TOWN OF OAK CREEK
TOWN BOARD MEETING
JANUARY 12, 2023
MINUTES

CALL TO ORDER:

Mayor Knoebel called the regular meeting of the Oak Creek Board of Trustees to order at 6:05 p.m., Thursday, January 12, 2023.

Trustees present at roll call were: Mayor Pro-tem Gustafson and Trustees: Bernie Gagne, Ben Turati and Melissa Dobbins. Trustee Rhonda Crawford arrived at 6:48 p.m.

Others present: David Torgler, Town Administrator/Clerk; Annie Haag, Utility Billing/Deputy Clerk; Ralph Maher, Police Chief; Dylan Anderson, reporter; Steve Jamieson, W.W. Wheeler; Andrea Fasen, W.W. Wheeler; Kevin Ward, Cassiopeia Townhomes; Walter Magill, Four Points Surveying & Engineering; Paula Jaconetta, Lawrence Jaconetta and Andrew Herzog.

Those present recited the Pledge of Allegiance.

AUDIENCE PARTICIPATION:

None

EN RE: SHERIFF RESERVOIR & DAM UPDATE BY STEVE JAMIESON, W. W. WHEELER

Steve Jamieson and Andrea Fasen, consulting engineers at W.W. Wheeler, for the Town on the Sheriff Reservoir & Dam rehabilitation project, provided an update to the Town Board on the project and provided information for next steps in 2023 and 2024.

EN RE: HISTORICAL SOCIETY OF OAK CREEK & PHIPPSBURG PRESENTATION

Mayor Knoebel advised the Board that the Historical Society Board advised her that the presentation will not be made at this time and the Historical Society will reschedule.

EN RE: MELISSA DOBBINS – LAND USE CHANGE OF MINOR IMPACT, 301 S. SHARP AVENUE PUBLIC HEARING, REVIEW AND CONSIDERATION TO CREATE COMMERCIAL SPACE IN THE BASEMENT OF THE PROPERTY LOCATED AT 301 S. SHARP AVENUE

Trustee Dobbins explained that she has a conflict of interest between this request and her position on the Town Board and left the meeting room.

Following a public hearing Mayor Pro-tem Gustafson moved to approve the applicants request to create commercial space in the basement of the property located at 301 S. Sharp Avenue subject to the following findings and conditions:

Findings of fact and subject to the Conditions of Approval:

1. The proposed land use change is consistent with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-203.
2. The proposed land use change is in conformance with the requirements and performance standards established in the Town's land use code.
3. The proposed land use change will preserve the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

Conditions of Approval:

1. If parking use in the neighborhood becomes a problem for neighbors then the Town Board may limit class sizes to reduce parking needs for the proposed uses, e.g. yoga and art classes.
2. That the owners are required to submit a lighting plan for approval prior to adding any exterior lighting to the property.
3. That the owners are required to submit outdoor activity and storage area development for approval prior to adding outdoor activity and storage areas.
4. That the owners are required to submit any service areas for approval prior to adding outdoor activity and storage areas.
5. Approval shall expire three years from its approval subject to Section 17.03.014 of the Town of Oak Creek, Colorado Municipal Code.

Trustee Turati seconded the motion. Motion passed unanimously.

Trustee Dobbins returned to the meeting.

EN RE: L3&P PAULA AND LAWRENCE JACONETTA – LAND USE CHANGE OF MINOR IMPACT, 222 E. MAIN STREET

Following a public hearing Mayor Pro-tem Gustafson moved to approve the applicants request for a Land Use Change of Minor Impact to subdivide land located at 222 E. Main Street, separating Lupita's and the log cabin, into two parcels subject to the following findings and conditions:

Findings of fact and subject to the Conditions of Approval:

1. The proposed land use change is consistent with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-203.
2. The proposed land use change is in conformance with the requirements and performance standards established in the Town's land use code.
3. The proposed land use change will preserve of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

Conditions of Approval:

1. A plat of the land division showing existing improvements including structures and parking area, prepared by a licensed surveyor or engineer, shall be prepared and submitted to the Town for approval in substantially the division as submitted by the petitioner and that neither new lot can be less than 2400 square feet. The approved plat shall be recorded at the Routt County Clerk and Recorders Office.
2. The cabin property retains the existing parking area located at the rear of the cabin, adjacent to the alley, for a minimum of two vehicles (10'x20' per vehicle space per Town code) is required.
3. When exterior lighting changes for either property that the owners provide a lighting plan for exterior and interior lighting that shows compliance as required by the land use codes, Section 17.10.10 A and B.
4. Approval shall expire three years from its approval subject to Section 17.03.014 of the Town of Oak Creek, Colorado Municipal Code.

Trustee Gagne seconded the motion. Motion passed unanimously.

EN RE: CAMERON BRETON AND KEVIN WARD, dba CASSIOPEIA TOWNHOMES – LAND USE CHANGE OF MAJOR IMPACT

Following a public hearing Trustee Gagne moved to approve a Conceptual Plan application for a Land Use Change of Major Impact to construct two (2) four-unit townhomes at 125 Oak Ridge Circle, aka Lot 15 Sierra View Subdivision subject to the following conditions:

Conditions of Conceptual Plan Approval:

1. The approval is subject to the development being constructed per the submitted plans and subject to the conditions listed below.
2. All electric lines appurtenant to the project shall be installed underground.
3. Any disturbed areas of vegetation shall be addressed in a landscaping plan.
4. Any soils studies required by the Routt County Regional Building Department shall be provided by the developer.
5. An annual review of the snow storage area(s) by the Public Works Director to determine what areas require erosion control repair, revegetation and/or drainage restoration/improvement by the owners will be completed. Repairs must be completed within 90-days or the Town may make repairs at the property owner's expense. The property owner's shall be assessed for these repairs if the Town provides them.
6. The private driveway will be paved and maintenance shall be provided through a homeowners association of all owners.
7. A snow storage plan shall be prepared by a professional engineer and reviewed by the Public Works Director with necessary modifications agreed to by the Director and developer that address snow storage, stormwater impacts and slope stabilization.

8. The developer shall provide conveyance of snowmelt drainage to Open Space 'B' in accordance with the Sierra View subdivision drainage plan; or to nearby agricultural ditch(s) if approved by the Town's Public Works Director.
9. The developer shall receive development approval pursuant to the Sierra View Subdivision Declarations.
10. The Oak Creek Fire Chief and Public Works Director shall review and approve the private driveway to address its location, conflicts with off driveway parking on residential unit parking areas, public safety vehicle accessibility and construction standards. Owners to advise future residents that there is no winter parking on Oak Ridge Circle as posted.
11. Water infrastructure and meters shall be installed according to Town standards and as approved by the Public Works Director.
12. Sanitary sewer infrastructure shall be installed according to Town standards and as approved by the Public Works Director.
13. The developer shall re-vegetate disturbed areas as soon as possible.
14. Electrical service lines shall be placed underground.
15. Drainage and runoff is addressed in the Sierra View subdivision design and was constructed as part of the subdivision infrastructure development. Site drainage and runoff shall be in accordance with the subdivision drainage plan and as approved by the Public Works Director.
16. The site plan must include a minimum fifteen-foot bufferyard, inclusive of the sideyard setback; and, that a six-foot decorative fence, with the finished side facing the property to the west shall be approved subject to approval by the Fire Chief and Town Public Works Director.
17. The developer shall provide a minimum of four (4) parking spaces of the required minimum size of 10'x20' for visitor parking..
18. The developer shall provide an exterior lighting plan for each lot that meets the provisions of Section 17.10.010.
19. Any future subdivision of either four-unit building(s) into condominium or townhouse units will require a condominium or townhouse plat after the units are constructed so the units can be separately sold and any operation and maintenance obligations to shared infrastructure, examples including but not limited to: private driveway, drainage, exteriors of each building, snow storage; are defined on the plat.
20. Approval shall expire three years from its approval subject to Section 17.03.014 of the Town of Oak Creek, Colorado Municipal Code.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE RESOLUTION 2023-001 SUNSHINE RESOLUTION

Mayor Pro-tem Gustafson made a motion to approve Resolution 2023-001 Designating the Place for Posting of Notices of Meetings of the Oak Creek Town Board in accordance with C.R.S. § 24-6-402.

DRAFT

Trustee Turati seconded the motion. Motion passed unanimously.

EN RE: CONSENT AGENDA

MOTION

Trustee Dobbins made a motion to approve the Consent Agenda specifically:

A. Approval of October 2022 Financial reports.
B. Approval of November 2022 Financial reports.
C. Approval of December 8, 2022 Meeting minutes.
D. Approval of December 15, 2022 Special Meeting minutes.
E. Approval of renewal Fermented Malt Beverage License for LJH Oak Creek Inc., dba Select Super Market, 103 W. Main Street.
F. Approval to renew Retail Marijuana Production Facility license for Alchemic Technologies, LLC, dba First Matter, 224 S. Arthur Avenue.
G. Approval of Mayberry & Company, LLC's Audit Engagement Letter for the 2022 Audit.
H. Approval of a change of ownership for Alchemic Technologies, LLC, dba First Matter, 224 S. Arthur Avenue and 100 W. Main Street, Unit B.

Mayor Pro-tem Gustafson seconded the motion. Motion passed unanimously.

EN RE: STAFF & BOARD MEMBER REPORTS

Chief Maher provided statistics regarding police department activities in 2022, advising there were ninety different criminal complaints of various types including thefts, traffic incidents and DUI's, assisting other agencies, sex assaults, burglary, vandalism, and mental health interventions. Ralph reported that criminal activities were lighter in 2022 but the cases generally are taking longer to investigate and complete. Ralph also reports that there were no tragic incidents in 2022.

Annie Haag reported that she continues to learn the role of Utility Billing/Deputy Clerk including the duties and responsibilities. She said the new year is off to a good start.

David Torgler reported that there were 76 missed trash/recycling customer pick-ups last week so he and Annie contacted Twin Enviro, the Town's contractual residential trash service provider to follow-up. They learned the regular hauler had broken his leg and was not providing the service; instead other Twin Enviro employees were filling in. Officials at Twin Enviro advised Town staff that they would be making additional pick-up for trash and recycling to make up for the missed pick-ups and that Town residents can place their extra trash next to the wheeled containers next week and it will all be picked up without any additional charges, unless the volume of trash warranted review as an extra pick-up.

David reported that he continues working on funding for completion of the headgate and outlet works at Sheriff Reservoir & Dam.

Trustee Gagne reported that he will miss the January 26, 2023 Board meeting.

Mayor Pro-tem Gustafson gave kudos to Public Works staff for the great job they are doing this winter with snow removal; saying that three of her neighbors have expressed their thanks to her. Wendy reported that she will miss the January 26, 2023 Board meeting. Wendy said that she will get together with David to follow-up with climate action planning by the Town as follow-up to CAP Board presentations at the December 8, 2022 Town Board meeting.

Mayor Knoebel recognized Town staff saying that the staff is just amazing, cohesive and responsive, thanking the entire staff and giving several examples of why she believes the Town staff is doing good things for the community. Nikki reviewed the Learn to Skate program she leads at the Town's ice rink and the amazing volunteers that help her lead the participants. Nikki recognized Erika Petersen for the amazing children's programs that she is creating and leading. Nikki recognized the downtown businesses and restaurants and the library explaining that she believes they are creating a vibrant downtown. Nikki thanked the Board members for their service. Nikki thanked Doug Sprowls and the entire staff at the Oak Creek Post Office for their great service and hard work.

Trustee Dobbins seconded Mayor Knoebel's comments and said she also is feeling the positive vibe in town. Melissa asked about the berm that is usually present at the bottom of the Moffat Avenue sledding hill and asked if there are plans to put it back in place to help protect sledders from traffic at the bottom of the hill. Staff responded that they will restore the berm.

EN RE: ADJOURNMENT

Trustee Turati made a motion to adjourn the meeting. Mayor Pro-tem Gustafson seconded the motion; passed unanimously.

No further business coming before the Board, same adjourned sine die at 7:02 p.m.

_____
David Torgler
Town Administrator/Clerk

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Nikki Knoebel, Mayor

Date: February 23, 2023