

**Woodland Park City Council
Council Chambers – City Hall
August 6, 2020 Council Meeting Minutes
7:00 PM**

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video.

Prior to the start of the City Council Meeting Mayor Carr asked everyone to join him in a moment of silence to honor former Mayor Neil Levy who passed away on August 1, 2020. Councilmember Zuluaga followed with a prayer.

1. ROLL CALL

The following members of Council present were: Mayor Val Carr, Mayor Pro-Tem Hilary LaBarre, Councilmembers Kellie Case, Hilary LaBarre, Rusty Neal, Jim Pfaff and Robert Zuluaga.

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

City Manager Darrin Tangeman	City Attorney Jason Meyers
Assistant City Manager/City Clerk Suzanne Leclercq	
Management Analyst Rob Felts	
Finance Director Emily Katsimpalis	
Planning Director Sally Riley	

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

A. Appointments to the Board of Adjustment Committee.

City Clerk Leclercq reviewed with Council her staff report regarding the BOA. Leclercq reported that there are currently three openings. One for a full-time member and the other two for alternate members. Leclercq noted that she received two applications for these positions, one from Dean Nelson and the other from Christina Chapman. Council interviewed both candidates.

MOTION: To appoint Christina Chapman as permanent member of the Board of Adjustment and Dean Nelson as the alternate member. Carr/Case. 3-3. Motion tied with Neal, Pfaff and Zuluaga voting no.

At this time Council voted to suspend Resolution No. 339 which states that votes ending in a tie must be carried over to the next meeting.

MOTION: To suspend Resolution No. 339. Carr/Neal. Motion carried 6-0.

MOTION: To appoint Dean Nelson as the permanent member of the Board of Adjustment and Christina Chapman as the alternate member. Neal/Case. Motion carried 6-0.

At this time Leclercq administered the oath of office to Mr. Nelsen.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

Council discussed the need to move item D. and E. (vendor fee and business licenses) to new business. The changes were made.

5. CONSENT CALENDAR:

- A.** Approve Minutes from the July 16, 2020 Regular Council Meeting.

City Clerk Leclercq presented the Consent Calendar with a few corrections.

Councilmember Zuluaga stated that he felt what was reflected in the minutes did not reflect what he meant to say. City Clerk Leclercq said she would listen to the recording and reflect what was in the recording.

MOTION: To table minutes until the next Council Meeting so that corrections can be noted. Case/Pfaff. 6-0. Motion carried.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

County Assessor Colt Simmons shared with Council a new version of the 2019 Abstract of Assessments.

7. UNFINISHED BUSINESS:

- A.** CVRF alternate discussion ideas and review of CVRF application.

Mayor Carr began with the discussion stating the following into the record

“Tonight we have on the agenda a program to assist our businesses and citizens. This is funding from the state we have for reimbursements of COVID-19 impacts to our citizens & businesses called the Coronavirus Relief Fund, also referred to as the CVRF.

We have worked on CVRF applications for Woodland Park businesses, including non-profits, and a separate application for residents. The basis of the applications is from other municipalities that have executed this type of program with the authorization & approval of the funding authorities, so we started by not trying to “reinvent the wheel”. The application drafts have been available to Council for inspection & modification for several weeks. Several Council members had suggested modifications, 95% of which have been incorporated by content & intent.

These applications have also incorporated the expert experience of two bankers who executed the federal PPP program for the related CARES funding. The applications and review portions have also been examined by the Regional Manager of DOLA, who are the ultimate arbiters of what we can and cannot do, and his suggestions have been incorporated. I also spoke to CML and they have had input to this as well.

The review process has some minor details to be worked out, but our expectation is to collect applications for 30 days and make final determination criteria during that period. Much of the review details have already been laid out clearly in the state mandates and somewhat in the application, but the world of possible COVID-19 impacts is unknown to anybody at this point, so some common sense determinations will be made in the

City Finance office, beyond some fixed cookbook list of absolute certainty. Our citizens understand common sense.

We have the Mayor & other Council members who are ready to move to get these CVRF applications to the public tonight. Several businesses and citizens will be affected positively by these assistance grants to stay in business and/or to afford necessity household expenses that have challenged their viability since COVID-19 has impacted them, but we are in a schedule time-crunch. I expect tonight we will concur on putting these applications online immediately to start the review process toward actual dollars in the hands of our citizens & businesses. Any delay in getting these applications to our public will land at the feet of others. "

At this time Councilmember Pfaff shared a proposal for use of the CVRF Funds allocated to the City of Woodland Park with the Council that included the following points:

- Allocate \$300,000 as a reimbursement to domiciled businesses of a percentage of 2019 Sales Taxes remitted to the City.
 - Exclude certain businesses based on one of the three criteria listed.
 1. Any business defined as "essential/critical" by the State of Colorado
 2. Any business which provides grocery services
 3. Any business which is part of a national or regional chain either owned by that chain or franchise
- Allocate \$100,000 to other businesses.
 - Available to all businesses which have a City Business License and are domiciled in the City which do not remit Sales Tax to the City
 - Not for profit businesses are eligible
 - Proposed CVRF applications will be used by those applying for this portion of the grant
- Allocate \$100,000 to citizens within the City limits.
 - Return an equal amount of money to all customers of the City water utility
 - Divide the number of water utility customers who live within City limits by \$100,000 and distribute that amount evenly to all utility customers
- Allocate up to \$175,000 as a reimbursement to the City for actual COVID-19 mitigation costs.
 - All costs according to DOLA must have documentation
 - City staff responsible to DOLA for proper documentation of authorized expenses.
 - Any money left over under the \$175,000 allocation may be used for administrative costs for all allocation above and are subject to approval by City Council.

Councilmember Pfaff stated that citizens need to be assured that this money is allocated in a manner which is equitable and free of subjective analysis. Choosing percentages of historical records and set amounts of refunds equally distributed to all qualified recipients takes away the subjective nature of analyzing distribution and it reduces costs by eliminating analysis of the qualifications of each recipient.

Pfaff shared some information regarding the U.S, Treasury and DOLA requirements and restrictions. Pfaff shared that his plan would get us (government) out of the way and get the dollars into the people's hands quickly.

After lengthy Council discussion Mayor Carr opened up the floor for public comment.

- Merry Jo Larsen spoke in favor of Councilmember Pfaff's proposal adding that the reduction of the vendor fee and business licenses would also be a help to the businesses.

- Vicky Alexander felt that Councilmember Pfaff was right on with his plan and that this gave a fair objective to everyone.
- Barbara Roy also shared that she felt Councilmember Pfaff was spot on with his plan and shared her personal experience of loss at her business as a result of COVID.
- Elijah Murphy shared some of his personal experiences of loss at his business due to COVID and expressed that this needed to be expedited.

The time being 9:25 PM Mayor Carr called a brief recess.

At 9:36 PM Mayor Carr called the meeting back to order.

- Tanner Coy shared that there is no perfect solution and that he agrees with Councilmember Pfaff's proposal.

The Mayor and Council thanked the public for their input and continued their discussion of the CVRF application process. Mayor Carr shared that the Council can move on the application now and figure out the distribution plan after he speaks with DOLA to find out what would qualify.

MOTION: To approve the two applications, one for personal relief and the one for business relief after refining the details of the application. Zuluaga made this motion and then withdrew this motion.

Council continued discussion of refining the application with making a few edits. Council also discussed methods to put in place to keep the information on the applications confidential.

Council decided to strike the question asking amount of employees on the business applications and adding that they must have been a resident of the City of Woodland Park at the time the health order was put into action – March 17, 2020.

MOTION: To approve CVRF business and resident relief applications as discussed with changes and make every effort to keep information on the application confidential. Zuluaga/Neal. Motion carried 6-0.

MOTION: To approve Councilmember Pfaff's proposal of distribution of the CVRF monies as written with exclusions of sales tax definitions on item #1 and include restaurants. Pfaff/Carr. Tie vote 3 to 3.

As a result of the tie vote Mayor Carr moved forward with a motion to suspend Resolution No. 329 rules regarding a tie vote.

MOTION: To suspend Resolution No. 329 for this Council discussion. Carr/Zuluaga. Motion carried 5-1 with Councilmember Pfaff voting no.

Councilmember discussion continued.

MOTION: To approve proposal as written with the exclusion of clause 1 not excluding restaurants. Once DOLA vetted the proposal make final adjustments. Pfaff/Carr. Motion failed 4-2 with Councilmembers Case, LaBarre, Zuluaga and Neal voting no.

As a result of the motion failing the Council moved on.

At this late hour Mayor Pro-tem LaBarre suggested that some of the items on the Council Agenda for this evening be tabled.

MOTION: To table discussion of vendor fees and business licenses to the next meeting. Pfaff/Neal. Motion carried 6-0.

8. Ordinances on Initial Posting.

- A.** To consider first reading of Ordinance 1382, Series 2020, a request by Woodland Park Storage LLC (Eric Smith, property owner) to vacate the 5 foot wide public utility easement along other sides of the common lot line between Lot 3, The Village (127 Village Terrace) and Lot 4, the Village (137 Village Terrace) in the Neighborhood Commercial (NC) zone district, and schedule the public hearing for August 20, 2020.

At this time Planning Director Riley introduced Ordinance No. 1382, 2020 on initial posting. There being no Council discussion the following motion was made:

MOTION: To consider first reading of Ordinance 1382, 20202, a request by Woodland Park Storage LLC (Eric Smith, property owner) to vacate the 5 foot wide public utility easement along other sides of the common lot line between Lot 3, The Village (127 Village Terrace) and Lot 4, the Village (137 Village Terrace) in the Neighborhood Commercial (NC) zone district, and schedule the public hearing for August 20, 2020. Case/Carr. Motion carried 6-0.

9. Public Hearings

- A.** Approve Ordinance No. 1381, Series 2020 adjusting expenditure appropriations to the general fund, in the amount of \$674,515.14 for administration of the Coronavirus Relief Fund, for the City of Woodland Park, Colorado for the 2020 Budget Year and amending Ordinance No. 1360, Series 2019.

Finance Director Katsimpalis reviewed this Ordinance with Council. There being no Council discussion or Public Comment the following motion was made.

MOTION: Approve Ordinance No. 1381, Series 2020 adjusting expenditure appropriations to the general fund, in the amount of \$674,515.14 for administration of the Coronavirus Relief Fund, for the city of Woodland Park, Colorado for the 2020 Budget Year and amending Ordinance No. 1360, Series 2019. Neal/Case. Motion carried 5-1 with Councilmember Pfaff voting no.

10. New Business

- A.** Approve Resolution No. 865, Series 2020 opposition to National Popular Vote Compact, which will appear on the 2020 Election Ballot.

Mayor Carr introduced this Resolution to the Council. All of Council supported this resolution. There was not Public Comment and the following motion was made.

MOTION: Approve Resolution No. 865, Series 2020 opposition to National Popular Vote Compact, which will appear on the 2020 Election Ballot. Pfaff/Zuluaga. Motion carried 6-0.

- B.** Remote work implementation items, software licensing for certain staff with budget support from CVRF.

City Manager Tangeman reviewed with Council some of the remote work implementations he is working on utilizing the CVRF funds.

9. REPORTS:

- A. Mayor's Report:** Mayor Carr shared the upcoming events of the next two weeks. The Mayor gave details of Former Mayor Levy's Celebration of Life service on Sunday August 8, 2021.
- B. Council Reports:** Mayor Pro-tem LaBarre thanked the Council for allowing her to participate this evening via zoom. Councilmember Neal gave an update for the Keep Woodland Park Beautiful Committee. Councilmember Zuluaga shared an update of the DDA. Zuluaga also shared that condition of the bathrooms at Bergstrom Park this weekend were embarrassing. Zuluaga contacted City Manager Tangeman regarding the bathrooms. City Manager Tangeman shared that he has talked to the staff and that he felt this was an anomaly this weekend.

The hour being 10:53 PM the Council voted to extend the Council Meeting until 11:15 PM.

MOTION: To continue City Council Meeting until 11:15 PM. Carr/Neal. Motion carried 6-0.

C. City Attorney Reports: None

D. City Managers Reports: City Manager Tangeman shared that the Lighter Side of Christmas Parade has been cancelled but the City of Woodland Park would still have fireworks that evening. Tangeman shared that the City will be dedicating and naming Panther Baseball Field after former Mayor Levy and the dedication will take place on November 28 with more details to follow.

Planning Director Riley shared that she emailed a packet to the Council regarding code enforcement's response and interactions with local businesses regarding COVID contacts.

City Clerk Leclercq reviewed with Council that petitions were available for pickup and due back into the Clerk's Office on August 24, 2020 by 5 PM.

Planning Director Riley shared participation with the Colorado Water Conservation Board to study certain Woodland Park floodplains with Council. Council asked that this be added to the Special Meeting that will be taking place next week.

10. EXECUTIVE SESSION: None

11. COMMENTS ON WRITTEN CORRESPONDENCE: None

12. ADJOURNMENT: 11:12 PM.


Suzanne Leclercq MMC, City Clerk

APPROVED THIS 3rd DAY OF September, 2020


Mayor

Val Carr, Mayor

