

City of Woodland Park

June 5, 2025 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

5:15 PM. The following motion was made:

To move into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; and the following additional details are provided for identification purposes: Evaluation and Contract negotiation with the City Manager. Nakai/Smith. Motion carried 6-0.

5:17 PM door was closed.

5:18 PM the Executive Session began.

The following individuals were in attendance: Mayor Case, Mayor Pro-tem Nakai, Councilmember Bryant, Councilmember Geer, Councilmember Jones, Councilmember Smith, City Manager Vassalotti and Deputy City Manager/City Clerk Leclercq.

5:36 PM City Manager Vassalotti left the room.

6:07 PM the Executive Session concluded.

6:30 PM Mayor Case called the regularly scheduled City Council Meeting to order.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Oath of Office to Jessica Scott as City of Woodland Park Treasurer. (A)
(Presenter City Manager Vassalotti)

City Manager Vasslotti introduced Jessica Scott to the City Council.

The following motion was made: to appoint Jessica Scott as the Treasurer of the City of Woodland Park. Geer/Smith. Motion carried 6-0.

Deputy City Manager/City Clerk Leclercq administered the Oath of Office as City of Woodland Park Treasurer to Ms. Scott.

- B. Sales Tax Presentation. (A)
(Presenter City Manager Vassalotti)

City Manager Vasslotti shared the most recent Sales Tax presentation.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

City Attorney Williams shared that a minor adjustment to the language of 10 B. should be made. She asked that the verbiage be amended to read approval of the City Manager's evaluation adjustments. Council concurred.

5. CONSENT CALENDAR

- A.** Approval of the City Council Regularly scheduled May 15, 2025, City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Council reviewed the minutes of the May 15, 2025, Council Meeting and the Statement of Expenditures of April 2025 and the following motion was made.

Motion: to approve the City Council's regularly scheduled May 15, 2025, City Council Meeting Minutes and to approve the April 2025 Statement of Expenditures and authorize the Mayor to sign warrants for payment thereof. Geer/Nakai. Motion carried 6-0.

- B.** Approval of the April 2025 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof. (A)
(Presenter City Manager Vassalotti)
- C.** Approval of a contract between the City of Woodland Park and Brave Bear Custom Builders in the amount of \$59,625 for renovations to the Planning and Human Resource Offices. (A)
(Presenter Assistant City Manager Felts)

Assistant City Manager Felts reviewed the contract with Brave Bear Custom Builders.

Motion: to approve a contract between the City of Woodland Park and Brave Bear Custom Builders in the amount of \$59,625 for renovations to the Planning and Human Resource Offices. Jones/Smith. Motion carried 6-0.

- D.** Approval of a contract between the City of Woodland Park and Dawson Infrastructure Solutions in the amount of \$114,731.43 for a new sewer camera. (A)
(Presenter Public works Director Wiley)

Public Works Director Wiley reviewed the contract with Dawson Infrastructure Solutions.

The following motion was made:

Motion: to approve a contract between the City of Woodland Park and Dawson Infrastructure Solutions in the amount of \$114,731.43 for a new sewer camera. Nakai/Bryant. Motion carried 6-0.

- E.** Approval of a contract between the City of Woodland Park and Great Plains Structures for labor, material and equipment necessary to install a glass fused to steel bolted tank in the amount of \$1,048,000.00. (A)
(Presenter Public Works Director Wiley)

Public Works Director Wiley reviewed the contract with Great Plains Structures.

The following motion was made:

Motion: to approve the contract between the City of Woodland Park and Great Plains

Structures for labor, material and equipment necessary to install a glass fused to steel bolted tank in the amount of \$1,048,000.00. Geer/Jones. Motion carried 6-0.

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

Jodi Mijares, Executive Director of Community Partnership, shared information on the Community Gardens located on the lawn of City Hall.

Corliss Palmer and the Girl of the West shared information on the upcoming rodeo events being held in Colorado Springs.

Debbie Miller, President of the Chamber of Commerce, shared information on a text scam that was going around in the community,

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

- A. Approval of Ordinance No. 1497, Series 2025 to amend the 2025 Budget Expenditure Appropriations (Budget Supplemental Ordinance), on initial posting and set the Public Hearing for June 19, 2025. (A)

City Manager Vasslotti reviewed Ordinance No. 1497, series 2025 on initial posting with the Council.

The following motion was made:

Motion: to approve Ordinance No. 1497, Series 2025 to amend the 2025 Budget Expenditure Appropriations (Budget Supplemental Ordinance) on initial posting and set the Public Hearing for June 19, 2025. Nakai/Geer. Motion carried 6-0.

9. PUBLIC HEARINGS

(Public comment may be heard)

- A. Approval of a Special Event Liquor License for America's Mountain Festival to be held on July 5, 2025. (QJ)
(Presenter Deputy City Manager Leclercq)

Deputy City Manager/City Clerk Leclercq shared the following information with the Council.

Type of Action Requested: Grant a Special Event Liquor License to Restaurant As Mission (RAM) for the 2025 America's Mountain Festival at the location of 120 S. Center St., Woodland Park, CO 80863.

Applicant: Chef Victor Matthews, PhD with Restaurant As Mission (RAM).

Application details: · Applicant is Chef Victor Matthews, PhD with Restaurant As Mission (RAM). ·

The Organization is a non-profit organization with a current Sales Tax number.

Event Details: · America's Mountain Festival will be held at 120 S. Center Ave., on Saturday, July 5, 2025, from 12:00 pm – 9:00 pm.

Factual Findings: • The application was submitted on March 13, 2025. • The America's Mountain Festival TUP was approved at the May 15, 2025, City Council meeting. • Subject property was posted on May 22, 2025, as required by law. • Public Notice was published on the City's Website May 22, 2025. • Character of the applicant is not an issue for this hearing. • All applicable fees have been paid.

Following Leclercq's presentation, Mayor Case opened the Public Comment portion of the Public Hearing. There being no Public Comment, Mayor Case closed the Public Hearing and the following motion was made.

Motion: to approve a Special Event Liquor License for America's Mountain Festival to be held on July 5, 2025. Bryant/Geer. Motion carried 6-0.

- B.** Approval of a transfer of a Hotel and Restaurant Liquor License from Pikes Pike BBQ to Pikes View BBQ located at 1139 East Highway 24. (QJ)
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq reviewed the transfer of a liquor license from Pikes Peak BBQ. Leclercq shared the following information.

Type of Action Requested: Conduct Public Hearing for a transfer Hotel and Restaurant Liquor License. Applicant: Pikes View BBQ 1139, LLC dba Pikes View BBQ & Taproom located at 1139 E. US Hwy 24, Woodland Park, CO 80863.

Application details: • Applicant is Pian Zhao and Leslie Chen.

- LLC has a current sales tax license and FEIN number.
- A petition of needs and desires is not necessary for a transfer liquor license since the location has previously been licensed.
- The location is eligible to be licensed.
- Possession of the property is documented by a Commercial Building and Business Purchase Agreement, fully executed by both parties and dated March 21, 2025. Factual Findings:

- The application was submitted on April 30, 2025.
- Subject property was posted on May 23, 2025, as required by law.
- Public Notice was published on the City's Website on May 23, 2025.
- Character of the applicant is not an issue for this hearing.
- All applicable fees have been paid.

There being no Council discussion, Mayor Case opened the public comment portion of the public hearing. There being no public comment, Mayor Case closed the public hearing and the following motion was made.

Motion: to approve a transfer of a Hotel and Restaurant Liquor License from Pikes Peak BQ to Pikes View BBQ located at 1139 East Highway 24, Woodland Park, Colorado. Jones/Nakai. Motion carried 6-0.

- C.** Approval of Ordinance No. 1496, Series 2025, an Ordinance of the City Council of the City of Woodland Park, Colorado, confirming the repeal by the City Council on March 10, 2025, of the portion of the City Sales Tax that formerly supported the Woodland Park School District, thereby reducing the City Sales

Tax by 1.09%, as of March 10, 2025. (L)
(Presenter City Attorney Williams)

City Attorney Williams shared the following information with the council and the public.

- On March 10, 2025, by emergency Ordinance No. 1492, you as the City Council of Woodland Park repealed the portion of the City's sales tax that previously supported the Woodland Park School District.
- Because Council's action was by emergency ordinance, the City's sales tax rate was immediately reduced by 1.09%, to 3.00% and the City instructed retailers to begin collecting tax at the 3.00% rate.
- Section 7.7(c) of the Woodland Park City Charter states:
 - *"An emergency ordinance shall not be in effect longer than ninety (90) days after passage, and shall not be extended as an emergency ordinance."*
- However, pursuant to the TABOR Amendment to the Colorado Constitution (the Taxpayers Bill of Rights), any tax, *once repealed* (whether by emergency ordinance or otherwise) *may only be re-imposed* by voters at an election.
- *Notwithstanding* the explicit command of the TABOR Amendment, the fact that Ord. 1492 was approved as an emergency ordinance has led some people to speculate or opine that the 1.09% tax might be able to be recreated or reimposed, once the 90-day period for effect of the emergency ordinance expires.
- Again, it cannot, pursuant to TABOR, without an election (similar to the repeal and reimposition of *any* tax).
- Therefore, in order to clarify and memorialize Ordinance 1492's intent and remove any doubt or speculation as to permanent effect of Council's March 10, 2025 action repealing the tax, *and* due to the language in Section 7.7(c) of the Charter, this Ordinance would memorialize such repeal with a regular, non-emergency ordinance.
- This also can be seen as procedurally a "*belt and suspenders*" approach, and a prudent recommendation to remove any doubt or confusion from the public, and resolve the express language in TABOR with the portion of your Charter relating to Emergency Ordinances.

There being no Council discussion Mayor Case opened the public comment portion of the public hearing. There being no public comment, Mayor Case closed the public hearing and the following motion was made.

Motion: to approve Ordinance No. 1496, Series 2025, an Ordinance of the City Council of the City of Woodland Park, Colorado confirming the repeal by the City Council on March 10, 2025, of the portion of the City Sales Tax that formerly supported the Woodland Park School District thereby reducing the City Sales Tax by 1.09% as of March 10, 2025.
Geer/Smith. Motion carried 6-0.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Discussion of appointment of new City Councilmember. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

Deputy City Manager/City Clerk Leclercq shared the following staff report with the Council.

BACKGROUND: As the Council is aware, there is a vacant Council Seat that was vacated with the resignation of Carrol Harvey.

The City Charter lays out the options that the Council has to fill this vacancy. The City Charter states: Section 3.5 Vacancies A vacancy shall be filled by a majority vote of the Mayor and/or the remaining Council after such a vacancy occurs, provided there will not be a regular municipal election within (90) days of such a vacancy.

To fill a vacancy, the Mayor and/or the remaining Councilmembers may:

1. Appoint any qualified person
2. Conduct an open application process
3. Appoint the person who received the next highest vote total in the last municipal election should the vacancy occur within six months of said election
4. If the Council fails to reach a majority vote on the appointment of a new Mayor or Councilmember, the Council may call a special election to fill the vacancy, provided there will not be a regular municipal election within ninety days of the last tie vote.

An option not listed in the Charter, but the Council does have, is that they can do nothing and leave the Council with a vacant council seat. The term for this council seat will expire in April 2026. This evening I am looking for direction on how you would like to proceed with this process.

Following Council discussion, it was determined that the Council would leave the Council as status quo with six Councilmembers.

B. Approval of the City Manager's Contract for the 2025 -2026 year. (A)
(Presenter Mayor Case)

Mayor Case shared that earlier this evening, as posted, the City Council held an Executive Session to do an evaluation of the City Manager and to adjust his compensation package.

Mayor Case made the following motion:

Motion: to adjust City Manager Vassalotti's compensation to include a yearly salary of \$223,650, a 5% bonus in December and to fully cover his health insurance to include his family. Case/Bryant. Motion carried 6-0.

Vasslotti thanked the Council for their decision and shared that he looks forward to what the next year will bring.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared discussions that were being held to reinstate the Main Street program. Case also shared the upcoming events for the next two weeks.

B. Council Reports

Mayor Pro-tem Nakai shared that the next Charter Review Committee will be held on July 11, 2025.

Councilmember Bryant shared information on the City Wide clean-up hosted by the Keep Woodland Park Beautiful Committee.

Councilmember Geer wanted to give a shout-out to the Pride Festival that was held last weekend and also shared a PRAB update.

C. City Attorney's Report

None.

D. City Manager's Report

City Manager Vasslotti shared an update on the re-imagining Bergstrom Park open house that occurred.

Deputy City Manager/City Clerk Leclercq asked Council if they would be willing to cancel the July 3, 2025, City Council Meeting. The council agreed. There will be no July 3, 2025, City Council Meeting.

12. ADJOURNMENT

Following Council reports, the following motion was made.

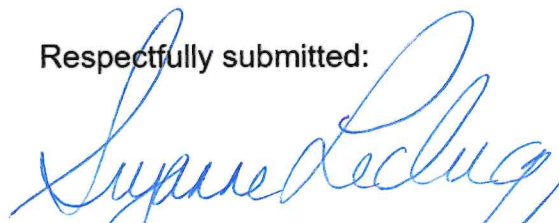
Motion: to move into Executive Session for discussion pursuant to C.R.S. Section 24-6-402(4)(a) regarding the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest, and pursuant to C.R.S. Section 24-6-402(4)(e) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators, AND THE FOLLOWING ADDITIONAL DETAILS ARE PROVIDED FOR IDENTIFICATION PURPOSES: potential real property acquisition for the purposes of securing water resources; and potential real property acquisition within the City of Woodland Park for potential park and open space purposes." Nakai/Case. Motion carried 6-0.

Mayor Case called the Executive Session to order at 7:52 PM with the following individuals present: Mayor Case, Mayor Pro-tem Nakai, Councilmember Bryant, Councilmember Geer, Councilmember Jones, Councilmember Smith, City Manager Vassalotti, Deputy City Manager/City Clerk Leclercq, City Attorney Wilson and Realtor Charlie Triplett.

The Executive Session concluded at 8:27 PM.

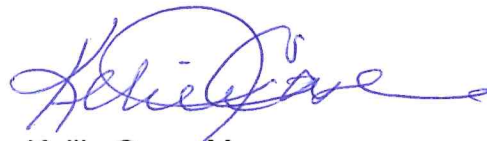
Mayor Case adjourned the regularly scheduled Council Meeting at 8:28 PM.

Respectfully submitted:



Suzanne Leclercq MMC, City Clerk

APPROVED THIS 19th DAY OF June, 2025



Kellie Case, Mayor