BOARD OF TRUSTEES – RECORD OF PROCEEDINGS
August 27, 2024

CALL TO ORDER
The Regular Meeting of the Board of Trustees of the Town of Elizabeth was called to order on Tuesday, August 27, 2024, at 6:00 PM by Mayor Tammy Payne.

ROLL CALL
Mayor Tammy Payne, Mayor Pro Tem Linda Secrist, and Trustees Loren Einspahr, Barb McGinn, Joe Belongia, Marianne Mayer-Opl, and Michael Schroder were present. There was a quorum to do business.

Also present were Town Administrator Patrick Davidson, Town Clerk Michelle Oeser, Public Works Director Mike DeVol, Community Development Director Zach Higgins, Police Chief Jeff Engel, Assistant Public Works Director James McErnie, Project Planner Alex Cramer, and Town Attorney Corey Hoffmann.

PLEDGE OF ALLEGIANCE
Mayor Payne led the Board in the Pledge of Allegiance.

EXECUTIVE SESSION
Motion by Mayor Payne, seconded by Trustee Belongia, to adjourn the Regular Meeting at 6:03 PM and enter into an Executive Session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. 24-6-402(4)(e), regarding 889 South Elizabeth Street, located in unincorporated Elbert County, and the subject of Resolution 24R30, and to hold a conference with the Town's Attorney to receive legal advice on specific legal questions regarding the scope of the executive session privilege, pursuant to C.R.S. 24-6-402(4)(b).

The vote of those Trustees present was unanimously in favor. Motion carried.

Motion by Mayor Payne, seconded by Trustee Einspahr, to adjourn the Executive Session and reopen the Regular Meeting at 6:50 PM.
The vote of those Trustees present was unanimously in favor. Motion carried.

Mayor Payne reopened the Regular Meeting at 7:00 PM.

PUBLIC COMMENT
Paul Schwartzkopf – Town of Elizabeth Resident.

Angela Ternus – Town of Elizabeth Resident.
Christine Ware – Elbert County Resident.

AGENDA CHANGES

No agenda changes from the Administration.

No agenda changes by the Board.

Agenda set.

CONSENT AGENDA

3. Minutes of the Regular Meeting of August 13, 2024

Motion by Trustee Belongia, seconded by Trustee Mayer-Opl, to accept the Consent Agenda as presented.
The vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne closed the Regular Meeting and opened the Public Hearing at 7:06 PM.

PUBLIC HEARING

4. E-86 Planned Unit Development (PUD) Amendment - Patrick Davidson and Zach Higgins

Ms. Cramer provided a Staff report.
John Prestwich from PCS Group, Co representing Jim Marshall.
Jim Marshall representing himself.
Mayor Payne opened the hearing to public comment.
Paul Schwartzkopf – Town of Elizabeth Resident.
Angela Ternus – Town of Elizabeth Resident.
Tracy Hutchins – Town Resident.

Mayor Payne closed the Public Hearing at 7:33 PM and reopened the Regular Meeting.

NEW BUSINESS

5. Discussion and possible action regarding Ordinance 24-10, an Ordinance amending the Planned Unit Development (PUD) Zoning for the property generally known as the E-86 PUD

Motion by Trustee Belongia, seconded by Trustee Einspahr, to approve Ordinance 24-10, an Ordinance amending the Planned Unit Development (PUD) Zoning for the property generally known as the E-86 PUD, excluding sexually oriented businesses (SOB).

By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

Mayor Payne closed the Regular Meeting and opened the Public Hearing at 7:36 PM.

PUBLIC HEARING

6. 889 South Elizabeth Street Annexation and Rezone

Mr. Davidson and Mr. Hoffman provided Staff reports.
Ms. Cramer provided a Staff report.
Grace Erickson represented the applicant.
Darren Spradling represented himself as the landowner.
Mayor Payne opened the hearing to public comment.
Rachel White – Town of Elizabeth Resident.
Paul Schwartzkopf – Town of Elizabeth Resident.
Angela Ternus – Town of Elizabeth Resident.
Roger Goodhue – Town of Elizabeth Resident.
Christine Ware – Elbert County Resident.

Mayor Payne closed the Public Hearing at 8:22 PM and reopened to the Regular Meeting.

NEW BUSINESS

7. Discussion and possible action on Resolution 24R35, a Resolution making certain Findings of Fact regarding the proposed annexation of parcels of land to the Town of Elizabeth, Colorado, known as the 889 South Elizabeth Street Annexation

Motion by Trustee Belongia, seconded by Trustee McGinn, to continue agenda items 7, 8, and 9 to the September 24, 2024, Regular Board meeting.
By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

8. Discussion and possible action on Ordinance 24-11, an Ordinance approving and accomplishing the annexation of a parcel of contiguous unincorporated territory known as the 889 South Elizabeth Street property in Elbert County

Vote to continue, as shown in agenda item 7.

9. Discussion and possible action on Ordinance 24-12, an Ordinance zoning property newly annexed to the Town of Elizabeth to Commercial Mixed Use (CMU)

Vote to continue, as shown in agenda item 7.

10. Discussion and possible direction to the Town Administrator and Chief of Police to request an investigation from an outside law enforcement agency into a possible breach of executive session privilege

Mr. Hoffmann provided a Staff report.

Motion by Trustee Belongia, seconded by Trustee McGinn, to give the Town Administrator and Chief of Police direction to initiate an investigation performed by outside law enforcement agency into a possible breach of executive session privilege.
By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

11. Discussion and possible action on Resolution 24R36, a Resolution approving the agreement for professional services between the Town and Core Consultants, Inc. for the Construction Staking of the Mainstreet Streetscape/Widening Project

Mr. Higgins provided a Staff report.

Motion by Trustee Belongia, seconded by Mayor Pro Tem Secrist, to approve Resolution 24R36, a Resolution approving the agreement for professional services between the Town and Core Consultants, Inc. for the Construction Staking of the Mainstreet Streetscape/Widening Project.
By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

12. Discussion and possible action on Resolution 24R37, a Resolution approving the purchase of real property located at 601 South Pine Ridge Street, Elizabeth, Colorado, for the benefit of the Town of Elizabeth

Mr. Davidson provided a Staff report.

Motion by Trustee McGinn, seconded by Trustee Belongia, to approve Resolution 24R37, a Resolution approving the purchase of real property located at 601 South Pine Ridge Street, Elizabeth, Colorado, for the benefit of the Town of Elizabeth.
By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

13. Discussion and possible action on Ordinance 24-13, an Ordinance amending Chapter 10 of the Town of Elizabeth Municipal Code to permit the carrying of firearms in the Elizabeth Town Hall

Mr. Hoffmann provided a Staff report.

Motion by Trustee Belongia, seconded by Trustee Mayer-Opl, to approve Ordinance 24-13, an Ordinance amending Chapter 10 of the Town of Elizabeth Municipal Code to permit the carrying of firearms in the Elizabeth Town Hall.
By a roll call vote, the vote of those Trustees present was 7 in favor and 0 opposed. The motion passed unanimously.

MANAGEMENT REPORTS

- Town Administrator Patrick Davidson did not have anything to add.
- Chief of Police Jeff Engel:
    - The burglary hate crime in Gold Creek that occurred in March, has been deactivated.
    - A suspected strong-armed robbery case was found to be a false report.
    - There has been a noticed increase in the number of fraud cases.
    - Sgt. Alex Allen attended a Tactical Vehicle Engagement course hosted by the Douglas County Sheriff's Office.
    - The Elbert County Sheriff's Office extended an invitation to use the interactive simulator they have recently acquired.
    - The new F150 truck will be arriving tomorrow.
    - A topper for the CSO Ford Ranger has been ordered and a spray-in bed liner installed.
    - The Police Department is transitioning to a new cell phone provider.
    - The Elizabeth Police Department participated in the Responder Relief Foundation Rodeo dunk tank.
    - Trustee Belongia expressed how impressed he is with our amazing Police Chief and all of the work he puts into building relationships with other agencies.
- Public Works Director Mike DeVol:
    - Bandt Park concrete work has been finished.
    - Road patching in Hillside Village will be concluded by Friday this week.
    - Mayor Pro Tem Secrist and Trustee McGinn appreciate the road repairs.
    - Trustee Einspahr stated that the sidewalks at Bandt Park look nice.
- Development Director Zach Higgins:
    - A strong bid was received for the Parks and Open Space Master Plan project.
    - Mayor Payne asked how registration was going for the 5K.
- Town Clerk Michelle Oeser:
    - Provided election updates.
    - Gave an update on upcoming Senior Luncheons.

BOARD OF TRUSTEE REPORTS

- Ward 2 – Trustee Einspahr:
  - Asked about having a Port-A-Potty at Running Creek Park beyond summertime.
  - Asked about removing the Port-A-Potty at Bandt Park.

ADJOURNMENT

Motion by Trustee Einspahr, seconded by Trustee Belongia, to adjourn the meeting at 9:15 PM. The vote of those Trustees present was unanimously in favor. Motion carried.

Mayor Tammy Payne

Town Clerk Michelle Oeser

TOWN OF ELIZABETH INCORPORATED SEAL SEPTEMBER 24 1909 ELBERT COUNTY COLORADO