

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

October 01, 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 Frank Just who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas and Cindy Bear. Also in attendance were Town Administrator Tina Darrah, Town Attorney Lee Phillips, Interim Police Chief Bo Schlunsen, Town Treasurer Kim Wittbrodt, Assistant to the Town Administrator Mason Green and Deputy Town Clerk Niki Griffin.

AGENDA ADOPTION

Motion #1 by Trustee Douglas, seconded by Trustee Stapp, that the agenda be approved 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** – September 17, 2018
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$66,939.51.

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

CITIZEN COMMENTS

No citizen comments were offered.

PRESENTATIONS

- A. Assistant to the Town Administrator Green explained that as part of the Colorado Municipal League (CML) Colorado Cities & Towns Week the Town of Fairplay partnered with Edith Teter Elementary School 3rd grade and 5th grade classes with an essay contest. One winner from each grade was selected to receive a cash prize and sit with the Board of Trustees for the remainder of the meeting. 3rd grade winner was Maddox Duke and 5th grade winner was Danyela Cravener.
- B. Mayor Just presented checks to several non-profit groups in Fairplay, Boys & Girls Club received a check for \$1000.00 for participating with food sales at the Hazel Miller summer concert, South Park Food Bank received a check for \$2835.00 for donated amounts from the Plein Air Arts Celebration held in September, and Friends of the Fairplay Community received a check for \$4850.30 for their assistance at various summer concerts and Plein Air.

UNFINISHED BUSINESS

- A. Should the Board Approve Adoption of Ordinance No. 4, series of 2018 entitled, "AN ORDINANCE ADDING A NEW 16-7-150 TO THE FAIRPLAY MUNICIPAL CODE RELATING TO TEMPORARY USE AND HOUSING DURING CONSTRUCTION"

Motion #3 by Trustee Stapp, second by Trustee Douglas to approve Ordinance No. 4 , series of 2018 entitled, **"AN ORDINANCE ADDING A NEW 16-7-150 TO THE FAIRPLAY MUNICIPAL CODE RELATING TO TEMPORARY USE AND HOUSING DURING CONSTRUCTION"**. Motion carried unanimously.

- B. Other discussion items

No other discussion items were offered.

NEW BUSINESS

- A. Should the Board Approve Adoption of Ordinance No. 6, series of 2018 entitled, “AN ORDINANCE REPEALING SUBSECTION 10-6-40(B)(1) OF THE FAIRPLAY MUNICIPAL CODE RELATING TO LOITERING FOR PURPOSE OF BEGGING.”?

Town Attorney Phillips explained that the Town received a letter from the American Civil Liberties Union stating that the current Ordinance 10-6-40(b)(1), was unconstitutional, and courts in Colorado have recognized that a plea for help is a communication that is protected by the First Amendment.

Motion #4 by Trustee Douglas, second by Trustee Stapp to approve Ordinance No.6, series of 2018 entitled, **“AN ORDINANCE REPEALING SUBSECTION 10-6-40(B)(1) OF THE FAIRPLAY MUNICIPAL CODE RELATING TO LOITERING FOR PURPOSE OF BEGGING”**. Motion carried unanimously.

- B. Should the Board Approve Adoption of Resolution No. 34, 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 CHAD SERUR FOR THE 700 FRONT STREET EXTERIOR PROJECT”?

Town Treasurer Wittbrodt presented the PIIP application submitted by Chad Serur, owner of 700 Front Street and stated that the application was complete and in compliance with the PIIP rules and regulations. The applicant is requesting \$664.00 from the Town towards the \$3500.00 project that will include prep and painting the house and building on the property at 700 Front Street. There is \$2,597.50 remaining in the PIIP budget for 2018 and Staff recommends approval.

Mayor Just thanked Town Attorney Phillips for devising the PIIP program.

Motion #5 by Trustee Douglas seconded by Trustee Stapp, that the Board Approve Adoption of Resolution No. 26, series of 2018, entitled, No. 34, 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 CHAD SERUR FOR THE 700 FRONT STREET EXTERIOR PROJECT”** A roll call vote was taken: Dodge - yes, Stapp - yes, Just - yes, Douglas - yes, Bear - yes. Motion carried unanimously.

- C. Other new business

No other new business offered.

BOARD OF TRUSTEES AND STAFF REPORTS

Assistant to the Town Administrator Green reported that students from the Blueprint 2.0 Grant, Grow Your Own Outdoor Recreation, will be in Fairplay on Wednesday talking to businesses and getting opinions about how outdoor recreation could be better utilized.

Town Administrator Darrah reminded those attending about the River Park Design Open House on Wednesday at 6:00 pm.

Trustee Bear reported how proud she was of her students and the quality of their essays and challenged them to help with Socktober Sock Drive for the South Park Food Bank.

Trustee Douglas congratulated Town Attorney Phillips on his retirement and thanked him for all his time spent working with the Town of Fairplay.

Trustee Dodge reported the essays provided by all the students were excellent and he appreciated the insight that each one brought.

Mayor Just reminded those attending about the River Park Design Open House on Wednesday at 6:00 pm.

ADJOURNMENT

Mayor Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 6:40 p.m.

Frank Just, Mayor

ATTEST:

Niki Griffin, Deputy Town Clerk