

TOWN OF EMPIRE
30 East Park Avenue –P.O. Box 100 Empire CO 80438-0100
303/569-2978 – 303/569-2282 fax

Board of Trustees
August 18, 2020

1. Call to Order

The meeting was called to order at 6:35 PM.

The meeting was held through Zoom – a web-based video conferencing platform. It took several minutes to confirm that everyone could see and hear the meeting.

2. Roll Call

Present: Mayor Wendy Koch, Trustee Sue Hauser, Trustee Denise Tennant, Trustee Linda Robertson, Trustee Lisa Kunze, Trustee Michael Ellington, Town Attorney Brandon Dittman, Police Chief John Stein, Town Clerk Jeannette Piel.

Absent: Trustee Richard McClellan.

A quorum was present at the meeting.

3. Approval of Agenda

TRUSTEE ROBERTSON MOTIONED TO APPROVE THE AGENDA FOR AUGUST 18, 2020, TRUSTEE KUNZE PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

4. Approval of Consent Agenda. These items will be approved collectively with one vote.

Minutes July 21, 2020

Bills July

TRUSTEE HAUSER MOTIONED TO APPROVE THE CONSENT AGENDA FOR AUGUST 18, 2020, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

5. Liquor Licensing Board:

TRUSTEE HAUSER MOTIONED TO ADJOURN AS THE BOARD OF TRUSTEES AND RECONVENE AS THE LIQUOR LICENSING BOARD, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

a. **Public Hearing of Guanella Pass Brewing Tavern License**

Public Hearing was opened.

TRUSTEE ROBERTSON MOTIONED TO APPROVE THE GUANELLA PASS BREWING TAVERN LICENSE, TRUSTEE KUNZE PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

b. **Umiya Associates (Valero) Liquor License Renewal**

TRUSTEE HAUSER MOTIONED TO APPROVE THE UMIYA ASSOCIATES LIQUOR LICENSE RENEWAL, TRUSTEE ROBERTSON PROVIDED THE

SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

- c. **Umiya Associates (Valero) Report of Change to Premises**
TRUSTEE HAUSER MOTIONED TO APPROVE THE UMIYA ASSOCIATES REPORT OF CHANGE TO PREMISES, TRUSTEE ELLINGTON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

TRUSTEE TENNANT MOTIONED TO ADJOURN AS THE LIQUOR LICENSING BOARD AND RECONVENE AS THE BOARD OF TRUSTEES, TRUSTEE HAUSER PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

6. Resolutions:

- a. **Resolutions 20-15 - A Resolution of the Town of Empire, Colorado, To Set Fees, for a Permit for the Use of OHV's Within the Limits of the Town of Empire as Permitted by Ordinance 231 as Amended.**
Since Ordinance 231 needs additional work before passing, the Board is not ready to pass the Resolution for the Permit Fees.
TRUSTEE HAUSER MOTIONED TO ADOPT RESOLUTION 20-15: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO, TO SET FEES, FOR A PERMIT FOR THE USE OF OHV'S WITHIN THE LIMITS OF THE TOWN OF EMPIRE AS PERMITTED BY ORDINANCE 231 AS AMENDED, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE OPPOSED, MOTION FAILED.
- b. **Resolution 20-16 – A Resolution of The Town of Empire, Colorado Modifying and Extending the COVID-19 Local Disaster Emergency Declaration**
The emergency resolution was extended for another thirty days.
TRUSTEE KUNZE MOTIONED TO ADOPT RESOLUTION 20-16: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO MODIFYING AND EXTENDING THE COVID-19 LOCAL DISASTER EMERGENCY DECLARATION, TRUSTEE ELLINGTON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED. Effective immediately.

7. Ordinances:

- a. **Second Reading and Public Hearing of Amended Ordinance 231 – An Ordinance of the Board of Trustees for the Town of Empire, Colorado Regulating Off-Highway Vehicles.**
Public Hearing was opened.
Members of the public gave their opinions and discussed the Ordinance: Margi Kaspari, Linda and Tony Robertson, Mojo Lucas, Jason Bucholtz, Sally Rush, Melissa Martin, Brandon and Richard Harvey.

Trustee Hauser discussed the need to rethink the stipulation that OHV's are not allowed on North and South Main Streets because it denied the privilege of using an OHV to a small group of people.

TRUSTEE KUNZE MOTIONED TO APPROVE THE SECOND READING OF ORDINANCE 231 – AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF EMPIRE, COLORADO REGULATING OFF-HIGHWAY VEHICLES., TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, FIVE WERE OPPOSED, TRUSTEE HAUSER ABSTAINED, MOTION FAILED.

The Ordinance will go back to the Planning Commission for further review.

8. Presentation from Police Chief John Stein on Annexation Possibilities as Discussed at Planning Commission Workshop on August 11, 2020.

Chief Stein presented information on annexation possibilities for the Town, starting with the rights-of-way next to HWY 40 and I-70. The Board members all agreed that the Planning Commission should pursue investigating annexation possibilities.

9. Discussion of Potential Sale of Property on East Side of Town.

The Board would need to declare the property surplus by Resolution to have the ability to sell the land, however, this would not obligate the Town to sell the land. Two interested parties inquired about buying the land. The pros and cons were discussed, and the Board will discuss the issue further at the next Board meeting.

10. Public Comment.

- Mike Spies – He is in favor of looking at annexation and selling the land.
- Margi Kaspari –People have been dumping slash and trash at the Ball Placer. She is inquiring if we have any plans to keep people from doing that? Mayor Koch replied that the Town is working on replacing the chains that restrict access to the area.
- Mojo Lucas – Friends of Clear Creek is having their final trash clean-up on World Clean-Up Day, September 19. He is encouraging everyone to participate and thanking those who have been participating in the Hans Berg Memorial Adopt-a-Highway Program.

11. Reports

- Police:
 - Chief Stein provided a Monthly report with stats and updates.
- Mayor:
- Attorney:
- Admin:
 - Fire Safety – the Town has fire safety measures in place. Everyone is encouraged to sign up for CodeRED for emergency notifications.
 - The Town is holding a photo contest in August and September for photos to be used on the Town website and Facebook sites. There will be a prize of a \$25.00 Visa gift card for two photos. Requesting panoramic photos of the Town and surrounding area, artistic photos of the streets and businesses, and local wildlife. All artists will receive credit for their photos if they are used. Details were in the August newsletter and will be advertised on Facebook.

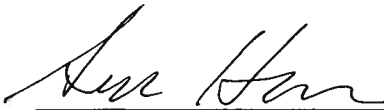
- Town Hall: Events
 - Town Garage Sale – September 4 & 5. We are hosting a Town-Wide Garage Sale on Friday & Saturday of Labor Day Weekend. The Town will advertise in the Clear Creek Courant and supply signs at each end of town. Please provide your own signage at your residence. If you are participating, please contact Linda Robertson at 303-502-4691 so we know which streets to put signs on, and also for any questions.
 - Burro Races on August 22, 23 canceled.
 - Devil on the Divide canceled.
 - FoCC Adopt-a-Highway is scheduled for the 3rd Saturday in Sep, the 19th. They are canceling the open invitation picnic and BBQ for World Clean-Up Day.
- Parks and Recreation:
- Streets and Maintenance:
- Water/Wastewater: Chlorine Injection Point Building (Green Shed) construction complete.
- 2020 Census: Enumerators will go door-to-door until the end of September.
- CCEDC:
- CDOT: Will complete the Highway project before November, ahead of schedule.
- Planning Commission: The next meeting of the Planning Commission is August 26th, 2020, at 6:30 pm. This is an in-person meeting with remote access to the public.

12. New Business.


Mayor Koch asked the Board for suggestions about types of businesses that we could encourage to come to Empire.

13. Adjourn the Meeting

TRUSTEE HAUSER MOTIONED TO ADJOURN THE MEETING, TRUSTEE TENNANT PROVIDED THE SECOND, ALL WERE IN FAVOR, MOTION PASSED.
The meeting was adjourned at 8:05 PM.



(mayor)



(town clerk)