

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 Regular Meeting
May 17, 2022

1. Call to Order

The meeting was called to order at 6:40 PM.
The meeting was held in person and through Zoom.

2. Roll Call

Present: Mayor Wendy Koch, Mayor Pro-Tem Linda Robertson, Trustee Denise Tennant, Trustee Susan Owen, Trustee Shannon Hickman, Trustee Lorry Singmaster, Police Chief John Stein, Attorney Brandon Dittman, Town Clerk Jeannette Piel.

Absent: Trustee Paul Whillock

A quorum was present at the meeting.

3. Approval of Agenda

TRUSTEE ROBERTSON MOTIONED TO APPROVE THE AGENDA FOR MAY 17, 2022, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

4. Presentation & Request: Tracy Troia – Mayor’s and Commissioners Youth Scholarship

TRUSTEE OWEN MOTIONED TO DONATE \$500 TO THE MAYOR’S AND COMMISSIONERS’ YOUTH SCHOLARSHIP, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Town of Empire will donate \$500 to the Mayor’s and Commissioners Youth Scholarship. Clerk Piel will coordinate with Tracy on the payment.

5. Resolutions:

- a. **Resolution 22-08: A Resolution of The Town of Empire, Colorado Appointing And/or Reappointing Town Officers.**
 - i. The Town is required to reappoint Town Officers after each municipal election.
 - ii. Jeannette Piel is appointed Town Clerk, Municipal Court Clerk, and Treasurer
 - iii. John Stein is appointed Police Chief
 - iv. Kissinger and Fellman. P.C., Brandon Dittman, is appointed Town Attorney
 - v. Richard Toussaint is appointed Municipal Judge

TRUSTEE OWEN MOTIONED TO ADOPT RESOLUTION 22-08: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO APPOINTING AND/OR REAPPOINTING TOWN OFFICERS, TRUSTEE TENNANT PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

b. Resolution 22-09: A Resolution of The Town of Empire, Colorado Establishing a Policy for the “Street of Flags” Program.

On August 1, 1956, the Town of Empire dedicated the “Street of Flags,” a display of flags of all the States of the Union along both sides of highway 40 in downtown Empire. The Street of Flags was fashioned after a then famous street of flags in Amsterdam, Holland. In May 2020, the non-profit organization Friends of Clear Creek reestablished the Town’s Street of Flags by displaying flags along both sides of Highway 40 in downtown Empire and collecting donations for new flags. The Town wishes to partner with Friends of Clear Creek to administer a program reestablishing the Street of Flags program and create a policy governing the display of flags.

- i. State and international flags displayed may be displayed in the summer months along Highway 40, attached to the Town owned fence, or attached to private fences with a signed waiver from the property owner.
- ii. Eligible flags to be flown are U.N. recognized international flags, U.S. state flags, and U.S. territory flags. No college, university, group flags, political organization flags, or flags expressing a political opinion are eligible to participate in the program.
- iii. The Street of Flags program is not intended to serve as a public forum for speech or free expression by the public. The Town is the sole entity which may approve a flag for participation in the program. The Town’s selection of flags shall be done in accordance with this Resolution, as may be amended from time to time.

TRUSTEE TENNANT MOTIONED TO ADOPT RESOLUTION 22-09: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO ESTABLISHING A POLICY FOR THE “STREET OF FLAGS” PROGRAM, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

c. **Resolution 22-10: A Resolution of The Town of Empire, Colorado Establishing a Policy for A Military Tribute Flag Display at The Town of Empire Visitor's Center.**

The Town wishes to adopt a policy for creating a military tribute to all branches of the military by establishing a policy of displaying an American Flag and flag representing each military branch: Army, Marines, Navy, Air Force, Coast Guard, and Space Force at the Town's Visitor's Center in Theobald Park. Each year, the flags will be presented on or before Memorial Day, and retired on or after Veteran's Day, weather permitting. The Town will be the sole party responsible for administering this military tribute flag display policy. Town resident Frank Ferris and Friends of Clear Creek have donated the U.S. flag and military flags for the Town's display.

TRUSTEE ROBERTSON MOTIONED TO ADOPT RESOLUTION 22-10: A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO ESTABLISHING A POLICY FOR A MILITARY TRIBUTE FLAG DISPLAY AT THE TOWN OF EMPIRE VISITOR'S CENTER, TRUSTEE HICKMAN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The Resolution is effective immediately.

6. **Request for Approval: Marijuana Local License Renewal for Mary Jane's Empire, Dan Volpe**

- a. We are approving the local license; the state license does not renew at the same time.
- b. All License fees and Town fees are paid
- c. Report from Chief Stein

TRUSTEE OWEN MOTIONED TO APPROVE THE LOCAL MARIJUANA LICENSE FOR MARY JANE'S EMPIRE, TRUSTEE ROBERTSON PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

7. **Request: Karl Karner request for waived water fees**

Clerk Piel read the letter requesting water/sewer fees be waived for the three units in Clear Creek Mobile Home Park.

TRUSTEE ROBERTSON MOTIONED TO WAIVE THE MONTHLY WATER/SEWER FEES FOR THREE UNITS IN CLEAR CREEK MOBILE HOME PARK, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

8. **Request: Multimodal Project Discretionary Grant (MPDG) letter of support for CDOT**

CDOT is applying for a Multimodal Project Discretionary Grant (MPDG) to complete the funding for the I-70 Floyd Hill to Veterans Memorial Tunnels Project. As a signal of the project's priority for the state, CDOT is applying under all the available funding sources. Empire is an important project stakeholder. The Town was asked to provide a letter of support, which we did.

9. Announcement: Appoint Planning Commission Members and Chair

Chair – Sally Rush

Commission Members – Wendy Koch, Mayor; Denise Tennant, Ex-officio; Eileen Wheelock; Tony Robertson

10. Announcement: Seeking a Treasurer's Deed for the Empire Paymaster property

We have paid the taxes on this property for three years and have applied for a Treasurer's Deed to own this property. This process will be completed before the end of 2022.

11. Announcement: Drinking Water Consumer Confidence Report for 2021

This report evaluates our drinking water for 2021. The report is available on our website, and a paper copy is available in Town Hall.

12. Announcement: Schedule joint Public Hearing for Board and Planning Commission to evaluate Conditional Use Permits for Residential Short Term Rental Applicants, June 21 BOT meeting.

13. Announcement Grant requests:

- a. Additional D&E grant funding request to Colorado Department of Public Health and Environment (CDPHE) \$51,000.00 for well project
- b. Grant funding request to Energy and Mineral Impact Grant (EIAF) for \$750,000.00 with presentation given by the Town for well project
- c. Grant reporting for American Rescue Plan Act (ARPA) for reimbursement of \$76,410.33 for well project
- d. Grant request to Representative Neguse for Congressionally Directed Spending \$4 mil to update the Water Distribution System after the Town's water emergency
- e. Grant request to Senator Hickenlooper for Congressionally Directed Spending \$4 mil to update the Water Distribution System after the Town's water emergency
- f. Grant application in process for Emergency Community Water Assistance Grant (ECWAG) USDA amount undetermined for Water Distribution System after the Town's water emergency
- g. Grant request to Colorado Parks and Wildlife (CPW) for Human Bear Conflict Reduction Grant of \$80,000.00 to install bear-proof trash receptacles in all town parks and throughout the business corridor
- h. Grant inquiry to CDOT and DRCOG to continue developing the Welcome Park with parking lot, electric charging stations, bike racks, bus stop for the Round-a-Bout, public bathroom, picnic area, trail on side of the mountain with wildlife overlook, and connecting trail to other town property on North Empire. Function like a rest-stop. Town signs for wayfinding. Additional benches along the walking route.

14. Update HMP Goals:

- a. Fire Ban and Code Red
- b. List of second homes
- c. List of residents with mobility challenges
- d. WFDSS evaluation with GIS data identifying our critical water and wastewater facilities

15. Update CCC Tourism Bureau Presentation:

Identify things Empire can do to support the County Tourism Program – Promote Businesses, Heritage Tourism with Storytelling, Wayfinding (signs with directions), Advertise in Visitors Center, Identify and advertise places to stay to promote Empire as a tourism destination.

16. Update on Beautification along Park Avenue:

- a. Planting flowers, pulling weeds in June
- b. Street of Flags in June
- c. All volunteers must sign a waiver

17. Update on Board Orientation and Training

Thank you, Board members and Commission members, for coming to the Orientation and Training last night and for your participation. You should receive a message to your personal email on how to log in to your Empire email. Board Members have all been added to CIRSA and CML and should get an email on how to create an account for access to training materials. All Officials will receive an ID badge.

18. Public Comment:

- Margi Kaspari – Thank you to the Town for all you do. Concerns about asphalt millings, concrete barriers, and potholes on South Main Street. Friends of Clear Creek thanked the town for teaming up for the Street of Flags. Announcing the Paw Park workday will be rescheduled.
- Eileen Wheelock – Concerned about displaying Russian Flag. Concerns about Town Trucks during water crisis, not obeying traffic laws.

19. Reports:

- a. Budget: No Report
- b. Mayor: (CCEDC, CDOT, CCFA)
 - i. Wildlife Bridge
- c. Police:
 - i. Chief Stein will provide a monthly report with stats and updates.
 - ii. Andrew on family leave, had baby Autumn on Friday
 - iii. Lyle Wohlers Awards Luncheon – Chief John Stein nominated for award for leadership and advocacy at the State Legislature.
- d. Events:
 - i. May 25, Wednesday: Lyle Wohlers Law Enforcement Awards and Luncheon

The 2021 Lyle Wohlers Law Enforcement awards are for officers who have gone above and beyond the call of duty, and citizens who encourage and support the efforts of law enforcement to keep our communities safe and crime free. This prestigious award is in honor of Colorado State Patrol Technical Lyle Wohlers, who proudly served for 26 years in the Colorado State Patrol. Trouper Wohlers was brutally killed during a routine traffic stop near Georgetown, Colorado in 1992.

- ii. May 21, 2022, CCMRD and FoCC Community Workday at PAWS: The Town will donate employee hours and fuel for the flatbed truck to remove branches and debris if the transfer station fee is covered by CCMRD or waived by the county.

- iii. Farmers Market May 28, June 11 & 25, July 9 & 23, August 6 & 20, September 3 & 17. 9-1 in Theobald Park.
- iv. Suggestions for presenting the colors for the Military Flag Tribute
- v. TBD, Saturday: Town Clean-Up Day
- vi. Third Saturday in June, July, August, & September: Adopt-a-Highway Clean-Up with Friends of Clear Creek
- vii. August 2, Tuesday: National Night Out
- viii. September 10, Saturday: Devil on the Divide
- e. Admin:
 - i. 2022 OHV Stickers have arrived, we will be mailing them to everyone who paid.
- f. Public Works: (Parks, Streets)
 - i. The Dog Park will be closed for the month of May for maintenance and soil amendments.
 - ii. Minton Field next to the Cemetery, the grass is coming up, we will continue to monitor the situation.
 - iii. Streetlamp repaired on SE corner of HWY 40 & Cowles.
- g. Water/Wastewater:
 - i. Working on a thank you newsletter and something in the courant for all water thank you's
- h. Planning Commission:
 - i. All Planning Commission meetings are in-person with remote access.
 - ii. The Planning Commission Workshop will be held on Monday, May 23rd, 2022, at 6:30 pm
 - iii. This month, the Regular Meeting will be held on Wednesday, May 25th, 2022, at 6:30 pm.
 - iv. Next month, the Regular Meeting will be held on Wednesday, June 29th, 2022, at 6:30 pm.

The next Master Plan Workshop will be held on Monday, July 11^h, 2022, at 6:30 pm

20. New Business


No New Business


21. The Next Board of Trustees Regular Meeting is June 21st, 2022, at 6:30 pm. In-person with remote access.

22. Adjourn Meeting

TRUSTEE ROBERTSON MOTIONED TO ADJOURN THE MEETING, TRUSTEE OWEN PROVIDED THE SECOND, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 8:05 PM.


(mayor)


(town clerk)