

RECORD OF PROCEEDINGS

TOWN OF KREMMLING REGULAR TOWN BOARD MEETING April 19, 2023

The Board of Trustees, for the Town of Kremmling, met in the Boardroom located at 200 Eagle Avenue, Kremmling, Colorado 80459. With Mayor Grover Pryor presiding, the meeting was called to order at 6:01 PM. Trustees present: Trustee Miller, Trustee Bakke, Trustee Howell, Trustee Prewitt, Trustee Pesch and Mayor Pro Tem Sammons. Staff present: Town Manager Ashley Macdonald, Interim Police Chief Jesse Lisenby, Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres, Code Enforcement Official Gary Green, Accounts Payable Clerk Rebekah Sanguinetti and Town Attorney Melinda Culley.

Conflicts of Interest: None.

Additions/Deletions to the Agenda: None.

Mayoral Announcements, Proclamations & Appointments

- Board of Adjustments Appointments
- Planning and Zoning Commission Appointment

Town Manager Ashley Macdonald presented one applicant and explained there are currently four vacancies on the Board of Adjustments and the non-elected members of the Planning and Zoning Commission may be Appointed as alternates to the Board of Adjustments. Ms. Macdonald also explained there was a recent resignation on the Planning Commission and staff has received an application for consideration.

MAYOR PRYOR APPOINTED Amanda Kochevar to the Board of Adjustments for a term of three years expiring in 2026.

MAYOR PRYOR APPOINTED Rannette Bakke as an alternate to the Board of Adjustments until all vacancies have been filled.

MAYOR PRYOR APPOINTED Alan Hassler as an alternate to the Board of Adjustments until all vacancies have been filled.

MAYOR PRYOR APPOINTED Chris Sammons to serve on the Planning and Zoning Commission for a term of 6 years expiring in 2029.

Consent Agenda:

Bill of Sale for Airplane Hangar, *OKC Hangar Investments, LLC* and Amendment to Kremmling Airport Hangar Ground Lease, *OKC Hangar Investments, LLC* pulled for discussion as New Business Item #1.

TRUSTEE HOWELL MOTION TO APPROVE the Consent Agenda excluding the Bill of Sale for Airplane Hangar and Amendment to Kremmling Airport Hangar Ground Lease. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

Citizen Comments:

Chris Sammons, *10th Street*, wished to compliment staff on their hard work and dedication to the Town of Kremmling. She also requested staff to clarify when referencing House or Senate Bills if they are State of Colorado or Federal Bills.

Bethany Aurin, *County Road 2201*, commented regarding the First Amendment to the Town Manager Contract, questioning Ms. McDonald's resumé and experience. She expressed concerns regarding the recent financial raises in the First Amendment to the Town Manager Contract.

Staff Reports:

Public Works Report: MAYOR PRYOR asked if there is a reason why we did not receive any bids for the paving projects. Mr. Willson explained the documents were pulled but no bids received and it has been an issue Statewide. MAYOR PRO TEM SAMMONS asked if it would be possible for Public Works employees to complete any paving projects on their own. TRUSTEE PESCH requested clarification regarding pothole repairs. Mr. Willson confirmed the Public Works crew has been working on pothole repairs and materials have been ordered and received.

Kremmling Police Department Report: TRUSTEE BAKKE requested clarification regarding Officer Hicks' training this summer. Chief Lisenby reported the trainings are going well and he is attending another one soon. MAYOR PRYOR requested an update regarding the Patrol Officers application process. Chief Lisenby reported three conditional offers have been extended to the applicants.

Town Manager Report: The Board had no questions regarding the Town Manager Report. Ms. Macdonald reported the grant that was applied for to assist with the water tank coating has been moved on to the next level of review.

Town Engineer Report: The Board had no questions regarding the Town Engineer Report.

Town Attorney Report: The Board had no questions for the Town Attorney.

Local Liquor Licensing Authority:

The Local Liquor Licensing Authority convened at 6:21 PM.

1. Special Events Permit Application, Kremmling Area Chamber of Commerce

Ms. Serres presented the Special Events Permit Application and explained the Kremmling Area Chamber of Commerce has submitted the correct application documents and fees for Special Events Permits on May 5th, June 16th, June 17th, July 1st, and July 4th. Staff and the Kremmling Police Department have no issues regarding these special event dates. Public notice was posted on the property on April 9, 2023 and no petitions or protests have been received to date.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the special events permit application for the Kremmling Area Chamber of Commerce as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

2. Special Events Permit Application, Middle Park Fair and Rodeo

Ms. Serres presented the Special Events Permit Application and explained Middle Park Fair and Rodeo has submitted the correct application documents and fees for Special Events Permits on May 6th, June 9th, June 23rd, July 7th, July 21st, and August 8th through 13th. Staff and the Kremmling Police Department have no issues regarding these special event dates. Public notice was posted on the property on April 9, 2023 and no petitions or protests have been received to date.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the special events permit application for Middle Park Fair and Rodeo as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

Adjourned as the Local Liquor Licensing Authority and reconvened the Town of Kremmling Board of Trustees Regular Meeting at 6:25 PM.

New Business:

- 1. Discussion and Action - Bill of Sale for Airplane Hangar, OKC Hangar Investments, LLC & Amendment to Kremmling Airport Hangar Ground Lease, OKC Hangar Investments, LLC:**

This item was pulled from the Consent Agenda for discussion.

Discussion included the following topics:

- Clarification regarding the intent of the documents.
- Clarification regarding Grand County's versus the Town's roles.

TRUSTEE BAKKE MOTION TO APPROVE the Bill of Sale and Amendment to Kremmling Airport Hangar Ground Lease for OKC Hangar Investments, LLC. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

2. Discussion and Action - Resolution No. 2023-04-02 A Resolution Of The Town of Kremmling In Opposition To Statewide Land Use And Zoning Preemptions In Senate Bill 23-213:

Ms. Macdonald presented Resolution No. 2023-04-02 and explained Senate Bill 23-213 will preempt municipal land use rights and zoning laws. The Planning and Zoning Commission and Colorado Municipal League recommend approval of the Resolution to oppose Senate Bill 23-213.

TRUSTEE BAKKE MOTION TO APPROVE Resolution No. 2023-04-02 as written. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

3. Discussion and Action - West Grand After-Prom Committee Donation:

Ms. Serres presented the West Grand After-Prom Committees asking for a donation for the annual safe after prom party.

MAYOR PRO TEM SAMMONS MOTION TO DONATE \$300 to the West Grand After-Prom Committee. TRUSTEE BAKKE SECONDS. Voice vote taken; 5 "aye" votes, 1 "nay" vote. MOTION PASSED.

4. Discussion and Action - Water Treatment Plant Improvements Construction Manager at Risk Bid Update:

Mr. Willson provided the Board with an update regarding the Water Treatment Plant Improvements Construction Manager at Risk Bids. The Town received six proposals and is requesting the Board to select two Board members to assist staff with selecting two or no more than three proposals to be presented for award at the next Regular Board of Trustees meeting.

TRUSTEE HOWELL MOTION TO APPOINT TRUSTEE PREWITT AND MAYOR PRO TEM SAMMONS to assist in the Water Treatment Plant Construction Manager at Risk selection of two and no more than three proposals to be presented for consideration at the May 17th Regular Board of Trustee Meeting. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

5. Discussion and Action - Resolution 2023-04-01 A Resolution Authorizing the Town Manager to Enter Into Construction Contracts for the 2023 Roadway Projects:

Ms. Macdonald explained the Town received zero bids for the 2023 Roadway Improvements Project and Town staff has determined that it is in the best interest of the Town to divide the Project into smaller projects and to solicit bids through the competitive informal bid process described in the Town's Comprehensive Financial Management Policies.

TRUSTEE MILLER MOTION TO APPROVE Resolution No. 2023-04-01 with a not to exceed amount of \$100,000. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

6. Discussion and Action - Water Service Outside Town Limits Ordinance No. 708:

Ms. Macdonald presented Ordinance No. 708 explaining the Municipal Code currently prohibits the Town from providing water service to anyone outside of Town limits. Staff has received

requests from Estates at the Bluff and the Town of Hot Sulphur Springs to provide water service outside of Town limits.

Discussion included the following topics:

- Clarification regarding bulk water permits the Town currently offers.
- Clarification regarding potential future Water Services Agreements.

TRUSTEE PREWITT MOTION TO ADOPT Ordinance No. 708 as an Emergency Ordinance. MAYOR PRO TEM SAMMONS SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

7. Discussion and Action - Pre Annexation and Water Services Agreement - Estates at the Bluff:

Ms. Macdonald presented the Pre Annexation and Water Services Agreement and introduced Brett Garner, the owner of Estates at the Bluff formerly known as Rayners Mobile Home Park. In order for the Town to provide municipal water to Estates at the Bluff, a mobile home park expansion outside of Town limits, has to be annexed or a change to the Municipal Code to allow outside of Town water users.

Discussion included the following topics:

- Clarification regarding the number of homes that will be added.
- Clarification regarding the type of homes and landscaping plans.
- Clarification regarding the timeline of construction plans and annexation.
- Clarification regarding the utility service provider before and after annexation.

TRUSTEE PREWITT recused himself from voting at 7:11 PM.

TRUSTEE MILLER MOTION TO APPROVE the Pre Annexation and Water Services Agreement for Estates at Bluff as presented in the packet. TRUSTEE HOWELL SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

TRUSTEE PREWITT returned to the Regular Board of Trustees meeting at 7:11 PM.

8. Discussion and Action - First Amendment to Town Manager Employment Agreement:

Ms. Culley presented the First Amendment to Town Manager Employment Agreement and explained after a citizen concern regarding transparency the First Amendment is being brought back to the Board for a vote to ensure full transparency.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the First Amendment to Town Manager Employment Agreement as presented in the packet. TRUSTEE MILLER SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

9. Discussion Item - Kremmling Municipal Code. 2.04.140 Appointment of Officers:

TRUSTEE HOWELL requested discussion regarding Kremmling Municipal Code (KMC) 2.04.140. After further research, staff discovered the executed Ordinance No. 701 amending KMC 2.04.140 adopted September 23, 2020, does not reflect the Boards discussion or decision. Staff with the help of Town Attorney Melinda Culley have identified other issues of executed Ordinances and will work to solve the issues and update the Code Book accordingly.

10. Discussion and Action - Support of the Second Amendment:

TRUSTEE BAKKE requested discussion regarding the Board of Trustees to reaffirm their support of the Second Amendment. Staff prepared and presented two letters to send to the Speaker of the House and Grand County Sheriff's Office.

TRUSTEE HOWELL MOTION TO APPROVE and send the two letters presented in the packet. TRUSTEE PESCH SECONDS. Voice vote taken; all "aye" votes. MOTION PASSED.

11. Discussion Item - Town Manager Contract and Kremmling Municipal Code 2.08:

TRUSTEE MILLER requested discussion regarding the different requirements of the Municipal Code versus the executed Town Manager Contract.

Discussion included the following topics:

- The Town Manager residency requirement should be evaluated on a case by case basis.
- Official versus Officer references in the Municipal Code.
- Whether or not Title 2 of the Kremmling Municipal Code needs to be updated.

Presentations:

1. Code Enforcement Update

Code Enforcement Official Gary Green provided an update regarding Code Enforcement compliance and the future pathway. He explained the Town receives one official complaint a week and over seventy-five percent of resolutions are voluntary compliance. Mr. Green highlighted next steps which include; continuing addressing complaints with voluntary means, promoting the Town Clean-Up day, reviewing and presenting Code modifications, and enhancing code enforcement for procedurally, legally, and effectively sound implementation.

2. Finance Director/Treasurer Update

Ms. Macdonald provided an update regarding the end of year 2022 and first quarter 2023 financial information. She explained the Town is close to reaching the reserve goals established in the adopted Comprehensive Financial Management Policies. Ms. Macdonald explained the Board adopted a deficit spending budget for the year of 2022 however, due to increased sales tax revenue and delayed capital projects, all completed capital projects were funded from the general fund and did not require using reserves. She explained the first quarter 2023 general fund status highlighting that sales tax revenue has seen an increase compared to previous years and monthly expenditures have decreased compared to previous years.

Board of Trustee Reports: None.

Other: None.

Adjournment:

MAYOR PRO TEM SAMMONS MOTION TO ADJOURN. Voice vote taken; all "aye" votes.
MEETING ADJOURNED at 8:24 PM.



Teagan Serres, Town Clerk



Grover Pryor, Mayor