

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING - TUESDAY, MARCH 2, 2010**

The meeting was called to order at 7:00 p.m. by Mayor Tyler S. C. Stevens.

**ATTENDANCE:** Pitrone present Useman present King present  
Bratton present Newberry present Worthey absent

**ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA** – No changes presented.

**CONSENT AGENDA - APPROVE BOARD OF TRUSTEES MINUTES: 02/16/10  
- APPROVE BILLS DUE AND PAYABLE FOR \$8,216.89**

**M/S King/Useman to approve the Consent Agenda as presented. All yea**

**CONCEPT PRESENTATION AND DISCUSSION OF PROPOSAL ENCLOSING A SECTION OF PUBLIC RIGHT OF WAY FOR PINE GABLES STRAY DOG SALOON - Business Owner, Scott Hunt and Architect, Robert Seever**

It was made clear by the owner and architect that this meeting was conceptual only and an attempt to poll the Board of Trustees to see if there was an interest in the proposal. The proposal is to enter into an agreement with the Town to lease approximately 350' of public right of way at the east side of the Pine Gables Stray Dog Saloon. The owner desires to create a patio accessed only from the bar. Hunt would apply for a Modification to Premise for liquor to be served on the patio. Hunt would like to beautify this area of public right of way. He would realign the sidewalk as it enters onto Lake Street and repair the existing steps. He is proposing a concrete poured patio area with concrete stem wall. This area would house six tables and allow for about 22 individuals to have food and drink and be able to see the Gazebo Lake area. Hunt is proposing an open 4' decorative fence to close off the area except for bar patrons. Hunt stated that this confined addition would be a more aesthetically pleasing area and would alleviate his current concerns that individuals going out to smoke were taking alcohol out with them. There will be a service window for individuals to order drinks and food. Hunt stated that he feels the patio would increase revenues for the bar establishment and the town.

Trustee Bratton was pleased with the concept. He thought the confined area would lead to stricter code compliance for the liquor laws. He was concerned with the 4' width of the proposed sidewalk area. Some of the other areas of concern noted were the expansion of a liquor license to the outdoor area, correctly defining the municipal code as to whether the Town would be assigning an easement or revocable permits, enforcement of the noise ordinance and the effects on the public works operating procedures for street maintenance. Revocable permits are normally issued for structures or devices to include but not limited to: bicycle parking racks, newspaper vending machines, benches, tables and chairs, plantings, canopies, trees and shrubbery and flagpoles. These permits are not permitted to interrupt the normal flow of pedestrian traffic and interfere with the public use of public property. Easements are historically granted for specific purposes; the most usual being for utilities, assistance to property owners to clear title due to an encroachment of private property onto public property or a service of health, safety and welfare of the residents of the Town alleviating a detriment. It was mentioned that the hours of operation for the outdoor area could be limited.

Hunt would like to open the area for Memorial Day. A time frame could not be determined but it was doubtful that the public hearings and agreements could be finalized by that date. Mayor Stevens and Trustee Bratton encouraged Hunt and Seever to do a concept presentation before the Planning Commission. It will be necessary for the Board to work with the State

Liquor enforcement, the Town attorney and town staff to determine code definition between an easement and revocable permits, hours of operation for the modified premise, and methods to prohibit excess noise. The Board is currently reviewing the municipal codes for revocable permits and easements. Code amendments would need to be in place for the business owner to review and agree upon. The State liquor division will require a formal agreement for the modified premise submitted with the application.

**CITIZEN'S INPUT** - No input received.

**ORDINANCE 03-2010: AN ORDINANCE AMENDING CHAPTER 18, ARTICLE 1 OF THE GREEN MOUNTAIN FALLS MUNICIPAL CODE BY ADOPTING AMENDMENTS TO THE 2005 EDITION OF THE PIKES PEAK REGIONAL BUILDING CODE AND ADOPTING BY REFERENCE THE 2008 EDITION OF THE NATIONAL ELECTRICAL CODE OF THE NATIONAL FIRE PROTECTION ASSOCIATION - Request to set Public Hearing Date**

At the 2/16/10 meeting, the Board approved amendments to the 2005 Pikes Peak Regional Building Code, sections RBC205.1 and RBC307.2. Formal approval of the amendments are now being presented in ordinance form for public input at a public hearing.

**M/S Bratton/Pitrone to request the Town Clerk set a public hearing for Ordinance 03-2010 on March 16, 2010 at 7:00 p.m. All yea**

**ADDITIONS TO CURRENT DEPARTMENT OF PUBLIC WORKS STANDARD OPERATING PROCEDURES (SOPS) AND SUBMITTAL FOR BOARD REVIEW OF NEW POLICIES AND PROCEDURES FOR WORKPLACE HARASSMENT PREVENTION - DPW Director / Safety Officer, Robert McArthur: Approval Requested** These procedures were presented to the Board on 2/16/10 for review. CIRSA staff has reviewed the policies as well as the Town Attorney, Dan Stuart. The Code of Conduct will be posted at the entrance of each Town facility. **M/S Bratton/Useman to approve the SOP for Workplace Health and Safety as submitted. All yea M/S Bratton/Useman to approve the additions to existing Public Works SOPS to include operation and maintenance of wood chipper, vegetation management, pool equipment protection. All yea**

**REPORTS: Marshal's** report was presented by Marshal Ford and submitted into the record by Mayor Stevens. Marshal Ford presented a letter of proposed personnel changes for the department for the Board to review. Ford had met with Mayor Stevens prior to preparing the proposed changes. **M/S Bratton/Pitrone to approve the Proposed Personnel Changes for the Marshal's Department as presented by Marshal Ford. All yea**

**Mayor Stevens: PPACG/PPRTA:** No report requiring Board discussion. **Trustee Pitrone: Regional Building/Public Works Department:** No report. Mayor Stevens reported that the Mayors met at the Regional Building office on 2/19 and voted in Sharon Brown, city councilmember from Fountain to fill the position of outgoing Manitou Springs' councilmember to the Regional Board of Directors. Brown is the small communities' representative. **DPW Director Robert McArthur's** report was submitted into the record.

**Trustee King: PPACG Alternate / TES Alternate Rep / Admin** – No report. The Town Clerk submitted the February financial packets. She also gave the Board members a copy of the business license requirements including Board of Trustee authority.

**Trustee Useman: Manitou School District 14** – No report.

**Trustee Worthey: GIS website - Urban Forestry:** No report.

**Trustee Bratton:** The Bronc Day Committee will meet on Wednesday, 3/04/10 at the Mucky Duck Restaurant at 7:00 p.m. Trails Committee meets on Thursday, 4/01 same location at 6:00 p.m.

**Trustee Newberry: Parks** – Newberry reported that the GOCO grant application for an upgrade of the tennis court was mailed in on 2/25/10. The total grant was for \$39,795.00. The request for GOCO's share was \$26,645.00. The town will receive notice by June 16th.

**OLD BUSINESS - Trustee Bratton** suggested that housekeeping was necessary for a Planning Commissioner appointment last year. He requested that the Board perform a separate vote to appoint Jamie Krall to the Planning Commission. Krall's appointment had been included within the Board of Trustees Consent Agenda for the 10/06/09 meeting. Bratton would prefer that the Board call out appointments from the Consent Agenda as action items.  
**M/S Bratton/Pitrone to appoint Jamie Krall as Planning Commissioner effective date 10/06/09. All yea**

**Trustee Pitrone** requested that the current format/procedure addressing grievance procedures against town employees be reviewed and better defined as to initial complaint format. Pitrone expressed concern with the handling of a recent complaint against an employee as to whether or not it was a justifiable complaint from the start. Pitrone stated that if complaints are not addressed in the approved format of the town, they should not be accepted. Mayor Stevens remarked that grievance policies are being requested from other towns for potential review and revision to the existing town personnel policy.

**No** other old business was presented.

**NEW BUSINESS - Mayor Stevens** presented a written recap of two Board workshops held to discuss future revenue options for the town. Stevens noted that the written comments are brainstorming ideas only and there is no intent to implement but to continue researching. He re-organized the categories into three segments: 1-3 year timeframe; 3-5 year timeframe and larger regional ideas with a 5-10 year timeframe. Stevens requested that the members and staff review this recap and email him if they would like to be on one of the working groups. **No other** new business was presented.

**CORRESPONDENCE:** Trustee Bratton sent an email to Trustee Worthey outlining a possible town resolution to support the establishment of a Pike National Historic Trail and fact sheets for the proposed 3,664 mile trail. The town had received a letter in February from the President of the Pike National Historic Trail Association requesting a resolution of support for a Pike National Historic Trail. Trustee Worthey wanted further review of the request. Bratton provided him with the information for review. **No other** correspondence was received requiring Board discussion or action.

**The meeting was adjourned at 9:13 p.m.**

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Mayor Tyler S. C. Stevens

**ATTEST:** \_\_\_\_\_  
Chris Frandina, Municipal Clerk