

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES**

April 16, 2018

CALL TO ORDER REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees for the Town of Fairplay was called to order at 6:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Gabby Lane who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Interim Police Chief Bo Schlunsen, Town Treasurer Kim Wittbrodt, Assistant to the Town Administrator Mason Green, Deputy Town Clerk Claudia Werner and Special Events Coordinator Julie Bullock.

AGENDA ADOPTION

Motion #1 by Trustee Just, seconded by Trustee Stapp, that the agenda be adopted as presented. Motion carried unanimously.

CONSENT AGENDA (*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.*)

- A. APPROVAL OF MINUTES** – April 2, 2018
- B. APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$12,027.32.

Motion #2 by Trustee Douglas, seconded by Trustee Stapp, that the consent agenda be adopted as presented. A roll call vote was taken: Dodge - yes, Stapp – yes, Lane – yes, Douglas – yes, Just - yes. Motion carried unanimously.

UNFINISHED BUSINESS

- A. Other discussion items**

Mayor Elect Just presented outgoing Mayor Lane with an engraved rifle and thanked him for his years of service to the Town of Fairplay. Outgoing Mayor Lane said a few words and excused himself from the Board table.

OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS

Town Administrator/ Clerk Darrah administered the Oath of Office to Mayor Frank Just.

Mayor Just administered the Oath of Office for re-elected Trustees Eve Stapp and Ray Douglas.

SELECTION OF MAYOR PRO-TEM

Town Administrator/ Clerk Darrah stated that after each biennial municipal election, The board of Trustees must choose one of its members as Mayor Pro-Tem per F.M.C. Sec. 2-2-30.

Motion #3 by Trustee Dodge, seconded by Trustee Stapp, that the Board appoint Ray Douglas as Mayor Pro-Tem. Motion carried unanimously.

CITIZEN COMMENTS

No citizen comments were offered.

PUBLIC HEARING

- A. Should the Board Approve a Change of Location for a Hotel and Restaurant Liquor License for the South Park Pub and Grill, LLC, currently located in the Fairplay Hotel, 500 Main Street, and changing location to 517 and 523 Front Street as submitted by Ellen Canchola?**

The Public Hearing was opened by Mayor Just at 6:17 p.m.

Town Administrator/ Clerk Darrah presented the application submitted by Ellen Canchola of South Park Pub and Grill for a Change of Location for her Hotel and Restaurant Liquor License from the current location at the Fairplay Hotel to her new location at 517/523 Front Street. Information was provided regarding what the local authority can consider when reviewing the application, as well as the results of the investigation of this application. Staff finds that the application is complete, meets the requirements set forth in the Colorado Liquor Code and therefore recommends approval of the Change of Location application with a condition that the applicant receive a Certificate of Completion from the Building Department prior to the business opening.

Ellen Canchola was present to answer Board questions and speak on behalf of the Change of Location application.

Tom DeBonis, Lisa Langsly, Gabby Lane, Cassandra Hunt, Shawn Bowman, Jamie Rhodes, David Michael Smith and Kathryn McClurin spoke in favor of the Change in Location application. They cited that Ellen Canchola has been a supporter of the community and has provided much needed jobs to the ten staff members that she currently employs.

Dale Fitting, Deb Hamm, Mike Stone, Pamela Stone, Paula Goodro and Devon Underwood spoke in opposition to the Change in Location application. They cited concerns with the compatibility of a bar being located next door to the Hand Hotel and more specifically were concerned about the noise, smoke, parking problems and other disruptions that a second bar on Front Street may cause the neighborhood.

Ellen Canchola stated that she will do her very best to create a good environment for the neighborhood and has already secured additional parking for her customers.

Town Attorney Phillips asked the applicant if she intended to have any outdoor area included as part of the licensed area for serving and consumption of alcohol because it was not shown on the diagram included with her application.

Ellen Canchola stated that she would like a portion of the sidewalk and a patio area next to the building included in the licensed area.

The Board discussed concerns with sidewalk seating impeding foot traffic along Front Street and smoking in that area could be a nuisance to the neighboring properties.

Ellen Canchola stated that she would rather confine the licensed area to the inside of the building than delay the approval of her application for Change of Location.

Town Administrator/ Clerk Darrah and Town Attorney Phillips stated that the applicant could apply for a modification of premises and bring that before the Board at a later date, once the logistics for outside seating are defined by the applicant.

Public hearing was closed at 7:09 p.m. by Mayor Just.

Motion #4 by Trustee Dodge, seconded by Trustee Douglas, that the Board approve a change of location for a Hotel and Restaurant Liquor License for the South Park Pub and Grill, LLC, currently located in the Fairplay Hotel, 500 Main Street, and changing location to 517 and 523 Front Street as submitted by Ellen Canchola, with the conditions that the licensed area be confined to the interior of the building and that the applicant receive a Certificate of Completion from the Building Department prior to the business opening. Motion carried unanimously.

NEW BUSINESS

After each biennial municipal election, the Board of Trustees must appoint a Town Treasurer, Municipal Court Judge, Town Attorney, Town Clerk and Town Administrator – per F.M.C. Sec. 2-3-10.

- A. Should the Board Approve Adoption of Resolution No. 13, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING KIM WITTBRODT AS TOWN TREASURER."?
- B. Should the Board Approve Adoption of Resolution No. 14, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING BRIAN GREEN AS MUNICIPAL COURT JUDGE."?

- C. Should the Board Approve Adoption of Resolution No. 15, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING HERBERT C. (LEE) PHILLIPS AS TOWN ATTORNEY."?
- D. Should the Board Approve Adoption of Resolution No. 16, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING TINA DARRAH AS TOWN CLERK AND TOWN ADMINISTRATOR."?

Motion #5 by Trustee Douglas, seconded by Trustee Stapp, that the Board Approve Adoption of Resolution No. 13, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING KIM WITTBRODT AS TOWN TREASURER.", Resolution No. 14, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING BRIAN GREEN AS MUNICIPAL COURT JUDGE.", Resolution No. 15, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING HERBERT C. (LEE) PHILLIPS AS TOWN ATTORNEY.", and Resolution No. 16, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING TINA DARRAH AS TOWN CLERK AND TOWN ADMINISTRATOR.". Motion carried unanimously.

- E. Should the Board Approve Adoption of Resolution No. 17, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND MARCIA MCMAHON FOR THE DOG WORKS SIDING & FENCE PROJECT."?

Town Treasurer Wittbrodt presented the PIIP application submitted by Marcia McMahon for the Dog Works Siding and Fence Project and stated that it was complete and in compliance with the PIIP rules and regulations. The applicant is requesting \$3,605 from the Town towards the \$30,255 project that will include installing new siding, replacing/repairing window frames and staining the fence on the property at 200 Sixth Street. There is \$19,389 remaining in the PIIP budget for 2018 and Staff recommends approval.

Motion #6 by Trustee Dodge, seconded by Trustee Douglas, that the Board Approve Adoption of Resolution No. 17, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND MARCIA MCMAHON FOR THE DOG WORKS SIDING & FENCE PROJECT." A roll call vote was taken: Dodge - yes, Stapp – yes, Just - yes, Douglas – yes. Motion carried unanimously.

- F. Should the Board Approve Adoption of Resolution No. 18, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DHM DESIGN CORPORATION FOR MASTER PLANNING SERVICES FOR THE FAIRPLAY RIVER PARK DESIGN."?

Assistant to the Town Administrator Green presented the professional services agreement with DHM Design for the master planning services for the Fairplay River Park and stated that Staff recommends approval of Resolution No. 18.

Motion #7 by Trustee Douglas, seconded by Trustee Stapp, that the Board Approve Adoption of Resolution No. 18, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DHM DESIGN CORPORATION FOR MASTER PLANNING SERVICES FOR THE FAIRPLAY RIVER PARK DESIGN." A roll call vote was taken: Dodge - yes, Stapp – yes, Just - yes, Douglas – yes. Motion carried unanimously.

- G. Request for Donation from Destination Imagination for Global Finals

Gretchen Panicucci, a counselor at the South Park Schools, was present to explain what Destination Imagination is, explain that the Carrot Crusaders team was headed to Global Finals in Knoxville, Tennessee and stated that despite their fundraising efforts, they are looking for additional financial donations to cover their expenses which total approximately \$11,000.

Attorney Phillips and Trustee Dodge made personal cash donations to the Destination Imagination team.

Motion #8 by Trustee Douglas, seconded by Trustee Dodge, that the Board approve a \$200 donation to send the Destination Imagination team, "The Carrot Crusaders", to the Global Finals in Knoxville, Tennessee. A roll call vote was taken: Dodge - yes, Stapp – yes, Just - yes, Douglas – yes. Motion carried unanimously.

H. Award of Town Hall Exterior Painting Project

Assistant to the Town Administrator Green provided a written staff report, wherein he stated that Staff had contacted ten painting contractors regarding the Town Hall Exterior Painting Project and requested bids from all of them. Three of these contractors expressed interest in the job and did a site visit with Staff to understand the scope of work. H & H Services was the only contractor to return a bid by the April 12th deadline at a total job cost of \$9,200. Staff recommends that the Town Hall Exterior Painting Project is awarded to H & H Services.

Public Works Director answered Board questions regarding the project and the one bid that was received.

Motion #9 by Trustee Dodge, seconded by Trustee Douglas, that the Board approve the Personal Services Agreement with H & H Services for the Town Hall Exterior Painting Project. A roll call vote was taken: Dodge – yes, Stapp – yes, Just – yes, Douglas – yes. Motion carried unanimously.

I. Discussion Regarding Events/ Use of Town-Owned Properties

Special Events Coordinator Bullock provided a written staff report, wherein she provided information regarding Llama Day Hikes, Off the Grid Food Trailer, Contin-Tail Rock & Gem Show and a general 2018 events update, as well as an update on the Town's marketing efforts.

Kelvin Eldridge was present to answer Board questions regarding his proposal to use Town-owned property to offer llama hikes to the public, starting this Memorial Day.

Mike and Peggy Leczel were present to answer Board questions regarding their proposal to use the lot located at 401 Main Street to operate a mobile food trailer business by the name of Off the Grid. The Town has a Revocable License Agreement with the owner of this lot, Sam Mick, to use the property as a public parking lot and this agreement has been amended to allow a food trailer on it. The Board directed Staff to prepare a Revocable Sub-License Agreement for Board approval at the May 7th meeting.

Jay and Amy Penn were not able to attend the Board meeting because they are currently out of state and therefore, Special Events Coordinator Bullock provided the Board with details regarding the Contin-Tail Rock & Gem Show, including information on the development of the Town-owned parcel in the Cutthroat Subdivision off of Platte Drive for this and future events.

Special Events Coordinator Bullock stated that preparation and planning for all 2018 Town events are in progress and more specific details are listed in her staff report.

J. Other new business

Town Administrator/ Clerk Darrah stated that an invitation to fill the Board of Trustee vacancy will be published in the Fairplay Flume for two consecutive weeks.

Town Treasurer Wittbrodt informed that Board that Charlie Gordon is working with Staff on a PIIP application for the re-siding and re-roofing of his property located at 500 Front Street. She stated that he has paid \$4309 in property taxes to the Town over the past five years. Mr. Gordon and his contractor were present and showed the Board examples of the siding that they hope to use on the project. Staff will continue to work with Mr. Gordon to get a completed PIIP application, including a list of materials and job cost estimate. The applicant will also need to submit a Certificate of Appropriateness application for this project. Both applications will be placed on a future Board agenda for consideration and approval.

BOARD OF TRUSTEES AND STAFF REPORTS

Public Works Director Mead stated that sludge dewatering project is scheduled for next week and the 2018 paving and street improvements project is scheduled for the beginning of May.

Trustee Douglas congratulated the newly elected/ re-elected Board members.

Trustee Dodge expressed concerns regarding trash and dog at large issues in his neighborhood.

Mayor Just stated that the election campaign process was an opportunity to get a lot of valuable public input.

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402(4)(f) to discuss a personnel matter relating to the Public Works Director

Motion #10 by Trustee Dodge, seconded by Trustee Douglas, that the Board go into executive session at 8:43 p.m. for the purpose of discussing a personnel matter relating to the Public Works Director pursuant to C.R.S. Section 24-6-402 (4) (f). Motion carried unanimously.

Mayor Just announced that the meeting was back to open session at 8:54 p.m. The participants in the executive session were: Mayor Just, Trustees Dodge, Stapp and Douglas, Town Administrator/Clerk Darrah, Town Attorney Lee Phillips and Public Works Director Mead. Mayor Just announced that no action was taken in the executive session.

ADJOURNMENT

Mayor Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:55 p.m.

Frank Just, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk