



City of Woodland Park

City Council

May 1, 2025 at 6:30 PM

AGENDA

5:30 PM. Executive Session of the City Council of the City of Woodland Park 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 pursuant to C.R.S 24-6-402(4)(e), and the following additional details: Conference with attorneys concerning lawsuit against the City concerning repeal of school tax.

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS**
 - A.** Appointment to the Parks and Recreation Advisory Board. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)
 - B.** Presentation of the 2024 Annual report for the City of Woodland Park. (A)
(Presenter City Manager Vassalotti)
 - C.** Presentation of the 4th quarter year-end financial report. (A)
(Presenter City Manager Vassalotti)
- 4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
- 5. CONSENT CALENDAR**
 - A.** Approval of the regularly scheduled April 17, 2025, City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)
 - B.** Approval of a purchase between Bergkamp Inc. and the City of Woodland Park to purchase an asphalt truck in the amount of \$290,242.70.(A)
(Presenter Utilities Director Wiley)
- 6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**
- 7. UNFINISHED BUSINESS**
(Public Comment may be heard)
- 8. ORDINANCES ON INITIAL POSTING**
(Public comment may be heard)
- 9. PUBLIC HEARINGS**
(Public comment may be heard)
 - A.** Approval of a New Hotel and Restaurant Liquor License for Sofia's Antojitos 3, LLC dba Sofia's Antojitos, located at 727 Gold Hill Place South, Woodland Park,

CO. (QJ)
(Presenter Deputy City Manager/City Clerk Leclercq)

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

B. Council Reports

C. City Attorney's Report

D. City Manager's Report

12. ADJOURNMENT

Key to agenda abbreviations:

(A) Administrative- matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L)Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ)Quasi-Judicial- apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial



STAFF REPORT

TO: Mayor Case and City Council

FROM: Suzanne Leclercq, Deputy City Manager/City Clerk

DATE: May 1, 2025

SUBJECT: Appointment to the Parks and Recreation Advisory Board. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

BACKGROUND: As the Council is aware, there are currently two vacant seats on the Parks and Recreation Advisory Board. The City Clerk's Office received an application from Ryan Skajewski interested in applying for one of the vacant positions. The PRAB bylaws allow City and Teller County residents to apply for these appointments as long as the Board consists of a majority of City residents. Mr. Skajewski is a City resident.

The term for this appointment will expire April of 2027.

Mr. Skajewski has been contacted and will be appearing in person before Council at the May 1, 2025 City Council Meeting.

RECOMMENDATION:

ATTACHMENTS: None



City of Woodland Park

April 17, 2025 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Following a worksession to interview Council applicants, Mayor Case called the regularly scheduled Council Meeting to order at 6:39 PM.

The following Councilmembers were in attendance: Mayor Case, Mayor Pro-tem Nakai, 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, Human Resources Director Jacob, Planning Director Schminke, Communications Manager Higginbotham, Utilities Director Wiley, IT Technician Barnes and Deputy City Clerk Sauer.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A.** Appointments to the Parks and Recreation Advisory Board. (PRAB). (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq shared with the Council that there are currently five positions open on the Parks and Recreation Board. Leclercq shared that she advertised as per Council's policy and received applications from three of the incumbents wanting to re-apply and one new application. The three applications from incumbents received were from Don Dezellem, Danuta Brown and Jeff Webb. The new application received was from Ryan Skajewski.

Leclercq shared that incumbents Dezellem and Webb were in the audience and that Brown was appearing via zoom. Mr. Skajewski was not in attendance. The Mayor and Council asked Leclercq to put Mr. Skajewski's appointment off to the next meeting so that he could appear. Council interviewed the three incumbents and the following motion was made.

Motion: to appoint Don Dezellem, Danuta Brown and Jeff Webb to the Parks and Recreation Advisory Board. Geer/Smith. Motion carried 6-0.

- B.** Presentation and Proclamation declaring April as Child Abuse Prevention month.
(A)
(Presenter, President & CEO of Community Partnership, Jodi Mijares)

Jodi Mijares, President and CEO of Community Partnership, shared information on Child Abuse Prevention Month as well as other information regarding Community Partnership and

their services. Mayor Case read a proclamation into the record declaring April as Child Abuse Prevention Month.

C. Appointment to the City Council to fill vacated City Council Seat. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk shared that at a 5 PM worksession the City Council interviewed the following applicants for the appointment to the City Council.

Shawn Marie Nielsen
Mary Ward
Blaine Miller
Seth Bryant
Don Hoying
Don Dezellem
Joy Pickett

Leclercq shared the process with the Council on how the voting and the appointment would work. Leclercq shared that she would initially hand out paper ballots to the Council and if there was a clear winner (a majority, which is four votes) that that person would be appointed. If not, Leclercq shared that the Council would continue with the process laid out for them.

Leclercq handed out paper ballots to each of the Councilmembers and collected them back. Leclercq read them into the record:

George Jones - voted for Shawn Marie Nielsen
Kellie Case - voted for Joy Pickett
Catherine Nakai - voted for Seth Bryant
Carrol Harvey - voted for Seth Bryant
Steve Smith - voted for Seth Bryant
Jeffrey Geer - voted for Seth Bryant.

Leclercq noted that Seth Bryant had received four votes and, having received the majority of the votes, was the winner, and to be appointed. Leclercq asked Council for a motion.

Motion: to appoint Seth Bryant to the City Council seat vacated by Teri Baldwin. Geer/Smith. Motion carried.

The Mayor and all the Councilmembers thanked the applicants for applying and shared how pleased they were to have such excellent applicants.

Leclercq administered the Oath of Office to Seth Bryant and he took his Council Seat.

D. Sales Tax Update for February 2025. (A)
(Presenter City Manager Vassalotti)

City Manager Vassalotti presented the Sales Tax Update for the month of February 2025.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

None.

5. CONSENT CALENDAR

- A.** Approval of the March 10, 2025, Special Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

As per the Council, all three Consent Calendar items would be handled by one motion.

Motion: to approve the March 10, 2025, Special Meeting Minutes, the April 3, 2025, regularly scheduled City Council Meeting Minutes and the approval of the March 2025 Statement of Expenditures. Geer/Harvey. Motion carried 7-0.

- B.** Approval of the April 3, 2025, City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

See above motion.

- C.** Approval of the March 2025 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof. (A)
(Presenter City Manager Vassalotti)

See above motion.

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

None.

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.** Approval of Ordinance No. 1494, Series 2025, An Ordinance of the Woodland Park City Council Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.06 Regarding Zoning Definitions and Chapter 18.09.090 Regarding Table of Permitted Uses. (L)
(Presenter Planning Director Schminke)

City Attorney Stewart shared the following with the Council regarding Ordinance No. 1494, Series 2025.

I. Procedural Background re: An Ordinance of the Woodland Park City Council Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.06 Regarding Zoning Definitions and Chapter 18.09.090 Regarding Table of Permitted Uses (Natural Medicine Ordinance).

The attached Natural Medicine Ordinance is set for public hearing on April 17, 2025. In short, this Ordinance is before City Council as a result of the following events: • Adoption of the state wide voter initiated Proposition 122 regarding natural medicine;

- Adoption of the Natural Medicine Act and the Natural Medicine Code in Colorado Revised Statutes and the adoption of Colorado Department of Revenue (CDOR) and Colorado Department of Regulatory Agencies (DORA) Regulations;
- Council's adoption of a Temporary Moratorium re: the establishment and operation of

natural medicine healing centers and businesses in the City; • A work session with City Council;

- Receipt of policy direction from City Council;
- A work session with Planning Commission;
- A public hearing with Planning Commission; and
- Public comment from prospective natural medicine practitioners and recipients.

II. Planning Commission Recommendation The draft ordinance that initially appeared before Planning Commission was modeled after Castle Rock's Natural Medicine Ordinance and followed policy direction from Council re: time, manner, and place regulations. The purpose of this memo is to provide you with some background regarding the few changes Planning Commission recommended to Council for adoption regarding the proposed natural medicine ordinance:

- 18.80.040 – Permitted location for natural medicine businesses.

Planning Commission expanded the areas where natural medicine businesses other than natural medicine healing centers can exist beyond a permitted use in the Heavy Service Commercial Light Industrial District (HSC/LI) based on public comments made by prospective natural medicine practitioners. Page 47 of 63 1314 Main Street, Suite 101, Louisville, CO 80027 (303) 376-8510 wwfdlaw.com Prospective natural medicine practitioners requested Planning Commission to consider allowing natural medicine healing centers to engage in cultivation of natural medicine to use in their practice.

This request was made due to the fact that only 7 cultivation centers were approved by CDOR at the time of public comment and none of those cultivation centers were located in Woodland Park. This request was also made due to the significant expenses associated with obtaining the appropriate licensure and operating a natural medicine business. In response to these comments,

Planning Commission recommends allowing natural medicine businesses other than healing centers to exist as a Conditional Use in the Community Commercial District (CC) and the Service Commercial District (SC).

- 18.80.060 – Hours of operation – natural medicine services. Following receipt of public comment from prospective natural medicine practitioners, the Planning Commission concluded that natural medicine healing centers and natural medicine businesses providing natural medicine services should be permitted to operate any day of the week between 7:00 a.m. and 10:00 p.m. These time frames are recommended to allow prospective natural medicine practitioners to hold at least 2 sessions a day and to allow people to utilize such services outside of typical business hours.

- 18.80.070 – Public view of natural medicine businesses and natural medicine services.

Following public comment from prospective natural medicine practitioners, Planning Commission concluded that all activities of natural medicine businesses and services should occur indoors unless the access to an outdoor area is confined to a space such as an atrium or courtyard that is shielded from public view so long as such outdoor space complies with the remaining requirements of this section.

Following Council discussion, Mayor Case opened the public comment portion of the public hearing and the following individuals spoke in favor of the Natural Healing ordinance:

Eli Varney
Brian Wilsom
Jeff Gallup
Dalton Lane
Lauren Atonero
Beth Sukrow
Steve Leigh
Jason Friesma

There being no further public comment, Mayor Case closed the public hearing. There being no further discussion by Council, the following motion was made.

Motion: to approve Ordinance No. 1494, Series 2025, an Ordinance of the Woodland Park City Council Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.06 Regarding Zoning Definitions and Chapter 18.09.090 Regarding Table of Permitted Uses. Geer/Harvey. Motion carried 7-0.

- B.** Approval of Ordinance No. 1495, Series 2025, An Ordinance of the Woodland Park City Council Amending Title 17 and Title 18 of the Woodland Park Municipal Code, Concerning Subdivisions and Zoning, to Address Water Availability Necessary for Future Development and Expansion of Uses and Impact.(L)
(Presenter Planning Director Schminke)

Planning Director Schminke reviewed the following with the City Council regarding Ordinance No. 1495 Series 2025:

BACKGROUND:

The purpose of this proposed ordinance is to ensure water availability is a factor/criteria/requirement for certain land use applications which propose new development or expand a use or impact. The initial proposed ordinance was prepared at the request several Council members made to the City Manager, who in turn directed the City Attorney to prepare a draft ordinance. That initial draft was previously reviewed and recommended by the City's Utility Advisory Committee.

Planning Commission held a work session on February 27, 2025, and requested that additional language be added to the Code sections that address Chapter 18.34 – Site Plan, (18.34.070 E.), Chapter 18.57 – Conditional Use Permits, (18.57.040 B.9.), and Chapter 18.61 – Special Use Permits, (18.61.040 I.).

Within the current Code, there is already language within the Site Plan, Conditional Use Permit, and Special Use Permit sections that includes water supply as a review criteria. The proposal is to keep that language in its current form:

“The proposed development shall be designed, constructed, and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.”

But as requested by the Planning Commission on February 27th, a review criteria that says:

“The proposed development shall require approval of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structures.”

has been added to each of these code sections as follows:

Chapter 18.34 – Site Plan, (18.34.070 H.)

Chapter 18.57 – Conditional Use Permits, (18.57.040 B.12.)

Chapter 18.61 – Special Use Permits, (18.61.040 L.)

Following Schminke's presentation, Mayor Case opened the public comment portion of the public hearing. There being no public comment, Mayor Case closed the public comment portion of the public hearing. There being no Council discussion, the following motion was made.

Motion: to approve Ordinance No. 1495, Series 2025, an Ordinance of the Woodland Park City Council Amending Title 17 and Title 18 of the Woodland Park Municipal Code, Concerning Subdivisions Nakai/Geer. Motion carried 7-0.

10. NEW BUSINESS

(Public comment may be heard)

None.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared an update on street improvements to Highway 67.

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

B. Council Reports

Mayor Pro-tem Nakai - no report.

Councilmember Geer thanked all the applicants for applying for the open Council Seat.

Councilmember Harvey shared updates on the Charter Review Committee and a Legislative Committee update.

Councilmember Jones wished everyone a Happy Easter.

Councilmember Smith shared that the Woodland Park Junior/Senior High School students would be able to speak with Nicole Ayers and the other astronauts at the International Space Station on Monday.

Councilmember Bryant thanked the Council for the vote of confidence and appointing him to the Council. Bryant shared that he looked forward to serving. Bryant also thanked all the veterans for speaking up in favor of the Natural Healing Ordinance.

C. City Attorney's Report

City Attorney Stewart thanked the Council for their support of the Natural Healing Ordinance.

D. City Manager's Report

City Manager Vassalotti shared information on the DDA Micro-grants, Bergstrom Park Master Planning Update and the Cultural Center updates.

Deputy City Manager Leclercq shared a farewell with Eric Barnes. Leclercq and the Council wished him the best for his future and thanked him for all of his hard work.

12. ADJOURNMENT

Mayor Case adjourned the meeting at 8:30 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2025

Kellie Case, Mayor



STAFF REPORT

TO: Mayor Case and City Council

FROM: Kip Wiley, Utilities & Public Works Director

DATE: May 1, 2025

SUBJECT: Approval of a purchase between Bergkamp Inc. and the City of Woodland Park to purchase an asphalt truck in the amount of \$290,242.70.(A)
(Presenter Utilities Director Wiley)

BACKGROUND: I am bringing this purchase before the City Council as it was not in the 2025 budget.

We are looking to purchase a new asphalt truck. The cost of the asphalt truck is \$290,242.70.

A new asphalt truck will add significant benefits to maintaining our road network. Currently, the City uses a 2001 Freightliner. This truck is a dual-purpose truck that is also used for snowplowing during the winter. This truck has experienced quite a few repairs recently. In the last three months, it has been in the shop five times. Last year, at this time, it was also in the repair shop for various other reasons.

This new truck will allow the crews to pick up asphalt the day before a project and keep it warm to use the next day. This will allow the crew to be more efficient and mobilize quicker. There will be less downtime in setting up each morning. It also has a 360-degree camera, so the operator can see all sides of the vehicle and therefore create a safe operating environment.

Lastly, this asphalt truck will not be used as a snow plow and the need for repairs will be less likely during the transition season from winter to spring, when we need to do potholes and minor asphalt road repairs.

The funding for this truck will come out of the Streets Fund (410).

RECOMMENDATION:

ATTACHMENTS: 1. asphalt truck purchase agreement



Equipment Quote

4/16/2025

ATTN: Ed Burris
WOODLAND PARK
220 W SOUTH AVENUE
WOODLAND PARK, CO 80866

I am proud to represent Bergkamp Inc. and our effort to provide the best equipment for your Pavement Preservation dollars. Thank you for the opportunity to quote your equipment needs.

Quoted Equipment with Selected Upgrades and Options:

FP5 Flameless All-In-One Pothole Patcher	\$109,500.00
Standard Mounting for FP	\$8,000.00
(Standard) 80 Gallon Heated Tack Tank	\$11,325.00
Swing Auger	\$15,600.00
Plate Compactor	\$7,200.00
(Standard) 67 lb Pavement Breaker	\$8,800.00
(Standard) Air Tack System	\$510.00
Able 2 10 Light LED Arrowboard	\$2,000.00
Single Front Mounted LED Strobe Light	\$1,100.00
Dual Rear Mounted LED Strobe Lights	\$1,200.00
LED Flashers on Side of Patcher Platform	\$690.00
Dual Rear LED Flashers	\$825.00
Single Cone Holder - Curbside Mount	\$320.00
360° Camera System	\$11,250.00
Tool Holder - Rear Spoils Bin	\$300.00
Asphalt Lute Holder	\$350.00
ADD SECOND ASPHALT LUTE HOLDER TO MACHINE	\$350.00
12 Month Manufacturer's Warranty	
Freight Cost	\$2,143.70
Equipment SubTotal	\$181,463.70
Bergkamp Purchased Patcher Chassis	\$108,779.00
Total	\$290,242.70

Terms & Conditions:

- Terms: Net 30 days from receipt of Equipment. All prices quoted are in US Dollars (USD). Factory completion will be determined after receipt of signed sales agreement and down payment, based on availability and lead time of components. If the lead times or availability for the components



required to complete the machine get extended after the assignment of a completion date, Bergkamp's lead time for completion will be extended as well. Should this occur, our sales team will be in touch with you to discuss updated completion times.

- Chassis prices are subject to change up until time of delivery due to manufacturer added surcharges and additional fees. Bergkamp will keep you posted if there are any changes to the chassis price once we are made aware.
- Kansas sales tax will be charged on the amount of the sale if the equipment is picked up by the **Customer** in Kansas. Otherwise, the customer's local sales tax will apply. Applicable Federal Excise Taxes (FET) will be collected on the paver, options, and mounting. All applicable taxes will be applied to the final invoice.
- **Customer** is solely responsible for insuring units are configured and loaded in order to comply with all manufacturer's guidelines and local, state and national laws. Bergkamp Inc. assumes no responsibility or liability associated with compliance with these regulations.

Thank you again for the opportunity, and I look forward to working with you. This proposal shall remain in force for a term of 30 Days, or until **(05/16/2025)**. If you have further questions, please call M:(785) 643-0190 or O:(785) 825-1375 or you may email me at scottheller@bergkampinc.com.

Sincerely,

Scott Heller
Territory Sales Manager
Bergkamp Inc.



STAFF REPORT

TO: Mayor Case and City Council

FROM: Suzanne Leclercq, Deputy City Manager/City Clerk

DATE: May 1, 2025

SUBJECT: Approval of a New Hotel and Restaurant Liquor License for Sofia's Antojitos 3, LLC dba Sofia's Antojitos, located at 727 Gold Hill Place South, Woodland Park, CO. (QJ) (Presenter Deputy City Manager/City Clerk Leclercq)

BACKGROUND:

CITY OF WOODLAND PARK

Liquor License Summary

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Drivers License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give Council and citizens the public content of the issue at hand.

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Type of Action Requested: Conduct Public Hearing for a NEW HOTEL & RESTAURANT Liquor License.

Applicant: SOFIA'S ANTOJITOS 3, LLC dba SOFIA'S ANTOJITOS located at 727 GOLD HILL PLACE SOUTH, Woodland Park, CO 80863

Application details:

- Applicant is SOFIA'S ANTOJITOS 3, LLC dba SOFIA'S ANTOJITOS has a current sales tax license and FEIN number.
- A petition of needs and desires IS necessary for a NEW HOTEL & RESTAURANT liquor license at this location.
- The location is eligible to be licensed.
- Possession of the property is documented by a LEASE expiring March 31, 2030.

Factual Findings:

- The application was submitted on March 27, 2025.
- A petition of needs and desires was completed with 34 verified signatures.
- Subject property was posted on April 21, 2025 as required by law.
- Public Notice was published on the City's Website April 21, 2025.
- Character of the applicant is not an issue for this hearing.
- All applicable fees have been paid.

Recommended Action:

Following Public Hearing, approve application from SOFIA'S ANTOJITOS 3, LLC dba SOFIA'S ANTOJITOS for a NEW HOTEL & RESTAURANT Liquor License located at 727 GOLD HILL PLACE SOUTH, Woodland Park, Colorado 80863.

RECOMMENDATION:

ATTACHMENTS: None