TOWN OF OAK CREEK
TOWN BOARD MEETING
APRIL 13, 2023
MINUTES

CALL TO ORDER:

Mayor Knoebel called the regular meeting of the Oak Creek Board of Trustees to order at 6:00 p.m., Thursday, April 13, 2023.

Town Officials present at roll call were: Trustees: Ben Turati, Bernie Gagne, Kelly McElfish and Rhonda Crawford.

Others present: David Torgler, Town Administrator/Clerk; Ralph Maher, Police Chief; Annie Haag, Utility Billing/Deputy Clerk; Noreen Moore, Willow Bend Mobile Home Park resident; Chris Hildebrand, Routt County DHS Child Welfare; and Liz Kuker, Routt County DHS CMP Coordinator.

Those present recited the Pledge of Allegiance.

AUDIENCE PARTICIPATION:

Noreen Moore addressed the Board regarding Willowbend Mobile Home Park and its right of first refusal to purchase the mobile home park. They were advised in June 2022 by the owner that the park was for sale. Ms. Moore believes that the Town may have the right of first refusal to purchase the park and she has talked with the Yampa Valley Housing Authority. Ms. Moore explained that the new owners have increased the rent by approximately 50%. Ms. Moore said that she and four other renters have filed a complaint with the State of Colorado.

EN RE: PROCLAMATION RECOGNIZING APRIL 2023 AS CHILD ABUSE PREVENTION MONTH IN THE TOWN OF OAK CREEK, COLORADO

Christine Hildebrand and Liz Kuker addressed the Board to advise them of the child abuse problems and concerns in Routt County and requested the Board to adopt the proposed Proclamation. Trustee Crawford made a motion to adopt a Proclamation recognizing April 2023 as Child Abuse Prevention Month in the Town of Oak Creek, Colorado.

Trustee McElfish seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE A REVOCABLE PERMIT BETWEEN THE TOWN OF OAK CREEK AND DUELING D'S BBQ AND GRILL, LLC

Dueling D's proposes to use a portion of the Town owned Main Street R-O-W at 116 E. Main Street to locate a free hanging sign and wall mounted lights in accordance with the Town Code. Trustee Gagne made a motion to approve a revocable permit for Dueling D's BBQ and Grill, LLC to locate a free hanging sign and wall mounted lights in accordance with the Town Code at 116 E. Main Street.

Trustee Crawford seconded the motion. Motion passed unanimously.

EN RE: PUBLIC HEARING AND CONSIDERATION TO APPROVE ORDINANCE 664 AMENDING CHAPTER 8.30 PARK SAFETY OF THE OAK CREEK MUNICIPAL CODE

Mayor Knoebel opened the public hearing for consideration to amend the Town Code, Section 8.30 Park Safety, concerning motorized vehicles, parking of vehicles and consumption of alcohol. There were no public comments. Trustee McElfish made a motion to approve Ordinance 664 amending Chapter 8.30 Park Safety of the Oak Creek Municipal Code.

Trustee Turati seconded the motion. Motion passed unanimously.

EN RE: PUBLIC HEARING AND CONSIDERATION TO APPROVE ORDINANCE 665 AUTHORIZING AND DIRECTING EXECUTION OF THE GREEN ENERGY PROGRAM SUBSCRIPTION CONFIRMATION BY THE TOWN OF OAK CREEK, WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA, ALSO KNOWN AS "MEAN"

Mayor Knoebel opened the public hearing for consideration to authorize and direct execution of the Green Energy Program Subscription Confirmation by the Town of Oak Creek with MEAN. There were no public comments. Trustee Gagne made a motion to approve Ordinance 665 authorizing and directing execution of the Green Energy Program Subscription

Trustee Turati seconded the motion. Motion passed unanimously.

EN RE: PUBLIC HEARING AND CONSIDERATION TO APPROVE ORDINANCE 666 AMENDING CHAPTER 4.01 LIQUOR AND BEER REGULATIONS OF THE OAK CREEK MUNICIPAL CODE

Mayor Knoebel opened the public hearing for consideration to amend the Town Code, Chapter 4.01 Liquor and Beer Regulations of the Oak Creek Municipal Code. There were no public comments. Trustee McElfish made a motion to approve Ordinance 666 amending Chapter 4.01 Liquor and Beer Regulations of the Oak Creek Municipal Code.

Trustee Turati seconded the motion. Motion passed unanimously.

EN RE: CONSIDERATION TO APPROVE RESOLUTION 2023-006 IN OPPOSITION TO STATEWIDE LAND USE AND ZONING PREEMPTIONS IN SENATE BILL 23-213

SB 23-213 will undermine the Town's long-range planning efforts and severely limit local authority to maintain reasonable land use regulations impacting the quality of life, the provision of local utilities, parks and roadways by placing the authority for land use with the State. Trustee McElfish made a motion to approve Resolution 2023-006 in opposition to statewide land use and zoning preemptions in Senate Bill 23-213.

Trustee Crawford seconded the motion. Motion passed unanimously.

EN RE: THE CONSENT AGENDA

Trustee Turati made a motion to approve the consent agenda; specifically approval of February 23, 2023 Town Board meeting minutes; approval of March 9, 2023 Town Board meeting minutes; approval to waive the Town's Bidding and Purchasing policy, to purchase replacement remote radio utility read hardware, software and training from Mountain States Pipe & Supply in the amount of $32,995.00; approval to waive the Town's Bidding and Purchasing policy and approve Landmark Consultants, Inc.'s March 30, 2023 Town of Oak Creek Floodplain Administration, Professional Engineering Services Probable Fee Summary, including a Preliminary Coordination Cost of $8,900.00; and, approval of a Revocable Permit Agreement between the Town of Oak Creek and Tour de Steamboat.

Trustee Gagne seconded the motion. Motion passed unanimously.

EN RE: STAFF & BOARD MEMBER REPORTS

Chief Maher addressed complaints regarding the responsiveness of the police staff when dispatchers call our officers. Following up on the complaints Ralph has been testing the phone system and has not encountered the problems expressed by a resident at the February 23, 2023 Town Board meeting. Ralph has watched body worn camera footage, discussed the incident with the resident, talked with responding firefighters, and believes the issue to be resolved. Ralph explained to the Board that his staff is short-handed presently with an officer recovering from a work related injury and when that officer returns to duty, another officer will be out while another work related injury is addressed. Ralph said that he has been doing traffic monitoring specifically addressing speeding and stop sign enforcement in the community. Ralph has been working with CDOT and CSP to help motorists navigate the region when traffic is redirected to Hwy 131. Ralph updated Board members regarding the use of cameras to assist with public safety and security at Decker Park. Ralph advised that he is talking with the Soroco S.D.'s vendor and taking a pro-active, comprehensive approach to be able to present to the Board looking at other parks, Town utility facilities and other areas of concern. Vet in the park is proposed to be held in Decker Park and is being firmed up with the Vet to be held the third Saturday in May.

Annie Haag updated the Board regarding summer camp enrollments; that they are proceeding timely and in good order. Annie is filling in with the summer camper sign-up for Erika Petersen who resigned as the Town's Recreation and Event Coordinator.

David Torgler updated the Board regarding some public utility matters for Tom Holliday who was in the field. The first update was regarding a temporary water use restriction put into place because one of the Town's two water system filtration systems was out of service due to a broken filter pump. Town staff has driven to Denver to pick-up some repair parts and is in touch with the Town of Hot Sulphur Springs to possibly purchase a pump replacement. If the pump replacement part is a good match with the Town's pump then the water system will return to full service more quickly; otherwise a replacement will have to be ordered from the manufacturer, delaying repair at least one week. The second update for Tom is that the snow melt seems to be favorable with cold nights slowing the melt and the lack of spring rain; both factors reducing the potential for flooding in the Town. David advised the Board that an offer has been extended

to a candidate for the Recreation and Event Coordinator position, believing that this is a good candidate for the position. David advised the Board that a request for proposals is being put together for distribution to vendors for the Town's residential trash and recycling services. The current five year contract expires in October 2023.

Trustee Gagne advised the Board that he has received public questions regarding snow shedding from structures onto their neighbor's property and whether or not the Town has regulations addressing this problem. Board members recognized that the Town has many small lots and large amounts of snowfall making this a difficult issue to address. The Town does not regulate how residents must address the removal of snow and Board members hope that neighbors will continue working with each other to address this problem.

Mayor Knoebel advised Board members that she has been approached about development of the Tramway property for approximately 28 smaller and affordable units, e.g. two bedroom homes and keeping some of the planned camping and recreational vehicle spaces available. Nikki hopes that Board members can discuss the vision of the community and how future residential development will impact the vision when the Board meets in mid-June at a special meeting. David advised the Board that a consultant should be hired to work with the Board and community to complete a housing needs analysis for Oak Creek. Several Board members want to wait to develop the Tramway property until a housing needs analysis is completed. Nikki thanked all of the volunteers for helping with the annual Easter egg event held in Decker Park. Nikki discussed the possibility for a mural to be painted onto the westerly side of The Oak Creek Tavern and the owners desire to involve the community in picking the mural. Nikki said a group of volunteers is working to hold a South-by-South Routt event on July 15, 2023; she will work on a local event liquor license application. The Farmer's Market will start on June 15th.

Trustee Turati advised that he will miss both regular Board meetings in May.

Trustee Crawford advised that she will miss the April 27th Board meeting. Rhonda asked if there is a man camp going in near town. David advised Board members that a proposed man camp has been presented to Routt County that is for land northeasterly from the Soroco school property but it is not yet approved. The proposal is that the development will work with Morrison Creek Water and Sanitation District for water and wastewater needs.

Trustee McElfish thanked everyone who donated to the Easter baskets. Kelly reminded the Board about Saturday's upcoming children's theatrical performances.

EN RE: ADJOURNMENT

Trustee Gagne made a motion to adjourn the meeting. Trustee McElfish seconded the motion; passed unanimously.

No further business coming before the Board, same adjourned sine die at 7:21 p.m.

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David Torgler
Town Administrator/Clerk

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Nikki Knoebel, Mayor

Date: April 27, 2023