, the only way for the Town to participate in monitoring and opposing the BCP-ARR Application is by filing a statement of opposition which had to be filed by February 28, 2023; and

WHEREAS, Town Staff and the Town’s water attorney decided that it was in the Town’s best interest to meet this filing deadline and file a Statement of Opposition to the Snowcap Application as the Town’s water rights and/or real property rights may be affected.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF PALISADE, COLORADO:**

Section 1. That the Town Staff and Town water attorney’s decision to file the Statement of Opposition to the Snowcap Application was in the Town’s best interest and such is hereby authorized and ratified herein.

Section 2. That the Town Staff and Town’s water attorney are authorized to take the steps necessary in water court to ensure that the granting of the Snowcap Application in whole or part does not adversely affect the Town.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the Board of Trustees of the Town of Palisade, Colorado, held on March 14, 2023.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Town Clerk

Karp Neu Hanlon^{PC}

ATTORNEYS AT LAW

www.mountainlawfirm.com

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road,
Suite 4102J
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

James S. Neu
Partner/Shareholder

jsn@mountainlawfirm.com

Direct: 970.928.2121

Office: 970.945.2261

Fax: 970.945.7336

[**Direct Mail to Glenwood Springs*](#)

TO: Town of Palisade Board of Trustees

FROM: Karp Neu Hanlon, P.C.

RE: Palisade Irrigation Pipes and Laterals

DATE: March 7, 2023

At the end of 2021, the Board of Trustees directed staff to work with Palisade Irrigation Pipes & Laterals (“PIPL”) to transition to the Town PIPL’s operation of the raw water irrigation system serving portions of the Town. The historic raw water irrigation system conveys water from the Palisade Irrigation District (“PID”) to property owners within PID. PIPL was formed in 2009 as a non-profit corporation to take certain actions as funding allowed to maintain, repair, replace and expand the related water delivery infrastructure (the “System”). The Town and PIPL entered into a License Agreement dated July 27, 2010 (“License Agreement”) regarding PIPL’s operation of the System that acknowledged an eventual transfer of its duties to the Town.

The enclosed Agreement between the Town and PIPL acknowledges the transition of the operation of the System to the Town commencing with the 2023 irrigation season and the termination of the License Agreement which is enclosed for your reference. Town staff shadowed PIPL’s contractor as it winterized the System last fall to become familiar with operational duties. PIPL has or will provide the Town with all the information it has regarding the System. In the proposed Agreement, and for the Board’s consideration, the Town is agreeing to pay for work performed in Iowa Avenue by PIPL that ended up not being an irrigation line issue (invoices for that work are enclosed). The Town is also agreeing in the Agreement to pay for the past due assessments for Town property irrigated by the System. The Town is not committing itself to any further projects or actions related to the System and it can make these decisions in its sole discretion.

PALISADE IRRIGATION PIPES AND LATERALS AGREEMENT

THIS AGREEMENT (“Agreement”) is made and entered into effective the 1st day of January, 2023 by and between the TOWN OF PALISADE, COLORADO, a statutory municipality (the “Town”), and PALISADE IRRIGATION PIPES & LATERALS, a Colorado nonprofit corporation (“PIPL”).

WHEREAS, PIPL operates the historic raw water irrigation system in portions of the Town of Palisade which conveys water from the Palisade Irrigation District (“PID”) to property owners within PID and, as funding allows, takes certain actions to maintain, repair, replace and expand the related water delivery infrastructure (the “System”); and

WHEREAS, the Town and PIPL entered into a License Agreement dated July 27, 2010 (“License Agreement”) regarding PIPL’s operation of the System that acknowledged an eventual transfer of its duties to the Town; and

WHEREAS, the Town is willing to accept the duties performed by PIPL regarding the System and PIPL is willing to relinquish such duties, and the parties hereto desire to set forth their understandings regarding such transfer in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. Incorporation of Recitals. The foregoing Recitals are incorporated herein as if set forth in their entirety.

2. Conveyance of Assets. PIPL hereby conveys to the Town any and all assets owned by PIPL, except for monetary assets, in an as-is condition and without any warranties of any kind, which the Town hereby accepts. PIPL makes no assertions as to the quality, extent, location or operability of the System.

3. Termination of License Agreement. The parties agree that with this Agreement the License Agreement is hereby terminated; provided, however, Section 9 of the License Agreement shall survive and when PIPL terminates its status as a non-profit corporation or dissolves, any funds of PIPL shall be conveyed to the Town. The dissolution of PIPL and the final transfer of its monetary assets shall be determined by PIPL in its sole discretion.

4. Information and Documents Held by PIPL. As soon as practical and no later than March 31, 2023, PIPL will provide the Town with any information it has regarding the System, such as:

- Maps of locations of infrastructure and properties served
- PIPL’s standard operating procedures
- Addresses of active users
- Billing information

- Any agreements with individual properties
- Documents memorializing conveyance of any pipelines to PIPL
- 2021 and 2022 operation costs
- Capital plans and past improvements as shown on PIPL’s System maps
- Pending obligations to property owners or contractors
- Any information PIPL has about parcels on the System who are not members of PIPL but are tenants in common on a given lateral

5. Town’s Responsibilities. The Town will operate the System commencing the 2023 irrigation season and thereafter and take over the billing and collection of current assessments as the Town determines appropriate. PIPL may continue to collect its delinquent assessments. The Town will review any proposed projects of PIPL dealing with specific property owners, for example the extension of a lateral under the alley between West Fifth Street and West Sixth Street between Iowa Avenue and Peach Avenue (“Carl’s Alley”) and determine in its sole discretion where such projects fit into a capital plan for the System when such capital plan is created. However, the Town is not assuming any obligations of PIPL and is not responsible for any representations made by PIPL to specific property owners.

6. Town’s Assessments. Upon the execution of this Agreement, the Town shall pay PIPL \$3,780.00 for the Town’s past due assessments.

7. Iowa Street Repair. Upon the execution of this Agreement, the Town shall pay PIPL \$3,052.50 for the repair of Iowa Street in the spring of 2022.

8. Agreement Subject to Appropriation. To the extent this Agreement constitutes a multiple fiscal year debt or financial obligation of the Town, it shall be subject to annual appropriation pursuant to Article X, Section 20 of the Colorado Constitution. The Town shall have no obligation to continue this Agreement in any fiscal year in which no such appropriation is made. However, even if the Town determines not to continue this Agreement in any given year, PIPL has no further obligations with respect to the operation, maintenance or repair of the System.

9. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 et seq.

10. Binding Effect. This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, personal representatives, successors, and assigns.

11. Authority. Each person signing this Agreement represents and warrants that said person is fully authorized to enter into and execute this Agreement and to bind the party it represents to the terms and conditions hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

TOWN OF PALISADE, COLORADO, a municipal corporation

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk

PALISADE IRRIGATION PIPES & LATERALS

By: _____
Name: _____
Title: _____

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is hereby made and entered into this 27 day of July 2010, by and between the TOWN OF PALISADE, COLORADO, a municipal corporation, whose address is 175 East 3rd Street, Palisade, Colorado 81526 (herein referred to as "Grantor") and PALISADE IRRIGATION PIPES & LATERALS, INC., a Colorado non-profit corporation, whose address is P.O. Box 1201, Palisade, Colorado 81526 (herein referred to as "Grantee").

RECITALS

WHEREAS, property owners within the Town of Palisade own certain water rights from the Palisade Irrigation District for the purpose of providing irrigation to their respective properties; and

WHEREAS, there exists a system of pipes and laterals within Grantor's streets and public rights-of-way for the purpose of delivering irrigation water to property owners' respective properties; and

WHEREAS, this system has not been regularly maintained in recent years and some portions of the system have fallen into a state of disrepair; and

WHEREAS, Grantee is a non-profit corporation formed for the purpose of operating and maintaining a system of pipes and laterals for the delivery of irrigation water from the Palisade Irrigation District to individual service lines serving lots and other parcels of property within the Town of Palisade; and

WHEREAS, Grantee desires to acquire a license from Grantor for the purpose of accessing, repairing and improving the system of pipes and laterals within Grantor's streets and public rights-of-way in order to provide irrigation water to individual property owners within the Town of Palisade; and

WHEREAS, Grantor is willing to grant a license to Grantee for the exclusive right to excavate within Grantor's public streets and rights-of-way for the purpose of accessing, repairing, maintaining, and improving the existing irrigation water delivery system within said public streets and rights-of-way.

NOW, THEREFORE, for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants an exclusive revocable license to Grantee to permit Grantee to enter upon Grantor's public streets and rights-of-way, excavate within said public streets and rights-of-way, and open the surface of said public streets and rights-of-way for the purpose of accessing, operating, repairing, maintaining, installing, removing, and improving a system of irrigation pipes and laterals within said public streets and rights-of-way for the convenience and benefit of the general public subject to the following conditions:

1. This License shall be for the benefit of Grantee and members of the general public desiring to receive the transmission of irrigation water from the Palisade Irrigation District for individual properties within the Town of Palisade.

2. All excavation work, including all pavement cuts, openings, excavations, backfilling, resurfacing and restoration of asphalt shall be accomplished by Grantee as specified by Grantor. All costs for work conducted within said public streets and rights-of-way shall be borne by Grantee.

3. All irrigation water delivery system improvements to be installed within Grantor's public streets and rights-of-way shall be completed according to plans and specifications approved by the Palisade Irrigation District and provided to Grantor in advance by Grantee.

4. Grantor shall have the right of first refusal to contract with Grantee to perform work within Grantor's public streets and rights-of-way using in-house personnel at rates determined by the Town, but Grantor, in its sole discretion, may decline to perform such work. In such an event, any contractors selected by Grantee to perform work within the public streets and rights-of-way shall be approved by Grantor prior to the commencement of work. Grantee shall obtain any and all necessary permits for conducting work within the Town's streets and public rights-of-way and pay all applicable permit fees in effect at the time of commencing the work.

5. As a condition of the License herein granted, Grantee agrees to undertake a program of installing isolation valves that will allow Grantee the ability to terminate irrigation water delivery service to any individual customer in the event of nonpayment of fees to Grantee. Grantee shall periodically keep the Grantor advised as to the status of such program.

6. Grantee shall enter into agreements with individual private property owners establishing the scope of irrigation water delivery services to be provided by Grantee and the fees and costs therefor. In addition, said agreements shall provide that the individual irrigation water customers waive, release and quit claim any interest a customer may have, if any, to the existing irrigation water delivery system located within Grantor's public streets and rights-of-way.

7. Grantee shall be responsible for obtaining, at its sole cost and expense, any necessary easements or portions of the irrigation water delivery system located on private property and not covered by the within License Agreement.

8. Grantor shall have the right to inspect and approve all work performed by Grantee within Grantor's public streets and rights-of-way prior to burying any pipeline, closing an excavation, and repairing any asphalt surface located within Grantor's public streets and rights-of-way or located on private property.

9. As a condition of being granted the License established herein, Grantee agrees to amend its Articles of Incorporation or Bylaws, as necessary, in order to provide that should Grantee terminate its status as a non-profit corporation or dissolve, all property, pipelines, funds, and assets owned by Grantee shall become the property of Grantor.

10. Nothing contained in this Agreement is intended to relinquish any of Grantor's powers and authority as a municipal corporation or Grantor's rights as an irrigation water owner and user.

11. This Agreement and the License herein granted shall remain in full force and effect unless revoked by one of the parties. Either Grantor or Grantee may revoke this Agreement and the License granted herein at any time following thirty (30) days written notice by Grantor or Grantee of its

intent to revoke the License sent to the other party at its last known address. Nothing contained in this Agreement shall preclude implementation of a different program for the operation and maintenance of an irrigation water delivery system to the residents of the Town of Palisade such as transfer of the system to the Palisade Irrigation District, creation of a Town of Palisade owned irrigation water distribution system, or the creation of a new special district for the purpose of delivering irrigation water to Town residents.

12. Grantee hereby expressly agrees to indemnify and hold the Grantor harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity in connection with or on account of the construction, installation, operation, repair and maintenance of the irrigation water delivery system located within Grantor's public streets and rights-of-way pursuant to the License herein granted. Grantee further agrees to aid and defend Grantor in the event the Grantor is named as a defendant in any action concerning the construction, installation, operation, repair and maintenance of the irrigation water delivery system.

Grantor hereby expressly agrees to indemnify and hold harmless from and against all claims, costs and liability of every kind and nature, for injury or damage received or sustained by any person or entity arising out of the acts of Grantor or the failure to act by Grantor in connection with the License herein granted. Grantor further agrees to aid and defend Grantee in the event Grantee is named as a defendant in any action concerning Grantor's duties and obligations in regard to the License herein granted.

13. This License Agreement is made and delivered within the State of Colorado and the laws of the State of Colorado shall govern its interpretation, validity and enforceability.

14. Grantor shall record a copy of this License Agreement in the office of the Clerk and Recorder of Mesa County, Colorado.

IN WITNESS WHEREOF, the parties have caused this License Agreement to be executed on the day and year first above written.



ATTEST:
Carolyn Speakman
Town Clerk

GRANTOR:

TOWN OF PALISADE, COLORADO, a municipal corporation, acting by and through its Board of Trustees

By:

Mayor

ACCEPTED:
GRANTEE:

PALISADE IRRIGATION PIPES &
LATERALS, INC., a Colorado non-profit
corporation

By: *Patrick McAllister*
President

ATTEST:

Deborah Jean Taylor
Secretary

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

Subscribed and sworn to before this 1 day of September, 2010, by
David R. Walker as Mayor and Carolyn Speakman as Town Clerk, respectively.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 6/29/13

Kelil Gasier
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF MESA)

Subscribed and sworn to before this 1 day of September, ²⁰¹⁰~~2009~~, by
Patrick McAllister as President for Palisade Irrigation Pipes & Laterals, Inc.

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires: 6/29/13

Kelil Gasier
Notary Public



Matt Lemon
Utilities Director
Town of Palisade

July 15, 2022

Matt

Palisade irrigation Pipes & Laterals performed repair work on Iowa near the Spoke and Vine this spring. There was a subsidence in the pavement that was near or directly above some of our irrigation lines. Matt Enochs directed the repair work, which was done by Ben Dowd. An asphalt patch approximately 3 feet by 11 feet was required to repair Iowa.

They discovered no impairment of our irrigation lines, but they repaired the road above and restored the asphalt.

The bill from Ben Dowd was in the amount of \$1,852.50

The bill from Asphalt was in the amount of \$1,200.00

As this was a necessary repair to a Town of Palisade street, these expenditures are the responsibility of the town of Palisade.

Please remit this amount to: \$3,052.50

Palisade Irrigation Pipes and Laterals

PO Box 1201

Palisade, CO 81526

Thanks!!



Dave Edwards, President, PIP&L

Ben Dowd Excavating, Inc.
550 32 Rd
Clifton, CO 81520-7635



BILL TO

Palisade Pipe & Laterals
PO Box 1201
Palisade, CO 81526

424 W. 8th Street

Cut asphalt & haul off. Excavate irrigation line at settled area. Repair was not needed. No evidence of leak was found in the area. Backfill & compact with road base. Equipment, labor & road base	1,170.00
Traffic control plan and flaggers	682.50
Thank you!	
	PAYMENT
	1,852.50

CREDIT CARDS ACCEPTED WITH 3% FEE
Phone: (970) 434-8190
Email: bendowdexc@gmail.com

Martin Construction Company, Inc

2536 Rimrock Avenue
Suite 400-347
Grand Junction, CO 81505

Invoice

Date	Invoice #	Due Date
5/20/2022	0722	6/20/2022

Bill To

City of Palisade
175 East 3rd Street
Palisade, CO 81526

Description	Qty	Rate	Amount
Asphalt Patching 424 W 8th Street Palisade, CO 81526			
Hot Mix Asphalt Patching 424 W 8th Street	1	1,200.00	1,200.00
TOTAL			\$1,200.00

PIP&L Working



v.21 0816

100ft

Mesa County



PALISADE BOARD OF TRUSTEES
Agenda Item Cover Sheet

Meeting Date: March 14, 2023
Presented By: Troy Ward, Director of Parks, Recreation, & Events
Department: Parks, Recreation, & Events
Re: Resolution 2023-04 – 2023 Special Events Calendar and Blackout Dates

SUBJECT:
Palisade Events Calendar and Blackout Dates for 2023

SUMMARY:
Attached is the proposed 2023 Events Calendar for Palisade and the scheduled blackout dates in the Town.

BOARD DIRECTION:
Staff is recommending that the Board of Trustees adopt the Palisade Events Calendar and Blackout Dates for 2023.

Proposed Motion:
I motion to *adopt, deny or table (until March 23, 2023)* Resolution 2023-04 approving the 2023 special event calendar and festival blackout dates.

**TOWN OF PALISADE, COLORADO
RESOLUTION NO. 2023-04**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF PALISADE, COLORADO, APPROVING THE 2023 SPECIAL EVENT CALENDAR AND FESTIVAL BLACKOUT DATES

WHEREAS, the Town recognizes the importance of special events and festivals in Palisade; and

WHEREAS, the Town also recognizes the toll special events and festivals take on staff and citizens alike; and

WHEREAS, the Town is desirous of not oversaturating certain times of the year with special events; and

WHEREAS, Exhibit “A” takes into account existing special events, festivals, and blackout dates for 2023; and

WHEREAS, the Town recognizes the importance of event safety for staff, citizens, and festival goers alike; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Palisade, Colorado, that;

The calendar attached hereto as Exhibit “A” is adopted as the 2023 Special Event Calendar with blackout dates for the Town of Palisade, Colorado, effective March 14, 2023.

PASSED AND APPROVED this 14th day of March 2023.

TOWN OF PALISADE

Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk

Palisade Events Calendar and Blackout Dates

2023

General Events
 Town Run Events
 Multiple Events

January

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

<u>DATE</u>	<u>EVENT NAME</u>	<u>LOCATION</u>	<u>ORGANIZER</u>
January			
February 18, 2023	Palisade Ice Bowl	Riverbend Park	Grand Valley Disc Golf Club
March 11, 2023	Palisade Awakening Disc Golf	Riverbend Park	Grand Valley Disc Golf Club
March 12, 2023	Palisade Awakening Disc Golf	Riverbend Park	Grand Valley Disc Golf Club
March 18, 2023	Sing Up The Sun	Riverbend Park	Sing Up The Sun
March 18, 2023	Palisade Lion's Club Yard Sale	Community Center	Palisade Lion's Club
April 1, 2023	Edesia Wine & Food Festival	Wine Country Inn	Wine Country Inn
April 2, 2023	Edesia Wine & Food Festival	Wine Country Inn	Wine Country Inn
April 15, 2023	Honeybee Festival	Downtown/Plaza	Wine Country Inn
April 20, 2023	Blugrass Bash	Various	4th Street Music
April 21, 2023	Blugrass Bash	Various	4th Street Music
April 22, 2023	Blugrass Bash	Various	4th Street Music
April 23, 2023	Blugrass Bash	Various	4th Street Music
April - <i>Postponed Until 2024</i>	Outdoor Heritage Day	Riverbend Park	Colorado Parks & Wildlife
May 20, 2023 <i>Tentative</i>	Town Clean-Up Day	Riverbend Park	Town of Palisade
June 4, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
June 8, 2023	Palisade Bluegrass Festival	Riverbend Park	Mountain Groove Productions
June 9, 2023	Palisade Bluegrass Festival	Riverbend Park	Mountain Groove Productions
June 10, 2023	Palisade Bluegrass Festival	Riverbend Park	Mountain Groove Productions
June 11, 2023	Palisade Bluegrass Festival	Riverbend Park	Mountain Groove Productions
June 11, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
June 18, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
June 24, 2023	Lavender Festival	Riverbend Park	Lavender Association of Colorado
June 25, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
July 2, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
July 4, 2023	Fourth of July Games in the Park	Memorial Park	Town of Palisade
July 4, 2023	Fourth of July Parade	Downtown/Plaza	Palisade Chamber of Commerce
July 9, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
July 16, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
July 23, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
July 30, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
August 6, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
August 17, 2023	Ice Cream Social	Downtown/Plaza	Town of Palisade
August 18, 2023	Palisade Peach Festival	Riverbend Park	Palisade Chamber of Commerce

<u>DATE</u>	<u>EVENT NAME</u>	<u>LOCATION</u>	<u>ORGANIZER</u>
August 19, 2023	Palisade Peach Festival	Riverbend Park	Palisade Chamber of Commerce
August 19, 2023	Peachy 5K Run	Downtown/Plaza	Grand Junction Sports Commission
August 19, 2023	Peach Festival Parade	Downtown/Plaza	Palisade Chamber of Commerce
August	PHS Band Car Show	TBD	Palisade High School Marching Band
August 20, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
August 27, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
September 3, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
September 10, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
September 16, 2023	Colorado Mountain Wine Festival	Riverbend Park	CAVE
September 17, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
September 23, 2023	Palisade Art Festival	Memorial Park	Mountain Art Festival
September 23, 2023	PAV Sculpture Unveiling	Downtown/Plaza	Town of Palisade
September 24, 2023	Palisade Art Festival	Memorial Park	Mountain Art Festival
September 24, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
October 1, 2023	Sunday Farmers Market	Downtown/Plaza	Town of Palisade
October 6, 2023 <i>Tentative</i>	Palisade High School Homecoming Parade	Downtown/Plaza	Palisade High School
October 14, 2023 <i>Tentative</i>	Town Clean-Up Day	Riverbend Park	Town of Palisade
October 21, 2023	Disc Golf	Riverbend Park	Grand Valley Disc Golf Club
October 31, 2023	Trick-or-Treat Street	Downtown/Plaza	Town of Palisade
October	Grand Valley Marathon	Downtown/Plaza	Rapid Creek Cycles
December 1, 2023	Olde Fashioned Christmas Parade	Downtown/Plaza	Palisade Chamber of Commerce
December 2, 2023	Olde Fashioned Christmas	Downtown/Plaza	Palisade Chamber of Commerce



PALISADE BOARD OF TRUSTEES Agenda Item Cover Sheet

Meeting Date: March 14, 2023
Presented By: Brian Rusche, Community Development Director
Department: Community Development
Re: Planning Commission Appointments

SUBJECT: Planning Commission Appointments

SUMMARY: The Palisade Planning Commission currently has one (1) vacancy due to a resignation and two (2) positions whose terms expired in February 2023. The appointments for these positions were postponed due to the work on the Palisade Game Plan.

Palisade Municipal Code Section 2-203 states:

“The Board of Trustees shall appoint a Planning Commission which shall consist of seven (7) at-large members who shall be residents of the Town. The term for each appointed member shall be four (4) years or until his or her successor takes office. Planning Commission terms shall end and seats shall be filled at the first Board of Trustees meeting in February on odd-numbered years. No Planning Commission member shall serve more than two (2) consecutive terms in office.”

Each person appointed will be for a term that runs until February 2027, consistent with the above section of the Code.

Five (5) individuals have submitted applications (attached) for a four-year term, including the two incumbents. These individuals [in alphabetical order] are:

- **Burke, Brandon**
- **Hull, David**
- **Johnson, Tracy**
- **Seymour, Ed**
- **Weis, JJ**

BOARD DIRECTION:

The Board of Trustees will interview five (5) candidates for three (3) open seats on the Palisade Planning Commission. A silent priority vote will occur after the interviews to fill the three (3) positions, with the highest votes serving the term ending in February 2027. A roll-call vote will appoint the commissioners to their respective seats.



Application for Voluntary Service for the Town of Palisade

Thank you for your interest and willingness to apply your skills, dedication, and creativity to make the Town of Palisade an ever better place. Citizens such as yourself are truly the cornerstone of our community. Please take a moment to complete this application form and read the specific requirements of the position for which you are applying. Many of the volunteer positions for the Town require monthly and even bi-monthly meetings, training sessions, and occasional travel. Due to the importance of regular participation, only those applicants who are reasonably certain of their ability to participate regularly should apply.

Thank you again for your willingness to serve!

Name	Brandon M. Burke
Mailing Address	PO BOX 1271
Physical Address	343 W. 5th Street, Palisade, CO. 81526
Email Address	bburke81526@gmail.com
Phone number	818-521-7303
Alternate phone number	970-852-7020

What position are you applying for? Planning Commission

Please describe your qualifications for this position. *(Feel free to attach an additional sheet if necessary or preferred.)* I am the Community Development Specialist for the Town of Parachute.

I have experience with land use, special use, variance, and subdivisional processes and reviews.

I work with the building official and review and process all building, ROW, and excavation permits for the Town.

I was involved with CPS in the Towns 2022 Comprehensive Plan and am currently involved in the Trails Plan, and the Downtown Development plan that are both going on simultaneously. I have grant writing experience, as well as budgetary experience. I feel that the experience that I have could be an asset to the Town of Palisade.

Please describe your personal interest in this position. (*Feel free to attach an additional sheet if necessary or preferred.*) I love this community and my family is rooted here. I would like to be a part of the growth that is going on in town and I would like to help guide the decisions for growth.

I am community minded and feel that I will be able to bring a perspective that many don't have with being able to work within another town.

Do you have any conflicts that might preclude the regular participation required for this position? (*Feel free to attach an additional sheet if necessary or preferred.*) I have no conflicts that would preclude me from performing my duties on the planning commission. I want to be involved in this community and am thankful for the opportunity for you to review my application. Please see the attached letter of consideration for additional information as well as my background.

Please consider the various requirements for volunteer boards and commissions, as listed below. Any questions or concerns should be addressed to the Town Clerk P.O. Box 128, Palisade, CO 81526, or by phone at 464-5602.

Planning Commission

The Planning Commission meets on the first and third Tuesday of each month at 6:00 p.m. To be eligible for the Planning Commission you must be at least 18 years of age and live within the Town of Palisade. The Planning Commission makes recommendations to the town Board of Trustees in matters regarding land use and land development within the municipal boundaries of the Town of Palisade.

Tourism Advisory Board

The Tourism Advisory Board helps develop and implement marketing strategies for the Town of Palisade. You must be a resident of the Town of Palisade to be eligible.

Knowledge and experience in tourism, promotions, marketing, advertising, or special event planning and operation are desirable. The Tourism Advisory Board meets the second Tuesday of every other month. Exact meeting times and dates are determined when the Board is assembled.

Brandon M. Burke
343 W. 5th Street
Palisade, CO. 81526

Dear Planning Commission and Mr. Brian Rusche,

I would like to submit a letter of consideration for the vacant Planning Commission seat. My wife and I have been in the process of a restoration and addition of our home with my mother in law Beth Galasso at 343 W 5th street. Although we have relocated back to Palisade we have spent the better part of our lives here and this is where we want to raise our family. My wife Tina grew up in the house we are restoring now with her mother Beth and I grew up in the fruit orchards of east orchard mesa off 35 road. We have 2 children, our son Greyson who is 4 and attends Taylor Elementary and our daughter Hadley who is 18 months old. This is and always will be our home. The Town and this community are especially important to us. This is why I am asking for your consideration.

I have worked for the Town of Parachute as a community development specialist for the last 2 years. Throughout this time I have learned much about the importance of community engagement and planning for the future. I have recently been involved with planning the Town of Parachute's 2022 Comprehensive Plan. I have helped many community members plan for the future through land use and special use processes. I am currently involved in the Parachute Area Trails Plan as well as the Downtown Development Plan for the 1st Street corridor. I feel the experience that I have gained would be a valuable asset to the Town of Palisade.

My main interests for the Town of Palisade are:

- Town Beautification
- Community Engagement
- Future Planning

I have grown alongside the Town for much of my life and I have a good understanding of what planning means for the future. I would love to be a part of Palisade's new Comprehensive Plan and feel that I could be of service to the community. I hope you will consider me for the position and I thank you for the opportunity.

Regards

Brandon M. Burke



Application for Voluntary Service for the Town of Palisade

Thank you for your interest and willingness to apply your skills, dedication, and creativity to make the Town of Palisade an ever better place. Citizens such as yourself are truly the cornerstone of our community. Please take a moment to complete this application form and read the specific requirements of the position for which you are applying. Many of the volunteer positions for the Town require monthly and even bi-monthly meetings, training sessions, and occasional travel. Due to the importance of regular participation, only those applicants who are reasonably certain of their ability to participate regularly should apply.

Thank you again for your willingness to serve!

Name	David Hull
Mailing Address	204 W. First St, Palisade, Colorado
Physical Address	204 W. First St, Palisade, Colorado
Email Address	dohull1970@gmail.com david.hull@rndc-usa.com
Phone number	970-433-3118
Alternate phone number	970-260-9519 (Sandie)

What position are you applying for? - Planning Commissioner

Please describe your qualifications for this position. (*Feel free to attach an additional sheet if necessary or preferred.*) - Please see attached letter

Please describe your personal interest in this position. (*Feel free to attach an additional sheet if necessary or preferred.*) - Please see attached letter.

Do you have any conflicts that might preclude the regular participation required for this position? (*Feel free to attach an additional sheet if necessary or preferred.*) - None - I will be maintaining my present full-time position with RNDC through March 1, 2024 after that date I will be retiring. My retirement will increase my availability.

Please consider the various requirements for volunteer boards and commissions, as listed below. Any questions or concerns should be addressed to the Town Clerk P.O. Box 128, Palisade, CO 81526, or by phone at 464-5602.

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The Planning Commission meets on the first and third Tuesday of each month at 6:00 p.m. To be eligible for the Planning Commission you must be at least 18 years of age and live within the Town of Palisade. The Planning Commission makes recommendations to the town Board of Trustees in matters regarding land use and land development within the municipal boundaries of the Town of Palisade.

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Knowledge and experience in tourism, promotions, marketing, advertising, or special event planning and operation are desirable. The Tourism Advisory Board meets the second Tuesday of every other month. Exact meeting times and dates are determined when the Board is assembled.

Honorable Mayor and Trustees of Palisade,

My name is Dave Hull. I have served on the Palisade Planning Commission most recently from 2020 to 2023. My traditional 4-year term has been shortened due the rescheduling of Planning Commissioner appointments now being completed in off Trustee election years. I have lived at 204 W. First St. in Palisade for 28 years. I would like to be considered for reappointment to an open chair on the Planning Commission. I have the following experience pertaining to the Position.

1. Planning Experience – I was a member of the Planning Commission from 2004 to 2006 then again from 2020 to 2023. I was the Trustee Voting Commission Member in 2006. This institutional knowledge has proven very valuable over the last three years.
2. Board Experience – I was elected to the Palisade Town Board in 2006. I served 1 term until 2010.
3. Professional Experience – I have been in the Beverage Alcohol Industry for over 40 years. I have been with my present Employer for the last 25 years. I work with several local Wineries as a Distributor Representative.
4. Building and Property Experience – I own several properties in Mesa and Gunnison Counties including a Peach Orchard that is directly adjacent to the Town of Palisade. I have built and remodeled several homes over the years. I have a first-hand experience in acquiring necessary permits and the Planning Process.

When I originally applied to become a Planning Commissioner in 2020 my intention was to be involved with maintaining the small-town integrity of Palisade. The Trustees are now considering the implementation of the 2022 Palisade Game Plan which is an important step to protect that integrity. I would like to return to the Palisade Planning Commission to complete the tasks associated with the implementation of the 2022 Palisade Game Plan. These tasks include being involved in addressing the Land Development Code and the specific details associated with updating our local ordinances to bring them in line with the details reflected in the Plan.

Sincere Regards,

David Hull

204 W. First St.

Palisade, Colorado

970-433-3118



Application for Voluntary Service for the Town of Palisade

Thank you for your interest and willingness to apply your skills, dedication, and creativity to make the Town of Palisade an ever better place. Citizens such as yourself are truly the cornerstone of our community. Please take a moment to complete this application form and read the specific requirements of the position for which you are applying. Many of the volunteer positions for the Town require monthly and even bi monthly meetings, training sessions, and occasional travel. Due to the importance of regular participation, only those applicants who are reasonably certain of their ability to participate regularly should apply.

Thank you again for your willingness to serve!

Name	Tracy Johnson
Mailing Address	743 nectarine st Plaidade, CO 81526
Physical Address	same
Email Address	Tracyjohnson0309@gmail.com
Phone number	9702600083
Alternate phone number	970822-4848

What position are you applying for?

Palisade Planning Commission

Please describe you qualifications for this position. *(Feel free to attach an additional sheet if necessary or preferred.)* I live in Plaisade. I care about the community and the future of the town. I have worked in the hospitality industry for 30 pulse year, I have help companies from the ground up be come successful. I also work at the CMU as a

professor. I am a good listener, I am open minded and good communication.

Please describe your personal interest in this position. (*Feel free to attach an additional sheet if necessary or preferred.*) I want to give back to our community and build a strong relationship with elected officials and others in the community as well.

Do you have any conflicts that might preclude the regular participation required for this position? (*Feel free to attach an additional sheet if necessary or preferred.*) NO

Please consider the various requirements for volunteer boards and commissions, as listed below. Any questions or concerns should be addressed to the Town Clerk P.O. Box 128, Palisade, CO 81526, or by phone at 464-5602.

Planning Commission

The Planning Commission meets on the first and third Tuesday of each month at 6:00 p.m. To be eligible for the Planning Commission you must be at least 18 years of age and live within the Town of Palisade. The Planning Commission makes recommendations to the town Board of Trustees in matters regarding land use and land development within the municipal boundaries of the Town of Palisade.

Tourism Advisory Board

The Tourism Advisory Board helps develop and implement marketing strategies for the Town of Palisade. You must be a resident of the Town of Palisade to be eligible.

Knowledge and experience in tourism, promotions, marketing, advertising, or special event planning and operation are desirable. The Tourism Advisory Board meets the second Tuesday of

every other month. Exact meeting times and dates are determined when the Board is assembled.



Application for Voluntary Service for the Town of Palisade

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Thank you again for your willingness to serve!

Name	Ed Seymour
Mailing Address	816 Rupp Ave.
Physical Address	816 Rupp Ave.
Email Address	Ed-seymour@outlook.com
Phone Number	970-852-9819
Alternate Phone Number	

What position are you applying for? [Planning Commission](#)

Please describe your qualifications for this position. (Feel free to attach an additional sheet if necessary or preferred.) [Previous experience on a municipal planning commission, various professional and civic experiences, and degrees in political science and land and resource management. Please the](#)

[attached letter with more details.](#) _____

Please describe your personal interest in this position. (Feel free to attach an additional sheet if necessary or preferred.) Anywhere that I have lived I have always strived to find ways contribute to the community. I know this would be a good fit, and that I would find this opportunity rewarding, given my experience serving for the past few months. _____

Do you have any conflicts that might preclude the regular participation required for this position? (Feel free to attach an additional sheet if necessary or preferred.) No, not to my knowledge. _____

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Ed Seymour
816 Rupp Ave., Palisade
Mobile: 970.852.9819
Email: Ed-Seymour@outlook.com

February 16, 2023

Town of Palisade
175 East 3rd Street
Palisade, CO 81526

Re: Planning Commission Vacancy

Dear Trustees,

After serving a brief tenure on the planning commission, I wish to continue on for another term , and so I respectfully request the board's consideration. My family and I moved the Town of Palisade in 2021 for my career where I work locally here on the Western Slope for a Colorado based energy company. My wife, Kristen, owns and operates Harlow gift store downtown on 3rd Street, and we have two school aged kids here in local schools. I greatly appreciate the opportunity to continue to serve the Town of Palisade.

I have now served on the Palisade planning commission for the past 4 months, and I served on the City of Gunnison planning commission for three years from 2010 through 2013. I hold bachelor's degrees in land and resource management from Western State, and political science from New York State University of Plattsburgh. All of which I think would lend well for my continued service on the planning commission.

Thank you for your consideration.

Sincerely,
Ed Seymour

Enclosures:

Volunteer & Civic Experience

Instructor, Browning Elementary Junior Achievement Program, 2016 - 2019
Board Member, Park County 6 School Board, 2014 – 2016
Volunteer, Park County Meals on Wheels Program, 2014 - 2016
Councilor, City of Gunnison, 2011 - 2013
Planning Commissioner, City of Gunnison, 2010 -2013
Trustee, Gunnison County Library District, 2008 - 2013
Board Member, Gunnison-Crested Butte Regional Transportation Authority, 2011 -2013
Board Member, Gunnison County Housing Authority, 2008 - 2013

Education

Western State Colorado University
Bachelor of Arts, Business Administration
Land and Resource Management

State University of New York at Plattsburgh
Bachelor of Arts, Political Science



Application for Voluntary Service for the Town of Palisade

Thank you for your interest and willingness to apply your skills, dedication, and creativity to make the Town of Palisade an ever better place. Citizens such as yourself are truly the cornerstone of our community. Please take a moment to complete this application form and read the specific requirements of the position for which you are applying. Many of the volunteer positions for the Town require monthly and even bi monthly meetings, training sessions, and occasional travel. Due to the importance of regular participation, only those applicants who are reasonably certain of their ability to participate regularly should apply.

Thank you again for your willingness to serve!

Name	JJ Weis
Mailing Address	602 Moss Way
Physical Address	602 Moss Way
Email Address	jeremyweis@gmail.com
Phone number	9703662079
Alternate phone number	

What position are you applying for? Planning Commissioner

Please describe your qualifications for this position. *(Feel free to attach an additional sheet if necessary or preferred.)* I have an interest in the future planning for Palisade. I've grown up here so I have a passion for Palisade.

Please describe your personal interest in this position. (*Feel free to attach an additional sheet if necessary or preferred.*) _Nothing to add. _____

Do you have any conflicts that might preclude the regular participation required for this position? (*Feel free to attach an additional sheet if necessary or preferred.*) _No I do not _____

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