

City Above the Clouds
1891

City of Woodland Park

City Council

August 1, 2024 at 6:30 PM

MINUTES

5:30 PM Work Session - Community Survey.

1. CALL TO ORDER AND ROLL CALL

Mayor Case called the Council Meeting to order at 6:30 PM with the following members of Council present: 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, City Attorney Williams, Parks & Recreation Director Keating, IT Technician Barnes, Planning Director Schminke, Public Works Director Schmitt, and Communications Coordinator Higginbotham.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

None.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

Mayor Case stated that Agenda Item 9B has been withdrawn permanently.

5. CONSENT CALENDAR

None.

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

Debbie Miller shared multiple scenarios of her interactions with people of the community at the Visitor's Center and reminded Council that their words matter because they are influencers and people of the community are listening.

Gail Gerig thanked the Council and City Manager Vassalotti for the options he presented at the last meeting regarding the 1.09% tax fund accounting. Gerig stated her concerns that the School Board has not updated the job description of the CFO position and illustrated her unease with the lack transparency. Gerig then urged Council that if Option 1 was not implemented by the first quarter of the school year, then to let the decision if this 1.09% tax should be continued go to the voters.

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

- A. Consider Ordinance No. 1479, Series 2024 on Initial posting, an ordinance of the City Council for the city of Woodland Park, Colorado repealing and reenacting chapter 9.41 of the city municipal code to regulate noise within the city.
(Presenter City Attorney Williams)

City Attorney Williams introduced Ordinance No. 1479, Series 2024 on initial posting. The following motion was made.

Motion: To approve Ordinance No. 1479, Series 2024, an Ordinance of the City Council of Woodland Park, Colorado repealing and reenacting chapter 9.41 of the City Municipal Code and regulate noise within the City and set the Public Hearing for August 15, 2024.
Nakai/Geer. Motion carried 7-0.

9. PUBLIC HEARINGS

(Public comment may be heard)

- A.** Consider a request by Silas Beck (Applicant) and SMGC – Greg Brown (property owner) for a Temporary Use Permit for a special event to operate after 9:00 PM and to include on-site camping from August 23 - 25, 2024 for the Frizzen Disc Golf Tournament at Shining Mountain Golf Course, 100 Shining Mountain Lane, in the Planned Unit Development (PUD) zone district. (QJ) (Presenter, Planning Director Karen Schminke, AICP)

Planning Director Schminke presented the background of this event, explained the reasons for bringing this TUP application before Council, listed the conditions of the TUP application, and presented Council with five choices of approvals for the TUP Application.

Shining Mountain Golf Course Manager Silas Beck addressed Council and shared his research into the noise complaint from last year's event. Beck explained his noise mitigation plan for this year's event.

Council asked a few questions regarding security, alcohol, and who is going to be called first if there is a noise complaint. Mayor Case opened the public hearing.

Jerry Penland stated the golf course is in his backyard and he has never had a problem with this event or heard noise after 11:00pm.

After a lengthy discussion between Council and Beck, the following motion was made.

Motion: Approve the TUP with the new conditions of a 10pm cut-off and no camping.
Baldwin/Nakai. No vote was taken.

Councilmember Jones moved for an amendment, and the following motion was made.

Motion: To approve the TUP application with the camping and noise cut off at 11pm.
Jones/Case. Motion Failed 5-2, Jones and Case voted yes.

Councilmember Harvey moved to amend the original motion, and the following motion was made.

Motion: To approve the TUP application to allow camping and cut off at 10pm. Harvey/Jones
Motion carries 4-3, Baldwin, Geer, and Nakai voting no.

City Attorney Williams recommended to Council that they could also add on the conditions listed in the staff report, and the following motion was made.

Motion: To add the following 19 recommendations from the Staff with the cut off being at 10:00pm, plus Mr. Beck will camp on site during the event.

Music and lights on both days shall be turned off by at 11:00 p.m.

b. The Event Coordinator shall be responsive to complaints received.

c. The Event Coordinator shall distribute a telephone number and event

brochure to surrounding residences and to the WP Police Department, the NE

Teller County Fire Protection District, and the Planning Department. The brochure should notify adjacent property owners of the event and provide a call number to submit complaints.

- d. If one complaint is received by the WPPD after 9:00 p.m., the Event Coordinator shall turn off the amplification or reduce the volume of the sound system. If another complaint is received by the WPPD after the volume has been reduced, the Event Coordinator shall be required to immediately cease all sound (including generators) emanating from the event.
- e. All lighting for the special event shall be downcast and fully shielded.
- f. All generators (if any) shall be turned off by 11:00 p.m.
- g. The temporary parking field and the area surrounding the temporary stage shall be mowed to no more than 4 inches in height prior to parking any vehicles or assembling the stage platform.
- h. The Event Coordinator shall prepare and submit to the Planning Department a Fire Mitigation Plan prior to the event which may include a fully-loaded water truck on site, multiple fire extinguishers dispersed throughout the site, and designated smoking areas.
- i. The Event Coordinator shall at all times be subject to Municipal Code §9.41 Noise, except as herein waived.

Should Council move to expand the Temporary Use Permit for a special event for the Frizzen Disc Golf Tournament, August 23 – 25, 2024, to include camping, at Shining Mountain Golf Course, 100 Shining Mountain Lane, Staff recommends the following additional conditions:

- a. Camping shall occur only between 9 a.m. August 23 through 6 p.m. August 25, 2024.
- b. Camping shall be for event participants only with no more than 50 camping units permitted on-site at any given time.
- c. Camping units shall include tents, camper trailers, recreational vehicles and pickup campers.
- d. Camping units shall not be connected to City water or sewer and shall be self-contained.
- e. On and off-site trash, garbage or debris shall be cleaned up during and upon cessation of camping. On-site clean-up shall be coordinated with and enforced by the property owner and event coordinator.
- f. The event coordinator shall be responsive to complaints received, if any.
- g. All lighting for the camping and event areas, if any, shall be downcast, fully shielded, and turned off by 9 p.m. each night.

- h. All generators (if any) shall be turned off by 9 p.m.
- i. The event coordinator and all campers shall at all times be subject to Municipal Code §9.41 Noise.
- j. Consistent with the Fire Mitigation Plan for the event, no open flames are allowed.

Nakai/Smith. Motion carried 6-1, Geer voting no.

- B.** Approval of a special event wine festival liquor license for Mountain Artists (QJ) Presenter, Parks and Recreation Director, City Keating
This item was withdrawn from tonight's agenda.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Consider approving a Subdivision Development Agreement between Tava House Properties, LLC and the City of Woodland Park, to authorize the installation of public improvements and other construction and improvements associated with the Woodland Station Subdivision, Filing No. 2. (A) (Presenter, Planning Director Karen Schminke, AICP)

Planning Director Schminke did a lengthy presentation to inform Council of the background, facts, and where the project stands currently. The following information was presented to Council.

Key provision of the SDA allows this developer to concurrently:

- complete the City's entitlement process (finalize the preliminary plat and site plat documents, then complete the Final Plat process and have that document recorded);
- construct the infrastructure and public improvements for the development;
- construct infrastructure on property owned by Beer Garden Lane Development, LLC and the City of Woodland Park;
- construct the building on Lot 1 of Woodland Station Subdivision, Filing No. 2 (Tava House Restaurant) prior to approval and recording of the Final Plat;
- allow extended hours for construction (6 AM – 10 PM) through May 31, 2025; and
- Tava will work directly with CDOT regarding the timing and escrow of CDOT improvements as these are controlled by and handled through CDOT.
- Process to determine compensation to the City for the encroachment into Bergstrom Park encroachment (Charter Sec. 15.2(b))

The following items are the responsibility of the developer and CO can be issued once the following are completed:

- Entitlements Completed
 - Preliminary Plat conditions of approval
 - Final Plat approved and recorded
- Bergstrom Park compensation complete
- Public Improvements Completed
 - As-built documents approved
 - Initial acceptance of the infrastructure and public improvements
- CDOT required permits and construction complete
- Building Permit - PPRBD requirements are complete

Developer representative Mark Weaver thanked the Council for their consideration of this Subdivision Development Agreement.

Tony Perry, speaking as treasurer of DDA, informed Council that there will be a DDA workshop, regarding the reimagining of Bergstrom Park, after their meeting next week. Perry gave a brief history of DDA's working relationship with the Tava group and asked Council to approve this agreement.

Following the closing of public comment, the following motion was made.

Motion: To approve the Subdivision Development Agreement between Tava House Properties, LLC and the City of Woodland Park, to authorize the installation of public improvements and other construction and improvements associated with the Woodland Station Subdivision, Filing No. 2. Harvey/Jones Motion carries 4-3; Nakai, Baldwin, Geer voting no.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared an update of the events for the next two weeks.

B. Council Reports

Councilmember Baldwin shared about the volunteer positions available at CASA, Court Appointed Special Advocates. Baldwin reported that Chief Deisler is now on the Black Hills Energy contact list. Baldwin asked if there was an update with the IGA with the School Board.

Councilmember Geer shared an update with the Divide Protection District Station regarding emergency procedures. Geer also shared updates regarding the WAC and Parks & Recreation Department.

Councilmember Harvey shared an update on the KWPB and thanks Walmart for sponsorship of their clean up event.

Councilmember Jones shared an update on the DDA and reminded about the work session after the DDA meeting next week.

Councilmember Smith shared his excitement about the flag football program coming back to Woodland Park.

C. City Attorney's Report

City Attorney Williams shared an update regarding the residency restrictions and amending 3.4 of the Charter, and determined you cannot increase the one-year residency requirement to run for office in the City.

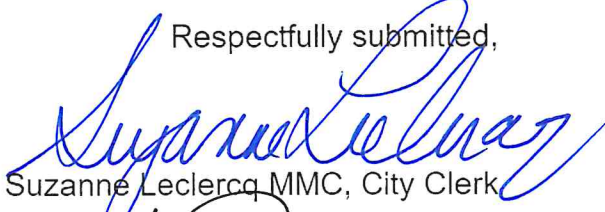
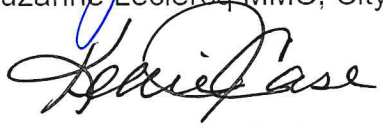
D. City Manager's Report

City Manager Vassalotti welcomed the conversation about adding a second code enforcement officer. Vassalotti shared information about the e-tech recycling event happening at Public Works.

12. ADJOURNMENT

There being no further City business, Mayor Case adjourned the City Council Meeting at 8:33 pm.

APPROVED THIS 5th DAY OF Sept, 2024

Respectfully submitted,

Suzanne Leclercq MMC, City Clerk

Kellie Case, Mayor