

City of Woodland Park

June 6, 2024 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Following a work session on Quasi-Judicial matters presented by City Attorney Williams, Mayor Case called the meeting to order.

The following Councilmembers were in attendance: Mayor Case, Mayor Pro-tem Nakai, Councilmember Baldwin, Councilmember Geer, Councilmember Harvey, Councilmember Jones and Councilmember Smith.

The following Staff members were in attendance: City Manager Vassalotti, Deputy City Manager/City Clerk Leclercq, Police Chief Deisler, Public Works Director Schmitt, Planning Director Schminke, IT Technician Barnes and City Attorney Williams.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Oath of Office to new Police Officer.
(Presenter Chief of Police Deisler)

Chief of Police Deisler administered the Oath of Office to new Police Officer Carlos Sermenio.

- B. Pikes Peak Regional Building Department (PPRBD) Update by Roger Lovell,
Chief Building Official

Pikes Peak Regional Department Chief Building Official, Roger Lovell, shared a presentation on Pikes Regional Department with the Council.

- C. Discussion of Military Liaison position. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Mayor Case and Councilmember Harvey discussed the position of Military Liaison for Councilmember Harvey. It was agreed that Councilmember Harvey would work at formalizing the duties of this position to include rules of engagement.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A. Approval of Contract Between Olgoonik Enterprises, LLC and the City of Woodland Park for \$1,423,097.
(Public Works Director, Ben Schmitt)

This item was moved to item 10 A. on the agenda where the following motion was made. Public Works Director Schmitt shared a brief description of the details of the contract with the Council.

Motion: to approve a contract between Olgonick Enterprises, LLC and the City of Woodland Park for \$1,423,097.00. Nakai/Smith. Motion carried 7-0.

- B.** Approval of the City Council Minutes from the May 16, 2024, regularly scheduled City Council Meeting. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Mayor Case introduced this item on the Consent Agenda and the following motion was made.

Motion: to approve the City Council Minutes from the May 16, 2024, regularly scheduled City Council Meeting. Harvey/Geer. Motion carried 7-0.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)

The following individuals spoke on items not on the Council agenda:

- Austin Clark spoke regarding the breaking of large trucks through the city limits and the possibility of the Council creating an ordinance against that.
- Mike Demuth spoke in support of the 1.09% school tax and hiring a third party to administer it. Demuth also brought up the issue of the crosswalk at Kellys Road and Cottontail and the safety of the children that use it.
- Arnie Sparnins congratulated and welcomed the new Councilmembers and asked the Council to support the Citizens Initiative. He shared that he was looking forward to seeing the Council enforce the new ordinance.
- Rachel Priest shared a sense of relief that the Council will not be removing the 1.09% sales tax and is in disagreement with third party administering the sales tax.
- Aaron Helstrom shared that the 1.09% Sales Tax needs to be removed from the July 18 agenda and that it is divisive.
- Randy Clegg shared information on readings that he had been taking of the 5g towers.
- Kitten Walker shared that she emailed the Council and some of them did not respond. Walker also shared that if a 3rd party is hired to administer the school district tax, the City should pay for it.
- Jerry Penland talked about the zoning laws and the future build out maximum of 13,600 residents.
- Gail Gerig shared that she attended the most recent school board meeting and was disappointed in the lack of transparency in the 2024-2025 proposed budget.
- Sean Pekron thanked the council for their thoughtfulness in not rescinding the school sales tax

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

None.

9. PUBLIC HEARINGS

(Public comment may be heard)

- A.** A Request by Lowell Ross to Consider Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casino (A.K.A. Pre-School in the Pines Property) Located at 312 N. West

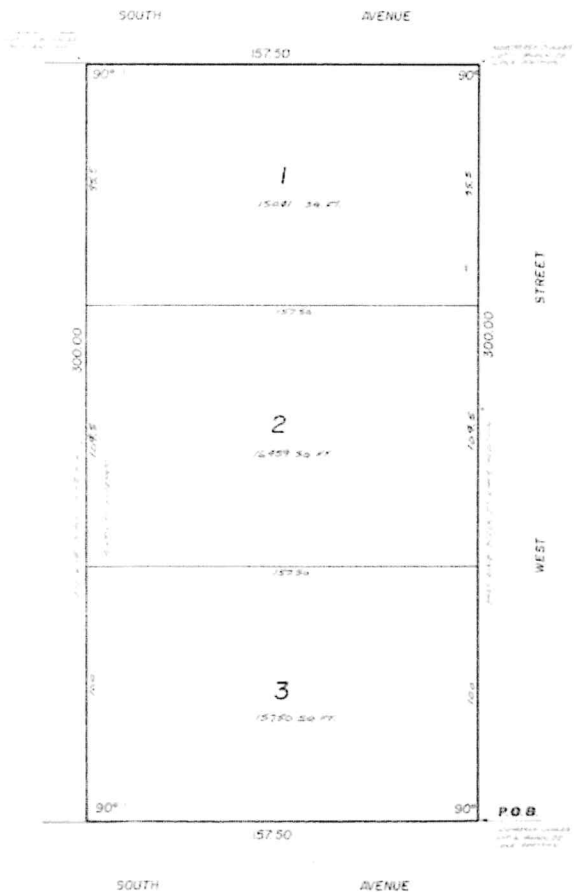
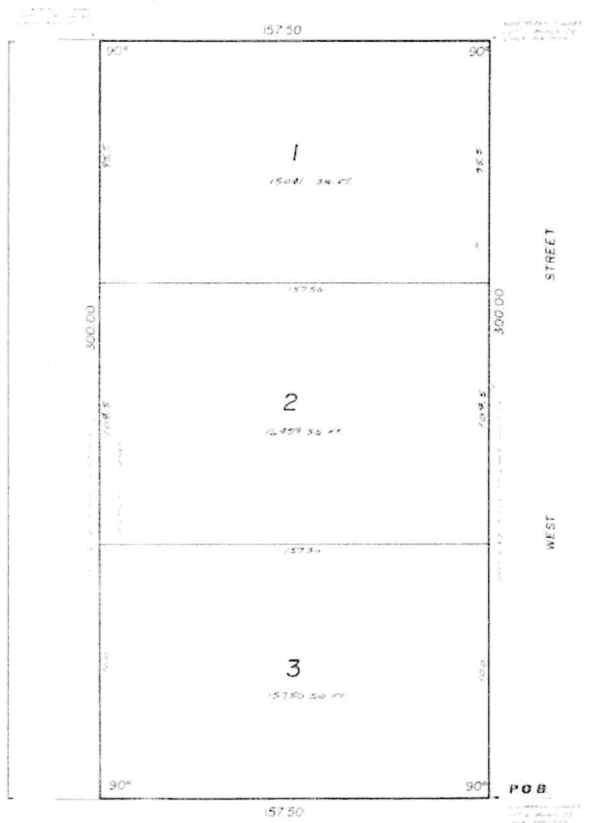
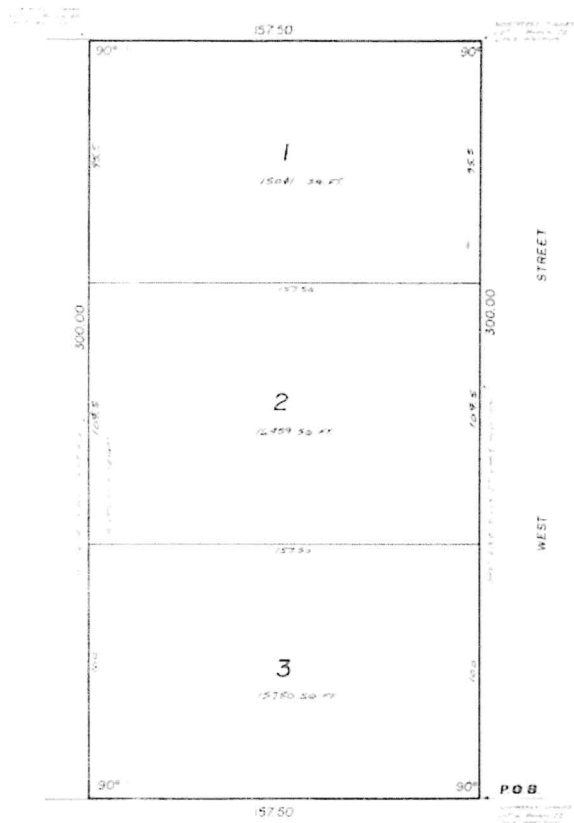
Street, as Requested by the Property Owner, Aime Ventures, LLC. (QJ)
(Presenter, Planning Director Karen Schminke, AICP)

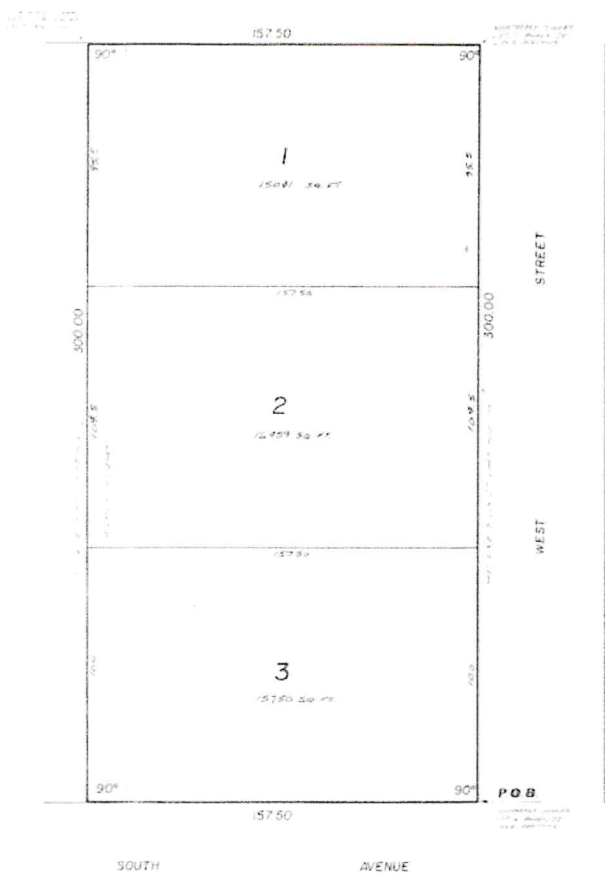
Planning Director Schminke presented her staff report sharing the following information: On April 4, 2018, the owners of the Pre-School in the Pines, Brian and Lisa Osborn, nominated their property for consideration of a Local Historic Landmark designation. The request was approved by City Council in 2018 by Ordinance No. 1328, Series 2018. The historical name for the building on lot 2 is The El Dorado Casino and it is considered significant for its importance in the growing commerce found in Woodland Park in the 1930s.

As was noted in the staff reports associated with approving the local historic designation, the building's architectural and historical integrity has changed significantly over time. This building's level of integrity, relative to the seven aspects of integrity as defined by the National Park Service and the Colorado Historical Society (setting, location, design, materials, workmanship, feeling, and association) has been significantly diminished due to many additions on the building. Especially, the addition on the second floor and the removal of the historic windows and doors had compromised its original design. The workmanship, feeling, design, and materials have been changed extensively through the years. The building no longer has significant integrity to convey the significance of a National, State or local level. However, the building is significant for its rustic style and character. The character defining features include the buttressing effect at the corners, log construction, large stone fireplace, and small divided lite windows. (See Architectural Inventory Form OAHP 1403, Resource Number 5TL.3463)

Current Request: Figure 2 below is a snap shot of the subdivision plat for the subject property (El Dorado Subdivision Lots 1-3). The subject property is comprised of three individual lots and the El Dorado building is located on the center lot (Lot 2) and the lots on either side (Lot 1 and Lot 3) are vacant land. In 2018 Ordinance 1328 was approved and all three lots (Lots 1-3) are included in the legal description of the property associated with this historical designation.

Figure 2:
El Dorado
Subdivisio
n lots 1-3





In 2022 the owner of the subject property obtained permission to change the use of the building on Lot 2 from the pre-school and to instead use it as a residence, just as it had previously been in the 1970's. The owner is now requesting the historical designation be removed from lots 1 and 3. Per the project narrative included in the application, the property owner's intent is to maintain the historic character and quality of this original log building on Lot 2, and to construct a residential duplex building on Lot 1 and on Lot 3. The project narrative also notes the owner's intent to keep the quality of the neighborhood intact and that each new building will have architectural detailing and materials sensitive to the historic nature and scale of the existing historical building.

Criteria: In accordance with Resolution No. 602, Series 2003, the Historical Preservation Committee shall evaluate a nomination in regards to the following criteria for a Local Landmark Designation:

1. The structure should be at least fifty years old.
2. The property is historically significant through one or more of its:
 1. architectural design;
 2. association with an historical event, period or person;
 3. physical impact and location within the City of Woodland Park; and
 4. potential to provide important information concerning the history of Woodland Park.

3. The structure should have sufficient original or accurately restored materials that maintain its original historic character.

With the adoption of Ordinance 1328, which granted historic landmark designation to the subject property, the following findings were made:

Findings in 2018:

1. The Pre-school in the Pines building is more than 50 years old, having been built in 1932.
2. The property as described in this Staff Report and by the attached Architectural Inventory Form OAHP 1403, Resource Number 5TL.3453 is historically significant for its location on N. West St., for the growth of commerce in Woodland Park, and due to the property and persons associated with its ownership.
3. Although the architectural integrity has changed substantially over time it is still significant on a local level for its rustic style and character.

Using the above criteria for a Local Landmark Designation staff has made the following findings for this amendment request:

1. Lots 1 and 3 are vacant land with no structures present.
2. The attached Architectural Inventory Form OAHP 1403, Resource Number 5TL.3453 does not specify any significance for either of the individual vacant lots.
3. There are no structures present so this criteria is not applicable.

Staff has also made the following additional finding:

1. The original Findings from 2018 still apply to the El Dorado Casino building located on Lot 2, El Dorado Subdivision (312 N. West Street).

Historic Preservation Committee (HPC) Recommendation: The HPC held a public hearing on May 7, 2024, and based on the findings stated above, voted unanimously to recommend City Council remove the historic landmark designation from Lots 1 and 3, El Dorado Subdivision, but with the condition that Historic Landmark Designation for the El Dorado Casino on Lot 2, El Dorado Subdivision (312 N. West Street) is retained.

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Following Schminke's presentation and brief questions from the City Council, Mayor Case opened up the public comment portion of the public hearing. There being no public comment Mayor Case closed the public comment and the public hearing and the following motion was made.

Motion: to approve a request by Lowell Ross to consider Ordinance No. 1475, Series 2024, an Ordinance Amending the Local Historic Landmark Designation of the El Dorado Casion located at 312 N West Street, as requested by the Property Owner, Aime Venutes, LLC. Geer/Jones motion carried 7-0.

- B.** Approval of Symphony Above the Clouds Special Event Liquor License for Memorial Park on July 4, 2024. (QJ)
(Presenter Deputy City Manager City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq shared with the Council the details of the event for the Symphony Above the Clouds, Special Event Liquor License for Memorial Park on July 4, 2024. Mayor Case recused herself from this hearing as she is a presiding officer of this group.

The following motion was made.

Motion: to approve the Symphony Above the Clouds Special Event Liquor License for Memorial Park on July 4, 2024. Geer/Baldwin. Motion carried 6-0 with Case recusing.

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared the upcoming events for the next two weeks.

B. Council Reports

Mayor Pro-tem Nakai shared that she attended a meeting with a lobbying group from Monument and Fountain and would like for the City to consider joining their group.

Councilmember Bdwin shared an update from the CML quarterly meeting attended in Monument. Baldwin also shared that she felt the Council retreat was productive and shared that the PRIDE event in the park was well organized and well attended.

Councilmember Geer shared an update on the Parks and Recreation programs and also shared how much he enjoyed the PRIDE event and looks forward to attending next year.

Councilmember Harvey asked that the City Manager brief Council in the near future regarding the National Survey.

Councilmember Jones shared an update on the DDA.

Councilmember Smith shared that he also enjoyed attending the PRIDE event.

C. City Attorney's Report

None.

D. City Manager's Report - 1. Update on fees from TDS - Leclercq

Deputy City Manager Leclercq shared an update on a fee increase from TDS. Leclercq also reviewed with Council the upcoming Council dates. Leclercq also shared the posting requirements of a Council Retreat with Council and shared that the June 3rd Council Retreat met all of the legal posting requirements. City Attorney Williams confirmed this was accurate.

Public Works Director Schmitt shared an update on the fuel spill and construction work on Highway 67.

12. ADJOURNMENT

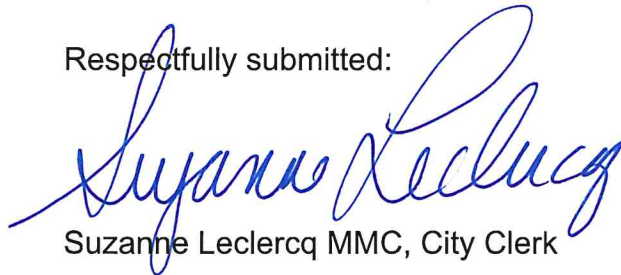
There being no further City Business, Mayor Case announced that the City Council would be moving into an Executive Session and the following motion was made.

Motion: to move into Executive Session pursuant to C.R.S. 24-6-402(4)(b), a conference with attorneys for the purpose of receiving legal advice on specific legal questions, and pursuant to C.R.S. 24-6-402(4)(e), for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations and /or instructing negotiators, relating to the lawsuit brought by the Teller County Short -term Rental Alliance against the City currently in the United States District Court for the District of Colorado, and negotiations and legal advice surrounding the same. Nakai/Geer. Motion carried 7-0.

The Executive Session was called to order at 8:40 P.M. with the following individuals present: Mayor Case, Mayor Pro-tem Nakai, Councilmember Baldwin, Councilmember Geer, Councilmember Harvey, Councilmember Jones, Councilmember Smith, City Attorney Williams, City Manager Vassalotti, Deputy City Manager/City Clerk Leclercq and City Attorney Drew Ringle who appeared via zoom.

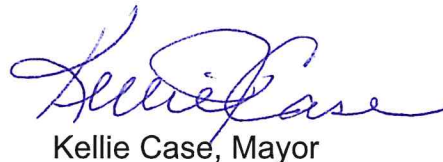
The Executive Session concluded at 9:40 P.M. and Mayor Case adjourned the Public Meeting at 9:41 P.M.

Respectfully submitted:



Suzanne Leclercq MMC, City Clerk

APPROVED THIS 27th DAY OF June, 2024



Kellie Case, Mayor