

Town of Empire
30 East Park Avenue/P.O. Box 100 Empire, Co 80438
303.569.2978 - 303.569.2282 fax

Board of Trustees Regular Meeting Minutes
February 18, 2025 ~ 6:30 pm

1. Call Meeting to Order - Mayor ProTem Jacob Belcher called the meeting to order at 6:31 PM. The meeting was held in person and through Zoom.

2. Roll Call – The Empire Board of Trustees requires a simple majority of four trustees present at the meeting for a quorum.

Present: Mayor Wendy Koch, Mayor Pro-tem Jacob Belcher, Trustee Randy Horning, Trustee Denise Tennant, Trustee Jessie Reiman and Trustee Stephanie Kline. Also in attendance were Town Attorney Wilson Scarbeary, Town Administrator Jeannette Piel, and Deputy Town Clerk Lisa Kunze.
A quorum was present at the meeting.

3. Approval of Agenda - February 18, 2025 Regular Meeting Agenda

Staff has corrected the wording in Agenda Item 7c from “CCHRA” as was posted on the Agenda on the Towns website to “CCRHA.”

TRUSTEE HORNING MOTIONED TO APPROVE THE AMENDED AGENDA FOR FEBRUARY 18, 2025, TRUSTEE REIMAN SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The amended Agenda was approved.

4. Approval of Consent Agenda

- a. Minutes January 21, 2025 Regular Meeting
- b. Minutes February 04, 2025 Work Session

TRUSTEE HORNING MOTIONED TO APPROVE THE CONSENT AGENDA FOR FEBRUARY 18, 2025, MAYOR KOCH SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, FIVE WERE IN FAVOR, ONE ABSTAINED, MOTION PASSED.

The Consent Agenda was approved.

5. Presentation: Caprice Bass & Natalie Raborn regarding the Double Bypass

Event a. Presentation

Natalie Raborn provided an overview of the previous presentation. They'd like to start the Double Bypass, a small part of the Triple Bypass cycling event, on July 12th. They'd use the ball field and Minton Park for parking overnight (no camping), use State Patrol to escort traffic and participants. The staging will be quick, and upon approval, other logistics will be pursued.

They'd love to have the town out with cowbells as Jake suggested in the previous presentation, and appreciate that energy.

b. Discussion by Board of Trustees

Parking at the Newton's has been approved, and organizers estimate 500 people who will start that day, with an estimate of 250 cars now but a number that can be confirmed before the event. Zach Baker, a local, has managed parking as well and is a part of their organization. Sunday, after the race, the volunteers will clean up the area. Trash and Porta

Potties will be removed. Caprice indicated the Devil on the Divide will help, along with other partners willing upon approval.

c. Public Discussion

No public discussion.

d. Vote to Approve

TRUSTEE KLINE MOTIONED TO APPROVE THE TOWN OF EMPIRE HOSTING THE DOUBLE BYPASS IN EMPIRE ON JULY 12, 2025, TRUSTEE HORNING SECONDED THE MOTION, CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

6. Ordinances for Consideration:

a. Second Reading and Public Hearing for Ordinance 273: An Ordinance of the Board of Trustees to Amend the Junk, Abandoned Vehicle, and Parking Ordinance

Town Administrator Piel said we went through this Ordinance in detail at the last regular meeting. We did not make any changes. The document you are looking at is the amendments, and we have a second document that we will show on the screen that is the full version, and that will be on the website. The changes are listed in red. We have made significant changes to parking. If approved, this Ordinance will be published by reference in the Clear Creek Courant on Feb 27, and effective on Mar 29, 2025. We will let people know what the changes are in the next several newsletters, and for the next several months, we will issue warnings and talk to people one-on-one while people are learning about the changes.

i. Discussion by Board of Trustees

MAYOR KOCH MOTIONED TO APPROVE THE SECOND READING OF ORDINANCE 273: AN ORDINANCE OF THE BOARD OF TRUSTEES TO AMEND THE JUNK, ABANDONED VEHICLE, AND PARKING ORDINANCE, TRUSTEE REIMAN SECONDED THE MOTION.

ii. Public Hearing

Rob Collins: He looked at his maps after the last meeting, and is concerned with what is private property and what is street. He sees cars parked on the street that are obviously non-operable and abandoned junk. Will this solve this problem?

Town Administrator, after consulting the Town Attorney, explained the entire Town has been surveyed this past year, for this exact reason: to find where the town's ROW and private property overlap. Many areas of town have this problem because it has not been surveyed in many years. This will require a block by block analysis; looking for vegetation and other encroachments, and working with property owners to solve this, property by property, before a new road base is installed on all roads that Bear Construction worked on this past summer. Then, yes, this will help solve this problem, along with the parking ordinances and other legal issues to begin tackling this problem.

iii. Final Vote to Adopt by Board of Trustees

CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED. This Ordinance will be published by reference in the Clear Creek Courant on Feb 27, and will be effective 30 days later on Mar 29, 2025.

iv. Recommendations for fee schedule to be presented at next meeting

Town Administrator Piel shared an example of the warning sticker that will go on a vehicle for any parking violation. She explained the town will follow the minimum standard parking fees set by the state, which for most parking violations are \$15.00 plus our surcharges of \$50.00, so most parking tickets will be \$65.00. The judge sets the moving violation fee schedule. We will have an Ordinance or Resolution at the March meeting to set all of those fees. We will also use that document to set parking permit fees. We need to determine what those

fees should be.

The Town could create a temporary parking permit as a “door hanger” for guest and resident parking. Board discussion on other options included:

- Creating a deposit for the parking permits to be refunded when returned as a means to fund the permits and have them still be free.
- Another option is to issue free stickers for residents to put into their car windows so we can protect the resident parking when tourists or others abuse street parking. Air B&Bs could receive permits for guests, and they are registered so that would be easy to track.
- The focus will be on the commercial zone, and only for overnight parking.
- This is a slow rollout, and no vote or decisions aside from guidance for staff is expected tonight.
- The town attorney confirmed the town cannot make a profit from fees; can only charge enough to cover the costs of implementing the program.
- Payment methods, bounced checks could cost the Town.

Conclusions:

- Investigate raising camping fees to at least \$25, full Board consensus.
- Limit street parking to 5 nights with police exceptions, full Board consensus.
- Staff will investigate mirror hangers or stickers for locals who street park, full Board consensus.
- Investigate other towns who have semi parking, compare fees; possibly create semi parking permit for residents at \$50/year for road maintenance etc, full Board consensus. (specify truck vs. trailer and specify “residential zone” for the stickers; may need to be added to Ordinance 272 Model Traffic Code after more board discussion.
- Investigate the enforceability of camping on private property within Ordinance 170; says can camp for 14 days but is this 14 days per month or within the year? (Look at dispersed camping language in state and federal parks.)

Staff will keep talking through the cost/benefits with this guidance.

7. Resolutions for Consideration:

- a. Resolution 25-02: A Resolution of the Board of Trustees to Set Water and Wastewater Utility Fees and Other Service-Related Fees As Permitted By Ordinance 226

Town Administrator Piel explained the only change was to remove the \$10.00 fee for autopay source change. We decided we can absorb that fee. We do have 41 customers on autopay, and we had 9 autopay source changes in 2024, totaling \$90.00.

Also, almost everyone that was handed a flyer in person said they already knew about the changes from the newsletter. This is encouraging! Most people are getting their newsletter and keeping up on Town information. It takes at least 6 hours to go door-to-door.

You will see the increase on your bill for March, and the 10% late fees will start on March 25, 2025.

i. Discussion by Board of Trustees

TRUSTEE KLINE MOVED TO APPROVE RESOLUTION 25-02: A RESOLUTION OF THE BOARD OF TRUSTEES TO SET WATER AND WASTEWATER UTILITY FEES AND OTHER SERVICE-RELATED FEES AS PERMITTED BY ORDINANCE 226, TRUSTEE REIMAN SECONDED THE MOTION.

ii. Public Hearing is Required for Fee Changes

Rob Collins: Noticed the fee rates for residences and businesses, where does his Airbnb fall?

Town Administrator Piel responded that Airbnb's are single resident property, not in the commercial zone.

iii. Vote to Adopt

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

Resolution 25-02 was adopted and is effective immediately.

b. Resolution 25-03: A Resolution of The Board of Trustees to Appoint Thomas Elliot as Empire's Municipal Court Judge

i. Discussion by Board of Trustees

MAYOR KOCH MOVED TO APPROVE RESOLUTION 25-03: A RESOLUTION OF THE BOARD OF TRUSTEES TO APPOINT THOMAS ELLIOT AS EMPIRE'S MUNICIPAL COURT JUDGE, TRUSTEE HORNING SECONDED THE MOTION.

ii. Public Discussion

No public discussion.

iii. Vote to Adopt

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

Resolution 25-03 was adopted and is effective immediately.

c. Resolution 25-04: A Resolution of The Board of Trustees for the Appointment to the CCRHA Board

We are allowed a Board member and an alternate for CCRHA, so it made sense to appoint Denise as the Board member, and appoint Jeannette as an alternate. We can both attend meetings that way, so we always have it covered.

i. Discussion by Board of Trustees

HORNING MOVED TO APPROVE RESOLUTION 25-04: A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE APPOINTMENT TO THE CCHRA BOARD AS AMENDED, TRUSTEE REIMAN SECONDED THE MOTION.

ii. Public Discussion

No public discussion.

iii. Vote to Adopt

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

Resolution 25-04 was adopted and is effective immediately.

8. Discussion: Official Elevation for the Town of Empire

a. Present Research

Thank you to Stephanie for doing the research: the easiest way for us to go about this is to use the County's GIS data. They use the Lidar that is also used and provided by USGS and NOAA to model DEMs and elevations.

It appears that the County Mapping Department uses the same Lidar that the USGS uses (from DRCOG). Mapping has derived contours, down to 2'. According to their derived contours, Town Hall front door is at 8626'. The post office sits at 8620'. Our initial research stated that most places use the Post Office as the benchmark for elevation.

Stephanie did find a benchmark monumented in Empire! We have the directions and when we don't have snow on the ground, we will go on a treasure hunt. It will include a stamping that reads "8603 Denver" and "USGS". We are hoping to choose a number tonight, then prepare a declaration in a Resolution for the March regular meeting.

b. Discussion by the Board of Trustees

Instead of finding the benchmark, Stephanie suggests using the County data which has used proper models. The Board chose 8,626 via consensus as the new official town elevation. Staff will begin to document the changes on websites and signs, after passing a resolution within the next few months.

9. Reports:

a. Financial Reports

i. Audit timeline

We met our goals, however, our Auditor won't start working on our financial statements until June. We will have the subsequent materials ready to submit one after the other.

ii. Grants

We are in the process of getting estimates for the work that will happen in the spring. We still have approximately \$400,000 available, and we plan on using all of the remaining funds.

iii. County Budget shortfall and how it could impact Empire

The County is looking at a \$10 million deficit over the next 4 years. There are several areas that the county is looking to maybe charge fees or limit services that they pay for: Sheriff's Office coverage, Charlie's Place, Tourism Bureau; Also looking at an excise tax - tax on recreation, rafting, skiing, etc., and literally everything they do is being scrutinized.

b. CCFA: Randy, Wendy

The February meeting was cancelled. Updates include discussions of the various tax increases by ballot initiatives that may be required for CCFA, as well as for the Sheriff's office or others, and how these initiatives may compete or cancel other services.

c. CCEDC: Denise, Randy

Trustee Tennant reported on the recent CCEDC breakfast and mixer, and her big takeaway is to work more with Gilpin County in funding tourism and other ways to promote economic development. She will be serving on a calendar coordination/complimenting events subcommittee. Trustee Horning is also on the DRCOG subcommittee and concurs with Trustee Tennant's report of the events.

d. Clear Creek County Public Transportation

i. The latest launch of the RoundAbout bus service will be VANS! The promo is:

"These new vans are designed to improve our mobility in the community. 80% of the funding comes from the Colorado Department of Transportation! The RoundAbout program is primarily supported by a Federal Transit Administration (FTA) grant under the Section 5311 program, which helps fund public transportation in non-urban areas like ours. This support is essential as it covers everything from operating costs to capital expenses, making it possible to have this service in Clear Creek County."

e. Clear Creek County Tourism Bureau Board – Amy Phan Widencamp of Empire, the owner of Pheastly, has been appointed to the Tourism Board. Thank you, Amy, for representing business interests in Empire and all of Clear Creek County.

f. Federal Executive Orders Report

The freeze on grant funding has been rescinded. At this moment Town Administrator Piel doesn't know if federal job cuts will impact the grant office. The Town was impacted though, because our Accounts Clerk cannot work the hours that we originally planned on because she also has a federal job through the National Guard.

g. Staffing Report

i. How scheduling is impacted

Town Administrator Piel explained that the town lost about 60 hours a week of work. In a little over a month, we will lose another 40 so are now looking at all possible ways to bring in help. The reasons we are losing hours: Physical limitation, executive order, lack of affordable housing, and maternity leave. She asked the Board for understanding that we have to push some of our work further into the summer.

ii. Moving workstations

Town Administrator Piel said we need to do some serious rearranging, and you'll see small changes over the next month as we change the configuration in Town Hall.

iii. No longer renting out Town Hall

We have not rented Town Hall to an outside group since before COVID. With staffing and projects requiring space, offices need to be created so we will no longer be able to rent the hall.

h. Police Department

i. Monthly report and stats from Chief Lorenz

Stats attached, Chief Lorenz could not attend. The 2025 Lyle Wohlers awards ceremony is being hosted by Idaho Springs on May 13, 2025. Some dates on the flyer are incorrect, but staff will be sure to promote the forms to nominate officers.

Trustee Horning asked if officers are present on Sundays.

ii. Currently working on IGA with CCSO for records validation and call coverage

No update on Charlie's Place yet

i. Water System

i. Update on Sanitary Survey Findings

This was performed in December 2022, following the water emergency, with a list of corrective items. JVA is working on our action plan to submit to the State by April 30, 2025. This will include a completed Map Book for our Water System, plan and timeline for continued improvements to our meter system, and continued plans for water main and road improvements. This is a state requirement through CDPHE.

ii. LCRR Inventory of possible lead pipes

JVA and Bear Excavating gathered a lot of information about the service lines that were impacted by replacing water mains. We will use that information to update our state required inventory. We will also reach out to individual home owners throughout the summer to investigate any lines that are still considered "unknown" and we plan to have our inventory complete by the end of 2025.

j. Upcoming Events

i. Touch Base with Denise on Burro Races - in process.

k. Save the Date

- April 19 - Easter Egg Hunt
- May 24 - Pack Burro Races - Memorial Day Weekend
- June 7 - Town Clean-Up Day 8am-12pm
- June - Adopt-a Highway (3rd Saturday in Jun, Jul, Aug, Sep)
- July 12 - Double Bypass
- August 12 - National Night Out (2nd Tuesday in August)
- September 6 - Devil on the Divide

- October 25 - Halloween - Chili Cook Off
- November 29 - Small Business Saturday
- December 13 - Christmas Celebration & Potluck

I. Planning Commission

- i. All Planning Commission meetings are in-person with remote access.
- ii. The next Regular Planning Commission Meeting will be held on Wednesday, February 26, 2025, at 6:30 pm.
- iii. The next Training/ Work Session for the Planning Commission will be held on Wednesday, March 12, 2025 at 6:30 pm.

m. Answering Questions from the Previous Meeting

- i. There was no public comment at the previous meeting.

10. Board of Trustees Goal for the 2024 - 2026 Term: Ongoing

The Town of Empire will increase revenue within this Board of Trustee term by supporting the economic needs of current and future businesses by capitalizing on our unique location and the traffic it provides, without compromising the non-monetizable assets that gives Empire its' unique charm.

11. Public Comment: Public comment is limited to 3 minutes per person. The Board does not respond to questions during this time. For operational questions, please email the clerk.

Rob Collins: his vacation rental provides parking spots; he has a sheet in the STR rental book to help him encourage 3 cars in back, 2 in front. He'd like to get enough stickers once they are created for 3 cars.

12. Moment of Appreciation – At each of our Board and Planning Commission Regular Meetings, we want all of you to tell us what you appreciate about Empire. It can be anything. What's the first thing that comes to your mind, or what's the first thing you show people when they visit, or what do you miss the most when you are away. Short and sweet – please keep it positive!

- Beautiful snow
- Quiet at 10 pm, can hear snow falling sometimes
- Hard work of all the snow plow people getting it done. Was nasty!
- So many people stopped to clear off their cars in Empire the other day, and they noticed our businesses!
- All the work the board and staff do for a town of 350 people; there is much involved with our small community!

13. New Business from Board of Trustee Members

No new business.

14. Board of Trustees Upcoming Meetings and Topics

- a. Upcoming Topics from Administrative Overview – if Trustees would like to add topics or have questions, please contact Town Administrator Piel.
- b. A Joint Work Session with the Board and PC to discuss our Vision for Housing and Land Use has been scheduled for Tuesday, March 4, 2025 at 6:30 pm. Amy Saxton and David Danielson from Clear Creek County have been invited to discuss the new building permit process.
- d. The Next Board of Trustees Regular Meeting is Tuesday, March 18, 2025, at 6:30 pm. In person with remote access.
- c. The Next Board of Trustees Work Session/Training is Tuesday, April 1, 2025, at 6:30 pm. In person with remote access.
- d. Will discuss rescheduling the Chairperson training at the Joint housing meeting on March 4th.

15. Adjourn Meeting

TRUSTEE HORNING MOTIONED TO ADJOURN, TRUSTEE REIMAN SECONDED THE MOTION,

CLERK BUDA CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.
The meeting was adjourned at 8:57 PM.

(Mayor ProTem Jacob Belcher)

(Deputy Town Clerk Lisa Kunze)

DRAFT