



City of Woodland Park

February 3, 2022 at 7:00 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor Pro-tem Case called the City Council meeting to order at 7 PM.

The following Councilmembers were present: Mayor Pro-tem Case, Councilmember Alfieri, Councilmember Nakai, Councilmember Neal, Councilmember Zuluaga. Mayor LaBarre was absent.

The following staff members were present: City Manager Lawson, Deputy City Manager/City Clerk Leclercq, Deputy City Manager/Director of Operations Wiley, Communications and Marketing Coordinator Grace Johnson, Assistant to the City Manager Rob Felts, Planning Director Karen Schminke (appeared via zoom).

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

None.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A. Approval of Bulk Water Fill Station equipment and materials for \$30,157.97.
(Presenter, Deputy City Manager/Director of Operations Kip Wiley)

Deputy City Manager/Operations Director Kip Wiley shared the materials list in the amount of \$30,157.97 with the Council for their approval.

Motion: To approve the Bulk Water Fill station equipment and materials for \$30,157.97. Zuluaga/Nakai. Motion carried 5-0.

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

7. UNFINISHED BUSINESS

(Public Comment may be heard (1))

- A. Approval of the Board of Adjustment's Rules of Procedure (*Tabled from the January 20, 2022 Council Meeting*)
(Presenter, Lou Ramon, Chairperson of the Board of Adjustment)

Following Council discussion, Council moved to table this item to the March 17, 2022 City Council Meeting. Alfieri/Neal. Motion carried 5-0.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard (1))

- A. Consider Ordinance No. 1418, Series 2022 on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado amending Chapter 1.16 of the Woodland Park Municipal Code to establish a Procedure for the collection of Unpaid Municipal Court Fines and set the Public Hearing for February 17, 2022.

(Presenter Municipal Judge Elizabeth McClintock)

Municipal Judge Elizabeth McClintock introduced Ordinance No. 1418 on initial posting. Following Council discussion the following motion was made.

Motion: Approve Ordinance No. 1418, Series 2022 on initial posting, an Ordinance of the City Council for the City of Woodland Park, Colorado amending Chapter 1.16 of the Woodland Park Municipal Code to establish a Procedure for the collection of Unpaid Municipal Court Fines and set the Public Hearing for February 17, 2022. Zuluaga/Nakai. Motion carried 5-0.

9. PUBLIC HEARINGS

(Public comment may be heard (1))

- A. Approve Ordinance No. 1417, Series 2022, an Ordinance of the City Council for the City of Woodland Park, Colorado amending Multiple Titles of the Woodland Park Municipal Code, Regarding Code Penalties and Violations.

(Presenter City Attorney Nina Williams)

City Attorney Nina Williams reviewed Ordinance No. 1417 with the Council. Williams reviewed that in recent legislative sessions, the General Assembly has passed a series of laws with respect to the provision of counsel to indigent defendants. In broad strokes, these laws provide that indigent defendants have a right to counsel where incarceration or imprisonment is a possible penalty and require local governments to fund this representation. Separately, the General Assembly raised the maximum amount a municipal court can fine from \$1,000 to \$2,650. This series of recent state legislation prompted the City to undertake a comprehensive review of the Municipal Code to evaluate whether certain penalty provisions warranted revision. Specifically, the review sought to identify offenses for which incarceration or imprisonment was a possible penalty and to evaluate whether such a penalty was warranted. Additionally, this review included identifying and evaluating where fines issued by the Municipal Court could be raised. In certain instances, the penalty of incarceration or imprisonment was not considered necessary, prudent, or in the best interests of the City. As such, and in order to prioritize and conserve taxpayer resources, this Ordinance removes the possibility of imprisonment or incarceration in those instances. Separately, this Ordinance also raises the maximum amount the Municipal Court may fine from \$1,000 to \$2,650 where appropriate.

Following Williams' presentation, Council held discussion on Ordinance No. 1417.

Alfieri and Zuluaga both shared that they could not support this ordinance.

The following motion was made.

To approve Ordinance no. 1417, Series 2022. Neal/Nakai. 3-2. Motion failed with Alfieri and Zuluaga voting no.

Council asked City attorney Williams to come back with a slightly amended Ordinance, which references a recommended Fine Schedule, to be amended by City Council from time to time via resolution.

Council also directed the City Attorney's office to come back with a draft Resolution and a draft fine Schedule.

10. NEW BUSINESS

(Public comment may be heard (1))

A. Approve Resolution No. 887, Series 2022 - Best Western Hotel PUD Extension Request

(Presenter, Planning Director Karen Schminke)

Planning Director Karen Schminke reviewed Resolution No. 887 with the Council. Schminke shared that there is a request by William L. Page for a two-year extension (to February 4, 2024) of the time limit to begin construction of the Best Western Hotel in the Gold Hill Square South Building #6 PUD zone district pursuant to Municipal Code §18.30.050. Schminke shared that as there are no regulations to assess, staff does not have a position or recommendation on this extension request. The Planning Commission has recommended that City Council grant the two-year extension, with the approving resolution clearly stating that the development is still subject to all of the conditions and dimensional standards specified with the original approval of PUD15-001 in January 2016.

The council welcomed Bill Page to the podium for questions. Following Council discussion, the following motion was made.

Motion: Approve Resolution No. 887, Series 2022 Best Western Hotel PUD Extension. Nakai/Case. Motion carried 5-0.

B. Approve Resolution 886, Series 2022, a Resolution establishing the Single Family Residential Tap Allotment for 2022.

(Presenter Deputy City Manager/Director of Operations Kip Wiley)

Deputy City Manager/Director of Operations Kip Wiley reviewed Resolution No. 886, Series 2022. Wiley shared the following: The City's Water Tap Management plan adopted in 1997 provides the mechanism by which the City controls single family residential (SFR) water tap sales so that growth in the City stays compatible with the City's water supply. The plan requires a periodic assessment of water supply and demand and an annual allotment of SFR water taps. For 2022 the total recommended single family water tap allotment is 80, increasing 6 taps from the 2021 allotment. The 2022 water tap allotment includes 60 taps based on the water supply and the most recent tap planning number of 999; and it includes 20 taps available from the borrow bank set up as part of the original water tap management plan. The 2022 tap planning number was increased from 2021. This increase was due to the release of the new census data. The 2020 census numbers revealed 2.22 people per dwelling unit (ppdu). The previous census was 2.47 ppdu. The new 2.22 ppdu calculates to a small population than previously used and therefore creating more water taps available in the future. The City will continue to planning using the same water usage per person and will still serve a buildout population of 12,600. The interesting fact with the new census numbers are with our current water demand it shows that people are using more water than we thought. Same water being use with a small population than anticipated. We will continue to monitor water usage and adjust our water planning number per person if we need to.

There being no Council discussion the following motion was made.

Motion: Approve Resolution 886, establishing the number of Single Family Residential water taps available for the year 2022 at 80. Zuluaga/Neal. Motion carried 5-0.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Pro-tem Case shared the events for the next two weeks.

B. Council Reports

Councilmember Neal shared a DDA update.

Councilmember Zuluaga shared a PPACG update.

C. City Attorney's Report

City Attorney Nina Williams shared that she would be furnishing the Council with a Quarterly Litigation Report.

D. City Manager's Report

1. Water update
(Deputy City Manager/Director of Operations Kip Wiley)
2. Sales and Lodging Revenue update as of December 31, 2021.
(Presenter, Finance Director Aaron Vassalotti)

Following Finance Director Aaron Vassalotti's presentation of the Sales and Lodging Revenue update as of December 31, 2021, Council asked if in the next report Vassalotti could show the monies collected from Hotels vs. STR's.

City Manager Lawson shared that the City is finishing up the Police Chief recruitment and will be able to make an announcement next week.

12. ADJOURNMENT

9:45 PM

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2021


Hilary LaBarre, Mayor Pro-tem