TOWN OF OAK CREEK
TOWN BOARD MEETING
JANUARY 11, 2024
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, January 11, 2024.

Town Officials present at roll call were: Mayor Knoebel, Mayor Pro-tem Gustafson and Trustees: Bernie Gagne, Rhonda Crawford and Melissa Dobbins.

Others present: David Torgler, Town Administrator/Clerk; Kelsi Edwards, Utility Billing/Deputy Clerk; Alissa Hill, Recreation & Events Coordinator; Tim Scopac; Nina Scopac; Tamara Baezrak; Keith Hensley, RCEDP; and, Andrew Best, 314 Myers Street.

Those present recited the Pledge of Allegiance.

AUDIENCE PARTICIPATION:

Tamara Baezrak asked about how to apply for the Town's driveway snow removal program; she asked how the Town provides snow removal on weekends and holidays; and, she apologized for her phone call to the Public Works Department regarding snow removal and thanked the crews for the snow removal work the staff provides.

EN RE: WESLEY KLUMKER – LAND USE CHANGE OF MINOR IMPACT, 224 ARTHUR AVENUE

Public Hearing, review and consideration of an application for a Land Use Change of Minor Impact for a conditional use change from retail marijuana establishment to commercial/light industrial (warehousing). At the December 20, 2023 Planning Commission meeting a motion to recommend approval to the Town Board of the application was approved subject to several conditions. Mayor Pro-tem Gustafson made a motion to approve the following findings of fact and conditions of approval.

FINDINGS OF FACT:

1. The proposal meets the standards of the Town of Oak Creek's Land Use Code and is in general conformance with the intent and purpose of the Town of Oak Creek Comprehensive Plan Update specifically:
    1. The proposed uses may be conditionally allowed in Performance District 7.
    2. The proposed uses will be located in an existing structure.
    3. The proposed uses do not require exterior change.
    4. The proposed use conforms to all applicable provisions of the Land Use Code, utility rules and regulations and the Oak Creek Municipal Code.
    5. The proposed use conforms generally to the Oak Creek Comprehensive Plan and its components.

And, subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

1. The approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
2. Applicant shall verify with Town staff that the landscaping shall meet the requirements of Section 17.10.08 of the Town's land use codes.
3. Property owner shall identify six (6) parking spaces on this lot, and shall be required to evaluate parking requirements prior to any change in use or additions for use of the property.
4. Property owner shall not allow storage of anything outdoors.
5. Property owner and Town staff shall review existing exterior lighting for compliance with Section 17.03.010 of the Land Use codes and owner shall correct any non-compliant lighting; owner shall provide exterior lighting plan meeting the municipal code requirements of Section 17.03.010 prior to the installation of new exterior lighting.
6. Any exterior signs to be installed in the future must go through the Town's review process and be compliant with the then Town regulations.
7. Property owner shall review the snow removal and accumulation plan previously approved for this property with the Town's Public Works Director, aka Director; any changes to the plan must be approved in writing by the Director.
8. A building permit shall be obtained from the Routt County Building Department prior to initiating construction of interior and/or exterior improvements.

Trustee Gagne seconded the motion. Motion passed unanimously.

EN RE: TIM SCOPAC – LAND USE CHANGE OF MINOR IMPACT, 307 S. GRANDVIEW AVENUE (VACANT) Public Hearing, review and consideration of an application for a Land Use Change of Minor Impact for a conditional use change from vacant to allow construction of a single family residential dwelling unit. At the December 20, 2023 Planning Commission meeting a motion to recommend approval to the Town Board of the application was approved subject to several conditions. Trustee Gagne made a motion to approve the following findings of fact and conditions of approval.

FINDINGS OF FACT:

The Planning Commission/ Town Board find that the proposed land use change is in:

A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
B. Conformance with the requirements and performance standards established in this code;
C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

CONDITIONS OF APPROVAL: the following conditions are recommended to be included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

1. Per 17.03.014 the approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
2. Petitioner should be required to reclaim disturbed land not used for structures or parking with new vegetation.
3. Garage and parking will be recessed five feet from the front door or that this requirement is waived due to the lot configuration per Section 17.03.02 of the Municipal Code.
4. All exterior lighting on the site will meet the requirements of Section 17.10.10 of the Municipal Code.
5. Snow storage area shall be identified on this site plan per Section 17.10.013 of the Municipal Code.
6. Petitioner shall provide a lot coverage calculation for consideration of this application by the Town Board.

Trustee Dobbins seconded the motion. Motion passed unanimously.

EN RE: ANDREW BEST – LAND USE CHANGE OF MINOR IMPACT, 314 MYERS STREET Public Hearing, review and consideration of an application for a Land Use Change of Minor Impact for a conditional use to allow construction of an accessory residential dwelling unit. At the December 20, 2023 Planning Commission meeting a motion to recommend approval to the Town Board of the application was approved subject to several conditions. Trustee Dobbins made a motion to approve the following findings of fact and conditions of approval.

FINDINGS OF FACT:
The Planning Commission/ Town Board find that the proposed land use change is in:

A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
B. Conformance with the requirements and performance standards established in this code;
C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

CONDITIONS OF APPROVAL: the following conditions are recommended to be included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

1. Per 17.03.014 the approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
2. Petitioner should be required to reclaim disturbed land not used for structures or parking with new vegetation.
3. Garage and parking will be recessed five feet from the front door or that this requirement is waived due to the lot configuration per Section 17.03.02 of the Municipal Code.
4. All exterior lighting on the site will meet the requirements of Section 17.10.10 of the Municipal Code.
5. Snow storage area shall be identified on this site plan per Section 17.10.013 of the Municipal Code.
6. Petitioner shall provide a lot coverage calculation for consideration of this application by the Town Board.

Trustee Gagne seconded the motion. Motion passed unanimously.

EN RE: RESOLUTION 2024-001 SUNSHINE RESOLUTION Consideration for approval and signing of Resolution 2024-001, a Resolution Designating the Place for Posting of Notices of Meetings of the Oak Creek Town Board in Accordance with C.R.S. § 24-6-402. Trustee Gagne made a motion to approve Resolution 2024-001.

Trustee Crawford seconded the motion; passed unanimously.

EN RE: RESOLUTION 2024-002 AMENDING THE APPLICABLE FEES FOR MEDICAL AND RETAIL MARIJUANA BUSINESS LICENSES. Review and consideration to amend current license fees based on updated costs for license services by the Town. Trustee Gagne made a motion to approve Resolution 2024-002.

Trustee Dobbins seconded the motion; passed unanimously.

EN RE: DISCUSSION REGARDING THE EXPANSION OF THE TOWN'S ELECTRIC UTILITY SERVICE AREA Consideration to expand the Town's electric utility service area by adding properties owned by the Town and lying within the municipal boundaries. These properties are located on the west side of the Town. Board members directed staff to pursue.

EN RE: DISCUSSION TO AMEND THE PERSONNEL POLICIES REGARDING NEPOTISM Consideration to amend the Town's nepotism policy. Board members directed staff to prepare an ordinance for public hearing and consideration.

EN RE: CONSENT AGENDA Trustee Crawford made a motion to approve the consent agenda; specifically: Approval of renewal Fermented Malt Beverage License for LJH Oak Creek Inc., dba Select Super Market, 103 W. Main Street; Approval of Assistant Recreation & Events Coordinator updated job description; Approval of Maintenance Worker I updated job description; Approval of Maintenance Worker II updated job description; and, Approval of Maintenance Worker III updated job description.

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

EN RE: STAFF & BOARD MEMBER REPORTS

Kelsi Edwards advised the Board that she has applied for a scholarship to attend the CML's annual conference and learn more about the role and duties of municipal clerk's. Ms. Edwards advised that the candidate packets for the April 2024 election have been prepared and are ready for distribution.

Chief Maher announced that he has prepared a 2023 year-end report of policing activities that will be distributed to the Town Board. He reviewed that he and his staff have been following up on a consultants review of the police department and are updating the organizations mission statement, goals and objectives.

Alissa Hill reviewed the Shop Local event success and thanked the Town of Yampa and local Town staff for their participation. She reviewed new club activities that are currently active, reaching people that are not participating in mainstream sports. Ms. Hill put up on the Town's website a local survey to help determine what activities the community wants to participate in. She advised the Board that she attend the winter driving school and believes that it will be beneficial. When asked if Rossi Meadows was open for skiing the response was soon, but not enough snow yet. She and Kelsi will put something out on the Town's social media announcing it's open when the meadows are groomed.

David Torgler reviewed the status of the housing needs analysis and that the South Routt Partners met with consultants who submitted proposals to conduct the analysis and will be recommending one of them to the Town Board to be hired. David introduced Keith Hensley, RCEDP, to the Board. Mr. Hensley was attending the Board meeting.

Keith Hensley provided an overview of RCEDP's economic development activities.

Mayor Pro-tem Gustafson advised that she will miss the February 8th and 23rd Town Board meetings.

Mayor Knoebel advised she is working with Alissa and David on some activities.

Trustee Crawford advised that she will miss the February 8th meeting.

Trustee Dobbins said she was pleased with the housing needs analysis updates.

EN RE: ADJOURNMENT

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

No further business coming before the Board, same adjourned sine die at 7:23 p.m.

_____
David Torgler
Town Administrator/Clerk

_____
Nikki Knoebel, Mayor

Date:_____, 2024_____