

City of Woodland Park

December 1, 2022 at 7:00 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor LaBarre called the City Council Meeting to order at 7:02 PM.

The following Council members were present: Mayor LaBarre, Mayor Pro-tem Case, Councilmember Connors, Councilmember Nakai, Councilmember Neal, Councilmember Ott and Councilmember Zuluaga.

The following staff members were present: City Manager Lawson, Deputy City Manager/City Clerk Leclercq, Sergeant Sanchez, Parks and Recreation Director Keating, Finance Director Vassalotti, Assistant to the City Manager Johnson, City Attorney Williams, City Engineer Ben Schmitt. Planning Director Schminke appeared via zoom.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Presentation from the Keep Woodland Park Beautiful Committee on proposed median improvements.
(Presenter, Staff Liaison to KWPB, Grace Johnson)

Assistant to the City Manager Grace Johnson introduced Jeanette Horwood and Claudia Miller from the Keep Woodland Park Beautiful Committee. The Committee members shared a presentation on improvements to the medians on Highway 24.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

- A. Approval of the November 17, 2022 Regular City Council Meeting minutes. (A)
(Presenter, Deputy City Manager/City Clerk Suzanne Leclercq)

City Clerk Leclercq reviewed the City Council minutes with the Council.

Motion: To approve the November 17, 2022, regular City Council Meeting minutes. Nakai/Connors. Motion carried 7-0.

- B. Enter into Intergovernmental Agreement between the City of Woodland Park and Colorado Department of Transportation for Hwy 67 improvements. (A)
(Presenter, City Engineer Ben Schmitt)

This item was moved to 10A.

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

Sharon Richardson shared information on a petition that is being circulated by the group called Protecting Residential Property Rights. The petition is a referendum repealing Ordinance No. 1431, regarding Short Term Rentals.

7. UNFINISHED BUSINESS

(Public Comment may be heard)

- A.** Telecommunications Master Plan briefing (continued from 9/1 regular meeting)
(Presenters, City Manager Michael Lawson and Ken Price, HR Green)

Ken Price, Dave Merrett and Dave Zelenok shared a presentation from HR Green.

HR Green shared an overview of completed tasks to date. The tasks completed included creating conceptual network designs, developing cost estimates for designs, stake holder engagement, visioning surveys and sessions and a telecommunications master plan. HR Green shared their conceptual design and selected underground network design. HR Green shared their estimated high - level cost breakdown and the total cost with fiber trade of \$1,885,400. HR Green briefly reviewed the broadband models once again with the Council that they had selected Service Model #3. HR Green reviewed that Service Model #3 consisted of a Hybrid Ownership mode where the City constructs the middle-mile network to interconnect City facilities. The City owns the physical assets that make up the network, such as conduit and fiber optic cables. The City could seek potential partners from the private sector to operate and maintain the network, as well as to provide services over it and private sector partners could lease unused conduit and/or unused or "dark" fiber cable strands to build out a last mile network.

HR Green shared their recommendations for next steps:

- Recommendation #1 – Evaluate Funding Alternatives
- Recommendation #2 – Map Existing Infrastructure
- Recommendation #3 – Provider Outreach
- Recommendation #4 – Perform a Market Assessment
- Recommendation #5 – Develop Public Policies
- Recommendation #6 – Explore & Establish P3s
- Recommendation #7 – Finalize Detail Designs & Costs
- Recommendation #8 – Pursue / Acquire Funding – Grants, etc.
- Recommendation #9 – Construct Core Network

HR Green shared that the next step is to evaluate funding alternatives.

They shared that detailed research of funding sources could help offset infrastructure costs. Also, grants and other funding options can have a significant positive impact on the scope, feasibility, and options of the broadband project. HR Green shared that the federal government and state legislatures across the country have recognized the need for broadband funding support.

HR Green shared the creation of the maps of the existing infrastructure, sharing that they would be documenting existing assets and architecture, for both public and private. They would evaluate the community's existing fiber-optic network and its architecture. The evaluation will reflect existing conduits, fiber-optic, vaults, boxes and related outside plant infrastructure. They would implement a GIS based mapping tool and not only would the tools show current information, but the tools also provide the ability to do near real time modeling. HR Green shared what they would be doing as far as provider outreach. They would identify local fiber and broadband providers, identify provider's deployed fiber assets and help reach cooperative agreements with providers, leading to the creation of cost sharing and right of way protecting joint use infrastructure.

HR Green shared with the Council what they would be doing as far as Market Assessment. They would develop an understanding of coverage. Service offerings of each primary provider will need to be examined, cataloged and compared with a few other communities of similar size. They would be verifying the industry reported data received via the City's engagement program held in 2021.

HR Green shared the next steps in developing public policies that would include the following:

- Joint-Build initiatives with the private sector
- Piggybacking and dig-once ordinances enacted by the City Council
- Incentives to discourage open trenching, and to encourage co-location
- Undergrounding of the appurtenant structures to preserve views, enhance safety, minimize impact on pedestrian circulation in key areas and mitigate impacts to the public rights-of-way
- Required co-locations for private sector providers and specifications for new developers
- Exploring street cut and pavement degradation fee exemptions and other complementary initiatives
- Creating fiber construction specifications

HR Green shared how they would explore and establish partnerships through identifying one or more potential-for-profit partners who are interested in leasing the core network asset, and in building and managing last-mile connectivity. They would develop a request for expressions of interest that they would send to the list of potential partners, process responses to the list and select potential partners based on the level of interest. They also shared that they would develop a process to have preliminary discussions with CDOT about possible fiber trade and facilitate negotiations between Woodland Park, El Paso County and CDOT.

HR also shared how they would finalize detailed designs and costs by developing a detailed final network design, developing final network design cost estimates and performing financial analysis. They would have a GIS Map and a report of final network design, a cost estimate and supporting documentation for network deployment and interconnection, a financial analysis, Pro Forma and Excel Workbook.

HR Green reviewed that they would pursue and acquire funding through grants etc. The grant funding would need to be identified and committed and grant applications should be submitted as soon as practical to cover final engineering design and construction of the proposed City-owned network. HR Green shared that a coordinated approach could assure both the private sector and the City of the availability of state and/or federal funds to complete both the City-owned middle mile network and the last mile connections.

HR Green report regarding the next steps would be to construct a core network (optional), which would

include a field survey, OSP Network Design, creating permits, contractor selection and project inspection and coordination. They also shared their time lines with the Council.

Following Council questions, HR Green concluded their presentation.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

9. PUBLIC HEARINGS

(Public comment may be heard)

- A.** Approve transfer of a Retail Liquor Store License for Gold Hill Wine and Liquor located at 797 Gold Hill Place, Woodland Park, CO 80863. (QJ)
(Presenter, Deputy City Manager/City Clerk Suzanne Leclercq)

City Clerk Leclercq reviewed the liquor license application for Gold Hill Wine and Liquor with the Council.

Leclercq reported that the applicant was Melissa Nuanes. Leclercq reviewed that her application was received into the City Clerk's office on October 6, 2022. The property was posted on November 21, 2022 and the public notice was placed on the City's website on November 21, 2022. Leclercq reviewed that the character of the applicants was not an issue for this hearing and that all applicable fees had been paid. Melissa Nuanes and her husband shared some of the plans that they had for Gold Hill Liquors.

Mayor LaBarre opened up the Public Comment portion of the Public Hearing. There being no Public comment, Mayor LaBarre closed the public hearing.

Motion: to approve the transfer of a Retail Liquor Store License for Gold Hill Wine and Liquor located at 797 Gold Hill Place, Woodland Park, CO 80863. Case/Nakai. Motion carried 7-0.

- B.** Approve Ordinance No. 1432, Series 2022, an Ordinance of the City Council for the City of Woodland Park Colorado further extending a Temporary Moratorium on the Submission Acceptance, Processing and Approval of application for Short-Term Rental Licenses. (A)
(Presenter, City Attorney Nina Williams)

City Attorney Williams reviewed Ordinance No. 1432, Series 2022 with the Council. There being no Council discussion, Mayor LaBarre opened up the Public Comment portion of the Public Hearing. There being no public comment, Mayor LaBarre closed the public hearing. Councilmember Neal asked if the moratorium was stopped on January 1st, would the STR's revert back to the old rules. Williams answered that they would.

Motion: To approve Ordinance No. 1432, Series 2022, an Ordinance of the City Council for the City of Woodland Park further extending a Temporary Moratorium on the Submission, Acceptance, Processing and Approval of application for Short Term Rental Licenses. Ott/Case. Motion carried 6-1 with Neal voting no.

- C. Approve Amended Ordinance No. 1433, Series 2022, an Ordinance Appropriating Sums of Money to Various Funds, in the Amounts and for the Purpose Set Fourth for the City of Woodland Park, Colorado for the 2023 Budget Year for the General Fund. (A)
(Presenter, Finance Director Aaron Vassalotti)

Finance Director Vassalotti reviewed Ordinance No. 1433, Series 2022 with the Council.

Following questions from the Council, Mayor LaBarre opened up the Public Comment portion of the Public Hearing.

Bob Carlsen shared with the Council that they should refund excess revenues to the citizens.

There being no further public comment, Mayor LaBarre closed the Public Hearing.

Motion: To approve Amended Ordinance No. 1433, series 2022, an Ordinance Appropriating Sums of Money to Various Funds, in the Amounts and for the Purpose Set Fourth for the City of Woodland Park, Colorado for the 2023 Budget Year General Fund. Case/Ott. Motion carried 7-0.

- D. Approve Ordinance No. 1434, Series 2022, an Ordinance Appropriating Sums of Money to the Various Funds, in the Amounts and for the Purpose set Fourth for the City of Woodland Park, Colorado for the 2023 Budget Year for All Funds Except the General Fund.(A)
(Presenter, Finance Director Aaron Vassalotti)

Finance Director Aaron Vassalotti reviewed Ordinance No. 1434, Series 2022 with the Council.

There being no Council questions or comment, Mayor LaBarre opened up the Public Comment portion of the Public Hearing.

Arnie Sparnins shared that the Council should drop the \$40, 000 allocated for an STR Study. He shared that it was a waste of the taxpayers' dollars.

There being no further Public Comment, Mayor LaBarre closed the Public Comment portion of the Public Hearing.

Motion: To approve Ordinance No. 1434, Series 2022 an Ordinance Appropriating Sums of money to the Various Funds, in the Amounts and for the Purpose set fourth for the City of Woodland Park, Colorado for the 2023 Budget Year for all Funds Except the General Fund. Nakai/Neal. Motion carried. 7-0.

- E. Approve Ordinance No. 1435, Series 2022, to amend the 2022 Budget Expenditure Appropriation, (Budget Supplemental Ordinance). (A) (Presenter, Finance Director Aaron Vassalotti)

Finance Director Aaron Vassalotti reviewed Ordinance No. 1435, Series 2022 with the Council.

There being no Council discussion or Public Comment, the following motion was made.

Motion: To approve Ordinance No. 1435, Series 2022, to amend the 2022 Budget

Expenditure Appropriation, Budget Supplemental Ordinance. Ott/Zuluaga. Motion carried. 7-0.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Approve Resolution No. 896, Series 2022, a Resolution of the City Council for the City of Woodland Park, Colorado, Approving an Intergovernmental agreement with the Colorado Department of Transportation for Project STU M381-024 (25165) SH 67 Lovell Gulch to Valley View. (A)
(Presenter, City Engineer Ben Schmitt)

City Engineer Schmitt reviewed Resolution No. 896, Series 2022 with the Council.

Motion: To approve Resolution No. 896, Series 2022, a Resolution of the City Council for the City of Woodland Park, Colorado Approving an Intergovernmental Agreement with the Colorado Department of Transportation for a Project on Highway 67 Lovell Gulch to Valley View. Case/Ott. Motion carried 7-0.

- B.** Approve Resolution No. 897, Series 2022, a Resolution Levying General Property Taxes for the Year of 2022, to Help Defray the Cost of Government for the City of Woodland Park, Colorado, for the 2023 Budget Year. (A)
(Presenter, Finance Director Aaron Vassalotti)

Finance Director Aaron Vassalotti reviewed Resolution No. 897 with the City Council.

Bob Carlsen spoke in favor of reducing the Mil Levey.

Motion: To approve Resolution No. 897, Series 2022, Resolution Levying General Property Taxes for the Year of 2022, to help defray the Cost of Government for the City of Woodland Park, Colorado for the 2023 budget Year. Zuluaga/Ott. Motion carried 7-0.

11. REPORTS

(Public comment not necessary)

- A.** Mayor's Report

Mayor LaBarre reviewed the events for the upcoming two weeks and wished everyone a Happy Holiday Season.

- B.** Council Reports

Each Councilmember wished the Public a very Happy Holiday Season.

- C.** City Attorney's Report

None.

- D.** City Manager's Report

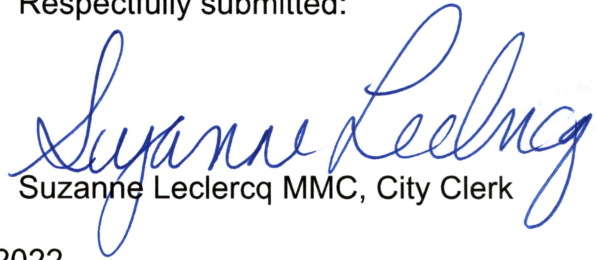
City Manager Lawson received a consensus from the Council to cancel the December 15, City Council Meeting.

City Clerk Leclercq shared information on the Letter of Intent regarding a Referendum on Ordinance No. 1431, Series 2022 that she received.

12. ADJOURNMENT

Mayor LaBarre adjourned the Council Meeting at 8:55 PM.

Respectfully submitted:



Suzanne Leclercq MMC, City Clerk

APPROVED THIS 5th DAY OF January 2022



Hilary LaBarre, Mayor