

RECORD OF PROCEEDINGS

TOWN OF KREMMLING REGULAR TOWN BOARD MEETING August 16, 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 6:00 PM. Trustees present: Trustee Bakke, Trustee Howell, Trustee Prewitt and Mayor Pro Tem Sammons, Trustee Pesch and Trustee Miller. Staff present: Town Manager Ashley Macdonald, Police Chief Jesse Lisenby, Public Works Director Dillon Willson, Town Clerk & Treasurer Teagan Serres and Accounts Payable Clerk Rebekah Sanguinetti.

Conflicts of Interest: None.

Additions/Deletions to the Agenda:

Ms. Serres informed the Board of Trustees of an addition to Correspondence. The Governing Board Letter from the auditor regarding the completed 2022 Audit was received shortly before the Regular Meeting.

Mayoral Announcements, Proclamations & Appointments

- Chief of Police Appointment and Oath of Office

Jesse Lisenby was appointed as the Chief of Police at the July 19, 2023 Regular Board of Trustees Meeting. Mayor Pryor led Chief Lisenby in his Oath of Office.

Citizen Comments:

Michele Mierzykowski, *8th Street*, commented regarding the Town Square Pavilion Project. She thanked the Board of Trustees for the Community designed pavilion and provided an update regarding current donations, volunteers, landscaping and electrical plans.

Consent Agenda:

TRUSTEE MILLER MOTION TO APPROVE the Consent Agenda. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

Staff Reports:

Public Works Report:

- TRUSTEE PESCH requested an update regarding the Pavilion Project. Mr. Willson confirmed the Pavilion is still in the process of being constructed, however, the water

main was broken during construction, the lines have been located and the project will be rerouted.

Kremmling Police Department Report:

- The Board had no questions for the Chief of Police.

Town Manager Report:

- TRUSTEE PESCH requested clarification regarding collecting donations for projects. Ms. Macdonald confirmed Town employees are not soliciting for donations, a community member is soliciting donations for accessories and fixtures for the pavilion project. Ms. Macdonald reported the Highway 40 Pedestrian Path will be underway soon pending a survey and the Construction Contract has been executed.

Local Liquor Licensing Authority:

MAYOR PRO TEM SAMMONS MOTION TO pause the Regular Meeting of the Board of Trustees and open the Local Liquor Licensing Authority. TRUSTEE HOWELL SECONDS. Roll Call Vote was taken; Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch and Trustee Miller. 6 “aye” votes, 0 “nay” votes; MOTION PASSED.

Renewal of The Dean West Hotel & Restaurant Liquor License:

Ms. Serres presented the renewal application for the Dean West and reported no departments had any issues regarding the liquor license, the applicant is current with sales tax and the applicant has legal possession of the premises through a lease agreement.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the renewal of the Dean West Hotel & Restaurant Liquor License. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

Public Hearing - New Fermented Malt Beverage and Wine Off-Premises License at 101 North 9th Street, *Family Dollar Stores of Colorado, LLC*:

MAYOR PRYOR opened the Public Hearing for the New Fermented Malt Beverage and Wine Off-Premises License for Family Dollar Stores of Colorado, LLC at 6:15 PM.

Ms. Serres presented Family Dollar Stores of Colorado, LLC New Fermented Malt Beverage and Wine application. The application is complete and no departments reported any issues regarding the application. A summary report was provided to the Local Liquor Licensing Authority and

notice of this hearing was posted at the location as well as published in the newspaper in accordance with State law.

MAYOR PRYOR announced the boundaries and entered the application as contained in the Authority's packet into the record of the hearing. There were no objections to the boundaries of the neighborhood or the application on record.

Public Comments: Alan Hassler, *Range Avenue*, commented concerns regarding Manager Registrations and proper alcohol sales training on account of high turnover in Kremmling.

MAYOR PRYOR closed the Public Hearing for the New Fermented Malt Beverage and Wine Off-Premises License for Family Dollar Stores of Colorado, LLC at 6:21 PM.

TRUSTEE PESCH MOTION TO APPROVE the Fermented Malt Beverage and Wine Off-Premises application for Family Dollar Stores of Colorado, LLC at 101 North 6th Street. TRUSTEE HOWELL SECONDS. Roll Call Vote was taken; Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch and Trustee Miller. 6 "aye" votes, 0 "nay" votes; MOTION PASSED.

Public Hearing - Transfer of Ownership of Beer & Wine License at 413 Park Avenue, Diggity's Concepts, LLC:

MAYOR PRYOR opened the Public Hearing for the Transfer of Ownership of Beer & Wine License at 413 Park Avenue for Diggity's Concepts, LLC at 6:23 PM.

Ms. Serres presented Diggity's Concepts, LLC Transfer of Ownership application. The application is complete and no departments reported any issues regarding the application. A summary report was provided to the Local Liquor Licensing Authority and notice of this hearing was posted at the location in accordance with State law.

MAYOR PRYOR entered the application as contained in the Authority's packet into the record of the hearing. There were no objections to the application on record.

There were no public comments.

MAYOR PRYOR closed the Public Hearing for the Transfer of Ownership of Beer & Wine License for Diggity's Concepts, LLC at 6:27 PM.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE the Transfer of Ownership application for Diggity's Concepts, LLC at 413 Park Avenue. TRUSTEE PESCH SECONDS. Roll Call Vote was taken; Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch and Trustee Miller. 6 "aye" votes, 0 "nay" votes; MOTION PASSED.

TRUSTEE HOWELL MOTION to close the Local Liquor Licensing Authority and reconvene the Regular Board of Trustees Meeting. TRUSTEE PESCH SECONDS. Voice vote taken; all “aye” votes. MOTION PASSED.

New Business:

1. Discussion and Action Item- Resolution No. 2023-08-01 A Resolution Allowing The Chief of Police to Reside Outside the Corporate Limits of The Town of Kremmling:

Ms. Macdonald presented Resolution No 2023-08-01 and explained the Kremmling Municipal Code states that the Chief of Police shall reside within the corporate limits of the Town unless otherwise approved by the Board of Trustees. Chief Lisenby was appointed as the Chief of Police at the July 19, 2023 Regular Meeting and currently does not live within the corporate limits of Town.

Discussion included the following topics:

- Eliminating that section of the Municipal Code versus the importance of the section of the Municipal Code. No direction was given to make adjustments to the Municipal Code; instead the Board will continue to make discretionary allowances on a case-by-case basis.

MAYOR PRO TEM SAMMONS MOTION TO APPROVE Resolution No. 2023-08-01 as presented. TRUSTEE HOWELL SECONDS. Voice vote taken; 6 “aye” votes, 0 “nay” votes MOTION PASSED.

2. Discussion and Action Item - Resolution No. 2023-08-02 A Resolution Adopting A Code Enforcement Policy For The Town of Kremmling:

Ms. Macdonald and Chief Lisenby presented Resolution No. 2023-08-02 to adopt the proposed Code Enforcement Policy. The proposed policy will provide staff with clear direction for prioritizing, processes, and communication to the Board and community about code enforcement violations.

Public Comments: Alan Hassler, *Range Avenue*, commented in favor of the proposed policy, however, also commented concerns regarding recognizing building code and health and safety violations.

Discussion included the following topics:

- The numerous platforms and processes the Town receives complaints.
- The possibility to revise the policy when health and safety is compromised.

- Clarification regarding how other municipalities and Grand County handle code violations.

TRUSTEE MILLER MOTION TO APPROVE Resolution No. 2023-08-02 as written.

TRUSTEE PESCH SECONDS. Voice vote taken; vote unclear. Mayor Pryor called for a roll call vote. Roll call vote taken; Trustee Miller, “aye”, Trustee Pesch, “aye”, Trustee Bakke, “nay”, Trustee Howell, “nay”, Trustee Prewitt, “aye”, Mayor Pro Tem Sammons, “aye”. 4 “aye” votes, 2 “nay” votes; MOTION PASSED.

Presentations:

- Finance Director/Treasurer Report

Ms. Macdonald and Ms. Serres provided an update regarding the second quarter 2023 financial information, 2022 audit status and reserve goals.

Executive Session:

TRUSTEE HOWELL MOTION TO ENTER EXECUTIVE SESSION for discussion of a personnel matter under C.R.S. Section 24-6-402(2)(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 regarding Town Manager employment matter. TRUSTEE PREWITT SECONDS. Roll Call Vote was taken; Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch and Trustee Miller. 6 “aye” votes, 0 “nay” votes; MOTION PASSED.

The Executive Session concluded at 7:14 PM; and no decisions were made during the Executive Session. The recording will reside with Mayor Pryor for 90 days. Those present during the executive sessions were: Mayor Pryor, Mayor Pro Tem Sammons, Trustee Prewitt, Trustee Howell, Trustee Bakke, Trustee Pesch, Trustee Miller and Town Manager Ashley Macdonald.

Report from Executive Session:

1. DISCUSSION, DIRECTION OR ACTION. Town Manager Employment Matter.

Mayor Pryor reported the Board of Trustees met with the Town Manager to discuss a personnel matter regarding the Town Managers Employment Agreement that may or may not come back for action at a later date.

Board of Trustee Reports:

TRUSTEE PREWITT reported there are multiple large code violations at a particular property that have never been dealt with. TRUSTEE MILLER reported he met with Colorado Parks and Wildlife regarding a Take Permit and the second eagle left the nest. TRUSTEE HOWELL requested the Board of Trustees, Bureau of Land Management and Colorado Parks and Wildlife meet together to discuss the Take Permit. TRUSTEE PESCH requested an update regarding the Grand Cliffs Housing Development. Ms. Macdonald reported the Public Hearing is scheduled for September 13, 2023.

Adjournment:

MAYOR PRO TEM SAMMONS MOTION TO ADJOURN. Voice vote taken; all “aye” votes.
MEETING ADJOURNED at 7:19 PM.

Teagan Serres, Town Clerk

Grover Pryor, Mayor