

Woodland Park City Council
Council Chambers – City Hall
November 15, 2018, 7:00 PM

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1. ROLL CALL

- A. The following members of Council present were: Mayor Levy, Mayor Pro-tem Carr, Kellie Case, Carrol Harvey, Hilary LaBarre, Paul Saunier and Noel Sawyer.

2. PLEDGE OF ALLEGIANCE: Cub Scout Pack 20

The following Staff Members were also in attendance for this meeting:

City Manager Darrin Tangeman	Parks and Recreation Director Cindy Keating
Assistant City Manager / City Clerk Suzanne Leclercq	Utilities Director Kip Wiley
Police Chief Miles DeYoung	Planning Director Sally Riley
Finance Director Mike Farina	

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS:

- A. War Dog Memorial Presentation (14:12)

Presenter: Linda Martin

Linda Martin presented regarding the War Dog Memorial which commemorates all of the fallen canines and celebrates the ones still serving communities in the area.

- B. Keep Woodland Park Beautiful Annual Report (19:25)

Presenter: Jan Wilson, Vice Chair KWPB

Jan Wilson, Vice Chair of Keep Woodland Park Beautiful presented the accomplishments of KWPB over the last year.

- C. Parks & Recreation Advisory Board, Parks, Trails and Open Space Presentation (31:37)

Presenter: Karla Schweitzer, Chairperson of PRAB

Cindy Keating Parks and Recreation Director and Karla Schweitzer Chairperson of PRAB presented the updated Trails and Open Space Master Plan.

- D. Shop Small Business Proclamation (39:34)

Presenter: Lynn Jones, Main Street board

Lynn Jones local business owner and Main Street business owner highlighted the Shop Small event on Saturday November 24 in the City of Woodland Park. Mayor Levy read the proclamation into the record.

E. Wind Symphony Proclamation (44:41)

Presenter: Val Carr, Mayor Pro-Tem

Mayor Pro-Tem Val Carr discussed the Woodland Park Wind Symphony and recognized Craig Harms founder and conductor of all of his contributions over the last 25 years. Mayor Pro-Tem Carr read the proclamation into the record.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

A. None.

5. CONSENT CALENDAR: (54:50)

A. Approve minutes of November 1, 2018 Council Meeting.

Administrative

Presenter: Suzanne Leclercq, Assistant City Manager / City Clerk

B. Approve October 2018 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

Administrative

Presenter: Mike Farina, Finance Director

C. Approve the First Amendment to the 2009 Woodland Station and Disposition and Development Agreement to extend the completion of construction of improvements to December 1, 2021.

City Clerk Suzanne Leclercq read the Consent Calendar into the record. City Manager Darrin Tangeman and City Attorney Erin Smith reviewed item 5C the First Amendment to the 2009 Woodland Station and Disposition and Development Agreement.

(Public Comment)

1. Arden Weatherford spoke advising the Council to trust their lawyer not the DDA and that the amendment should be approved but not to expect development on the property.
2. Tony Perry spoke in favor of the amendment.
3. Steve Randolph read a letter into the record regarding the original DDA agreement.
4. Michael Dalton spoke in favor of development of the Woodland Station property.
5. Merry Jo Larson spoke in favor of the DDA and encouraged citizens to read the public record regarding the DDA lawsuit.

Mayor Levy addressed Council and the Citizens to work together and move forward from the past turmoil. Councilmember Case thanked Mayor Levy for his statement.

MOTION: To approve Consent Calendar. Case/Carr. 7-0. Motion carried.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

(1:29:35)

- A. Colt Simmons, recently elected Teller County Assessor introduced himself.
- B. Michael Dalton announced that he has a film on urban deer coming out in 2019.

7. UNFINISHED BUSINESS:

- A. None.

8. ORDINANCES ON INITIAL POSTING:

- A. Consider Ordinance No. 1336 establishing a special fund named the lodging tax fund for the purpose of accounting for the collection and expenditure of lodging tax revenues and a special fund named the conservation trust fund for the purpose of accounting for the collection and expenditure of conservation trust fund moneys on initial posting and set the Public Hearing for December 6, 2018. (1:35:36)

Administrative Presenter: Mike Farina, Finance Director

Finance Director Farina briefed the Council of the addition on the lodging tax fund.

MOTION: Ordinance No. 1336 establishing a special fund named the lodging tax fund for the purpose of accounting for the collection and expenditure of lodging tax revenues and a special fund named the conservation trust fund for the purpose of accounting for the collection and expenditure of conservation trust fund moneys on initial posting and set the Public Hearing for December 6, 2018. Case/Sawyer. 7-0. Motion carried.

- B. Consider Ordinance No. 1337 adjusting expenditure appropriations to the various funds, in the amounts and for the purpose set forth below for the City of Woodland Park, Colorado for the 2018 Budget Year and Amending Ordinance No. 1313, Series 2017 on initial posting and set the Public Hearing for December 6, 2018. (1:37:38)

Administrative Presenter: Mike Farina, Finance Director

Finance Director Farina briefed the Council on the adjustment of the expenditure appropriations. Council agreed food would be acceptable for long meetings starting before 5:30 PM.

MOTION: Ordinance No. 1337 adjusting expenditure appropriations to the various funds, in the amounts and for the purpose set forth below for the City of Woodland Park, Colorado for the 2018 Budget Year and Amending Ordinance No. 1313, Series 2017 on initial posting and set the Public Hearing for December 6, 2018. Carr/Sawyer. 7-0. Motion carried.

- C. Consider Ordinance No. 1339 appropriating sums of money to the various funds, in the amounts and for the purpose as set forth below, for the City of Woodland Park, Colorado for the 2019 Budget Year on initial posting and set the Public Hearing for December 6, 2018. (1:40:54)

Administrative Presenter: Mike Farina, Finance Director

Finance Director Farina briefed the Council on Ordinance 1339 for the 2019 budget year. Mayor Levy asked for consensus from the Council to revisit the idea of food for Council on long meeting nights.

MOTION: Consider Ordinance No. 1339 appropriating sums of money to the various funds, in the amounts and for the purpose as set forth below, for the City of Woodland Park, Colorado for the 2019 Budget Year on initial posting and set the Public Hearing for December 6, 2018. Sawyer/Carr. 7-0. Motion carried.

9. PUBLIC HEARINGS:

- A.** Approve Ordinance No. 1338 amending the Woodland Park Municipal Code by adding section 6.04.027 feeding wildlife and associated definition. (1:45:26)

Legislative Presenter: Sally Riley, Planning Director

Planning Director Sally Riley reviewed Ordinance 1338 and introduced Phil Gurule from the Division of Wildlife. Phil Gurule discussed with Council the importance of the fee change. Police Chief Miles DeYoung educated the Council on the importance of the fee change and the education of citizens.

(Public Comment)

1. Doug Ball spoke in favor of Ordinance 1338.

MOTION: Approve Ordinance No. 1338 amending the Woodland Park Municipal Code by adding section 6.04.027 feeding wildlife and associated definition. Harvey/Case. 4-3. Motion carried with Councilmember Saunier, Councilmember Carr and Councilmember LaBarre voting no.

- B.** Consider a major subdivision known as Paradise of Colorado Filing No. 4 with 22 residential lots on 19.27 acres and dedication of Locklin Way and small portion of Thunder Ridge in the West ½ of Section 19, T12S, Range 68 West of the 6th P.M. as requested by North Peak Properties, LLC (property owner) and Mark McNab, Mark 2 LLC (applicant). (2:13:23)

Quasi-Judicial Presenter: Sally Riley, Planning Director

Mayor Levy read the Quasi-Judicial announcement into the record. Planning Director Sally Riley reviewed the subdivision. Mike Bramlett with JR Engineering discussed drainage concerns. Owner of the property Mark McNab answered questions from Council regarding the site.

(Public Comment)

1. Doug Ball spoke in favor of the subdivision.

MOTION 1: Based upon the findings described in the Staff Report, the Planning Commission recommendation, testimony and evidence, provided at the public hearing, approve the Final Plat with a variance to the 40' frontage on Lots 7, 19 and 21 for Paradise of Colorado No. 4 subject

to the following conditions:

1. Prior to recording the mylar, the following ammendemnets shall be made:
 - Edit the retaining wall easement along Regal Way to provide adequate protection.
 2. Fees in lieu of park land in the amount of \$40,524 (22 lots x \$1,842 per unit) shall be paid prior to recording the Final Plat with the stipulation that these park fees are used to develop Chimney Park or other recreational amenities in Paradise Estates or Thunderbird Subdivisions. (Remitted on November 8, 2018)
 3. Developer must provide a Title Insurance Policy within 60 days after Final Plat approval. The amount for this Policy is based on 72,920 SF of land dedicated to the City as public road right-of-way at a value of \$24,000 per acre.
 4. Developer shall provide the City a copy of the final "Declaration of Covenants, Conditions and Restrictions," which covenants must be recorded simultaneously with the final plat.
 5. Developer shall enter into a Subdivision Development Agreement and provide a security guarantee in the amount of 150% of all outstanding public improvements prior to the City Council approval of the final plat.
- Harvey/Saunier. 7-0. Motion carried.

MOTION 2: Motion to Approve the Subdivision Development Agreement for Paradise of Colorado No. 4 and accept the guarantee in the form of an irrevocable letter of credit as presented. Harvey/Saunier. 7-0. Motion carried.

10. NEW BUSINESS:

- A. Approve Resolution No. 835 certifying the mill levy for the 2019 Budget year. (2:42:12)

Administrative Presenter: Mike Farina, Finance Director

Finance Director Mike Farina reviewed the Mil Levy for the 2019 Budget year.

(Public Comment)

1. Bob Carlsen spoke in opposition of Resolution No. 835 and in favor a reduction in the mil levy.
2. Tanner Coy spoke in opposition of Resolution No. 835 and in favor a reduction in the mil levy.
3. Pete LaBarre spoke in opposition of Resolution No. 835 and in favor a reduction in the mil levy.

After Council discussion the following motion was made.

MOTION: To Table Resolution No. 835 certifying the mill levy for the 2019 Budget year to the December 6, 2018 City Council Meeting. Case/Carr. 3-4. Motion failed with Councilmember Harvey, Mayor Levy, Councilmember Saunier, Councilmember Sawyer voting no.

MOTION: To Approve Resolution No. 835 certifying the mill levy for the 2019 Budget year. Sawyer/Harvey. 5-2. Motion carried with Councilmember Labarre and Mayor Pro-Tem Carr voting no.

11. REPORTS:

(Public comment not necessary)

A. Mayor's Report. (3:15:41)

1. Mayor Levy shared that Sharon Quay passed away and there will be a memorial service this weekend for her. Mayor Levy acknowledged all that Sharon Quay had done for the Woodland Park library. Mayor Levy read the events for the next two weeks.

B. Council Reports. (3:18:54)

1. Councilmember LaBarre commended the officers for a drug bust last week.
2. Councilmember Saunier reminded the community of the place making workshop on December 4.
3. Councilmember Sawyer reported that Parks and Recreation had a great month.

C. City Attorney's Report.

D. City Manager's Report. (3:23:19)

1. City Manager Darrin Tangeman gave an update on Golden Meadows Dog Park. Also he asked the Council for consensus on removing written correspondence from the agenda. City Manager Tangeman also handed out critical information requirements to Council for review.
2. Police Chief Miles DeYoung mentioned a recent drug bust in town.

12. ADDED ITEM AGENDA:

A. None.

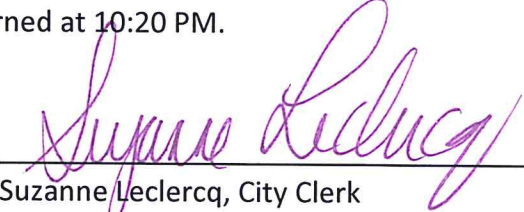
13. EXECUTIVE SESSION:

A. None.

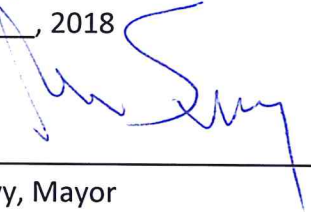
14. COMMENTS ON WRITTEN CORRESPONDENCE:

A. None.

15. ADJOURNMENT: The meeting adjourned at 10:20 PM.


Suzanne Leclercq, City Clerk

APPROVED THIS 16 DAY OF December, 2018


Neil Levy, Mayor