

**TOWN OF LAKE CITY BOARD OF TRUSTEES
LAKE CITY, HINSDALE COUNTY, COLORADO**

July 1, 2015

**Presbyterian Annex
418 N. Silver St.
Lake City, Colorado**

**WORKSHOP AGENDA
6:00 p.m.**

1. Continued discussion regarding parking on town streets. (Town Manager)

**REGULAR MEETING AGENDA
7:00 p.m.**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES – June 17, 2015**

BILLS PAYABLE**

EMPLOYEE REPORTS – Mayor, Town Manager**, Recreation Director**, Public Works Director**,
Town Clerk **, Building Official**, Historic Preservation Officer, Sheriff (via email)

TRUSTEE REPORTS

CORRESPONDENCE RECEIVED

CITIZEN COMMUNICATIONS

ADDITIONS TO AGENDA

ACTION ITEMS

1. Introduction of Ordinance 2015-11: An ordinance to adopt by reference the 2012 editions of the International Building Code and International Residential Code. Action: Set public hearing as required by C.R.S. § 31-16-203. (BOT)**
2. Liquor License: Renewal of Liquor License #4703231; Alpine Sun, LLC dba Packer Saloon and Cannibal Grill; Address: 310 N. Silver St., Lake City, CO; Type of License: Tavern (city), Malt, Vinous & Spirituous; License expiration date: September 16, 2015; No Violations. (BOT)**

**Information included in Packet

WORKSHOP

Item 1:

Parking on Town
Streets

To: Mayor Vierheller and Lake City Board of Trustees

From: Leslie Klusmire, Town Manager

RE: Parking in Town ROW's

Date: July 1, 2015

Staff needs further direction from the Board as to what you would like to do regarding parking in Town ROWs.

I have collected three solutions from other small town managers. If I receive more after this packet goes to print, I'll send them directly on to you. Please read through them and see if anything is worth pursuing for our own ordinances.

Leslie Klusmire

Subject: Parking in Town ROW

Leslie,

Parking space is quite a premium in Idaho Springs with few homes having access to off-street parking. As a result, we allow parking of personal vehicles in the right-of-way except for abandoned vehicles. We do, however, prohibit the parking of large vehicles:

Parking of certain vehicles limited.

- (A) It is unlawful for any person to park or stand a commercial trailer, semitrailer or trailer or to permit the same to be parked on any street, alley or other public property, whether attached to a motor vehicle or not, except when said trailer is being expeditiously used to render services such as, but not limited to, deliveries, pickups or construction activities, to property located within two hundred (200) feet of where said trailer is parked.
- (B) It is unlawful for any person to park or stand a dump truck, truck exceeding seven thousand (7,000) pounds empty weight, commercial trailer, semitrailer or truck tractor, or to permit the same to be parked anywhere within the City in any residential zone district, except when said vehicle is being expeditiously used to render services such as, but not limited to, deliveries, pickups or construction activities, to property located within two hundred (200) feet of where said vehicle is parked.
- (C) It is unlawful to park or stand an oversized vehicle upon any street, alley or other public property except when said vehicle is parked for the purposes of loading or unloading and so long as it is not so parked for periods in excess of seventy-two (72) hours.
- (D) It is unlawful to park or permit to stand any recreational trailer or mobile home upon any street, alley or other public property in the City for more than seventy-two (72) hours.

Phyllis Adams
City Administrator
PO Box 907
Idaho Springs CO 80452
303-567-4421

Leslie Klusmire

To: CML Municipal Managers List
Subject: RE: [MGRLIST] Parking in Town ROW

Leslie,

We occasionally have ROW issues and so far have successfully dealt with them through our Nuisance Code, which contains the following language (see 3 and H):

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by this Ordinance, or which is of such nature and duration as to:

1. Substantially annoy, injure, or damage the comfort, health, repose, or safety of the public.
 2. In any way, render the public insecure in life or in the use of property.
 3. Unlawfully and substantially, interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, or other public way.
- H. Abandoned vehicles. Any vehicle left or unmoved on Town property, road or right-of-way for a period of more than fourteen (14) days is declared a nuisance, and shall be issued a warning ticket and, thereafter, will be subject to being towed within 48 hours, with expenses to be paid by the owner.

Akia Tanara
Town of Crestone
Town Administrator
P.O. Box 64
Crestone, CO 81131
P (719) 256-4313
F (719) 256-4742
crestonemgr@fairpoint.net

Leslie Klusmire

To: AJ Euckert
Subject: RE: [MGRLIST] Parking in Town ROW

Hi Leslie,

Ah, the joys of city management. With the help of my Police Chief, here's what we have in our code that seems like it would address similar situations. Abandoned is defined as, "any vehicle being left unattended for a period of 24 hours or longer". That would take care of the cars. The definition of a vehicle includes, "trailers and other equipment designed to be carried upon or towed behind such powered vehicle...". That would take care of the trailer.

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ARTICLE 2 - Abandoned and Junked Vehicles

Sec. 8-30. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

Abandon or abandoned means:

- a. Any vehicle left unattended on private property for a period of seventy-two (72) hours without the consent of the owner or lessee of such property or his or her legally unauthorized agent;
- b. Any vehicle left unattended on public property, including any portion of a public way for a period of twenty-four (24) hours or longer unless the owner or driver has conspicuously affixed thereto a dated notice indicating his or her intention to return or has otherwise notified the police department of his or her intention to remove same within seventy-two (72) hours.

Hearing officer means a city council member as appointed from time to time by the mayor to perform the functions provided for in this chapter. No council member shall be eligible to be so appointed while serving as police commissioner.

Junked means any vehicle which:

- a. Does not bear valid, unexpired license plates, unless of a type specifically exempted from motor vehicle licensing by the laws of the state; or
- b. Is wrecked, damaged or substantially dismantled to the extent that such vehicle is inoperable; or
- c. If designed to be capable of moving itself when in proper repair, is incapable of being moved under its own power in its existing condition, or does not have all tires inflated.

Private property means any real property within the city which is not a public way.

Public way means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Vehicle means a machine propelled by power other than human power, and includes campers, trailers and other equipment designed to be carried upon or towed behind such powered vehicle, designed to travel along the ground by

use of wheels, treads, runners or slides, or upon such vehicle, and transport persons or property or pull machinery, and shall include, without limitation, automobile, airplane, truck, trailer, camper, motorcycle, motor scooter, tractor, buggy and wagon.

=====

Best of luck!

Regards,

AJ

A.J. Euckert
City Administrator
City of Dacono
512 Cherry Ave.
Dacono, CO 80514
303.833.2317 x134
www.cityofdacono.com

Employee Reports

To: Mayor Vierheller and Lake City Board of Trustees

From: Leslie Klusmire, Town Manager

RE: June Manager's Report

Date: July 1, 2015

W&S Compliance -

At this point, all the major private line leaks have been fixed. Small ones will continue to pop up and with our every two month metering - they are showing up and getting fixed quickly.

A meeting for business owners was held on June 25 with about 12 in attendance. The boiled down version of what we talked about is that water line replacement will begin in mid-August - working weekly Monday through Thursday. Line will be replaced on S. Gunnison and from 1st to 5th on N. Silver 100 feet at a time. Direct business access may be limited when construction occurs in front of stores, but people will still be able to access businesses. There are plans in place to continue water service to all customers. It will be inconvenient for a time but the long term effects are priceless.

We were successful with our appeal of the validity of our MHI survey and were granted a 0% loan. The board passed an emergency ordinance approving the changes to the loan and the documents should be transmitted to us on July 1st for signature by the Mayor and the town manager. The loan is slated to close on July 10th. This is just in time for us to go out to bid and start construction in mid-August.

Bank filtration tests during high water are still looking good. We'll wait for consultation with CDPHE before scheduling storage tank improvements.

Both of our CDPHE future capital needs surveys were turned in ahead of deadlines.

Through the next winter, we'll discuss next steps for water and sewer system improvements.

Water and Sewer Billing: Our third bi-monthly billing will go out first part of July.

Potholes - Major strides! It will be interesting to see how well the patches last through the winter. There is some remaining cold mix that Greg and Clint will use to fill additional potholes with in July. The road surface "test area" on Henson has also been completed.

Dust Control - While rain was a negative for pothole filling, it's a positive for dust control. Barring more rain, we apply dust control June 29th.

Armory - We have received about \$1400 in donations and bought the refrigerator, a prep table and the hand washing sink with it. We continue to monitor used appliance options and hope to receive more donations so that we can outfit our kitchen.

We are making final color choices and budget decisions. I am applying for a grant through the Community Foundation to finish purchasing the items necessary for CO.

If you have any ideas on how to spur donations or find some of these items at a good price, please help the Armory out so we can be fully ready to open at the end of July.

Codification – We received our codification grant, but not our contract. I can't sign MuniCode's contract until I get a contract from DOLA. Hopefully any day now!

Budget – In between everything else, I'm working on putting our budget in the format we'll use going forward. Caselle has not been able to remove the defunct accounts because transactions were made in them this year. We are working to at least hide them so no more mistakes will be made with entries.

I am slightly concerned at this point about revenue and am monitoring the situation. I don't know what we can do at this point in the year, and I hear differing reports from businesses regarding whether they are doing as well as last year or not.

CML – CML was well attended. The Governor explained his decision to take \$7 million worth of mineral severance funds away from local governments. He maintains that this amount was figured in excess of what is usually distributed. I am concerned that it was easy to use this money because it mostly goes to small towns who don't have as much political clout and remain disappointed that the state budget was balanced on the backs of small towns. I didn't hear any plans to help out the small towns who won't get their funds this year. And I understand the dilemma the State is in because of Tabor laws. Hard place to be in.

I learned more about broadband – it's incredibly complicated. Ken Fellman our FCC attorney used the Region 10 broadband project as a good model for multi-jurisdictional rural areas.

Economic development was a hot topic for smaller communities on the western slope who have yet to see recovery from the great recession let alone the boom that the Front Range is experiencing. I attended a few workshops and the only take away I can give you is that it is imperative the community work together to make businesses strong. It is also imperative that the government agencies work well with the Chamber and other business oriented organizations.

We have a long way to go in Lake City to create a civil, functional community where we want what's best for the community as a whole and can discuss issues constructively and not attack people who disagree with us. I often feel discouraged by the vengeful and attacking behavior I continue to observe. I would really like us to set up forums for dialogue with all "sides" to discuss constructive solutions for our economic reality. It would benefit everyone, not just one side.

Lake City Managers Meeting: Still on for July 23 and 24.

LCAR June 2015 Monthly Report

Parks and Recreation

Ski Hill

Disc Golf Course is still in need of some signage. I did get sponsors for holes 1,2,3,14,15, and 18 and I have had two other people express interest. For the holes that aren't sponsored, for now I was planning on putting in T posts with inexpensive signage just so people know where the T boxes are located.

Ice Rink

Nothing to report

Armory

Thanks to a \$2200 donation from Gene Brown I purchased an auto belayer for the climbing wall. I'm just waiting for a large carabiner to hang it. The armory is still closed but will need to be reopened for the choir concert prior to the 4th of July. The new LED lights are up in the main armory. The electrician is still adding some outlets. The drywall is all up in the new addition. They are still working on hanging drywall in the town offices and on the second floor. I would guess that the drywall will be complete the first week of July. We picked paint, tile, and floor colors.

I ordered a porta potty for the armory. It should be here prior to the 4th of July.

Parks

We are finally getting caught up with all of the special projects in the parks. All of the flowers are planted for the season. We added a lot of topsoil to the skate park to make the banks less of a hazard to mow. That all had to be raked and seeded. The grass is coming up. I just have one little section to rake and plant yet on the north side. The confluence area of Memorial Park is just about finished for what I wanted to accomplish this year. There was an error in shipping a bbq grill so the last one is on the way. I did lose a little bit of sand during the high water on Henson Creek. That will be replaced shortly. We added 6 Tiki torch sleeves to the confluence area. These will be used for special occasions or if someone rents the area for an event. We did install 2 bbq grills and built 3 picnic tables. I've had a lot of positive feedback on the new additions to the park. The new bathroom dividers arrived for the Town Park. I asked Dennis Cox to install them. I hope he can at least finish the men's bathroom before the 4th of July.

I installed two new signs, one at the atv staging area and another at the pumphouse park, concerning atvs and what the town has to offer within walking distance from pumphouse park. I moved the kiosk from the back of memorial park over to Pumphouse Park like Marty had requested. Angela is working on signage.

While I am in Europe Dan Scroggins will be the weekday parks person and Liam Whinnery will be watching things on the weekends. They have both filled in before. If you notice any problems or see things that need done please contact the town office and they will let them know. I will be giving them a comprehensive list of all the things that need done on a daily basis so there shouldn't be any issues.

Parks and Recreation Activities for the Month

I haven't had any special activities during the month of June. The tree pruning workshop didn't have enough interest so it was cancelled. I tried two different dates and neither worked.

I have been busy with the armory and all of the special projects. Since I am not able to work more than 40 hrs a week and money will be tight due to everything we need to buy for the parks and the armory I will wait to see what I can afford in August. I am planning the annual sand dunes trip with the teens at that time.

Softball has been cancelled this season. I only had one person fill out a registration form (Steve Ryals) and only one other person tell me that they were interested. I advertised it at least twice in the local paper and had flyers up at the post office and sign up forms in the local bars. I will try again next year.

The rest of the month was spent maintaining the regularly scheduled recreation activities or park maintenance activities.

Public Works Report

June, 2015

For the month of June, the Town of Lake City produced 9,818,500 gallons of safe drinking water and the Wastewater Treatment Plant processed 3,948,711 gallons of wastewater. For the same period last year, the Town produced 17,850,611 gallons of water and processed 4,823,688 gallons of wastewater. The Town ditch ran 67,201,401 gallons for the month, averaging 3.40 CFS or 2,240,046 gallons per day.

- The month started off with our pothole repair project. Assisted by several other helpers, Clint and I filled some of the worst potholes in the Town. The project went smoothly and was completed close to the budgeted amount. Time will tell how well our repairs hold up, but I am optimistic. I would like the record to reflect my deep gratitude and appreciation to the following that helped on the project. Ben Hake, Nathan Wuest, Jack Johnston, Mike Tuttle, Ryan Scroggins, Craig Blakemore, and of course Clint Ediger. Special thanks go out to R.E Hall whom not only provided me with tools and guidance, but jumped in and helped on the two most difficult patches.
- Clint and I assisted Burton Smith in installing two very difficult water meters in the second week of the month. We are closing in on 100% metered customers.
- Clint and I began our culvert cleaning project this month on Ocean Wave Drive. We began at the entrance of the Broadaxe building. First using the backhoe to remove excess debris from both upstream and downstream of the culvert. We then used two firehoses and chewed away at the massive amounts of dirt and rock from opposite ends. After about two hours we achieved success and the culvert was completely clear. Our plan is to move all the way up Ocean Wave to the Quinn residence. I will take a great effort, but I believe it will be worth it in the end.
- The department assisted Forest Gray in the repair and installation of the Weisbach service line. This is the service line at the top of Victorian that has been leaking for quite some time and may have been solely responsible for lake that would form next to the Yates property. It is probable that there will still be some water in that area due to natural drainage, but nothing like there was.
- The County started prepping the Town roads for the dust suppressant application. Grading, watering, and rolling took place over several days. The application has been delayed by weather and scheduling conflicts, but will take place on the 29th.
- With summer residents showing up and opening their homes we have had a couple of requests to check for meter leaks and service line leaks. I am happy to report that we have had to replace only three base plates from frozen meters.

Respectfully submitted,

Greg Levine
Public Work Director

TOWN CLERK MONTHLY REPORT FOR JUNE 2015

WATER & SEWER ACCOUNTS & BILLING

- Worked with Caselle on water and sewer accounting corrections and updates.
- Uploaded files to Sensus for 3rd bi-monthly meter reading for water and sewer bills.
- Received continued training with Bill Flash mailing service on water bill mailings.
- Created water and sewer meter reading reports for Public Works staff.
- Processed accounts receivable cash receipting for 2nd bi-monthly water and sewer bill payments.
- Deposited 2nd bi-monthly water and sewer bill payments into bank.
- Worked with customers on billing questions, utility usages, and contact information changes.
- Set up customer property transfer accounts with Title Company, including final bills.
- Received Water and EIG expenses reimbursements and finished processing 2nd quarter 2015 grant reimbursement requests.

BOARD OF TRUSTEES MEETINGS

- Prepared agendas, packets, logistics, bills payables report, minutes, audio recordings, and public notices for BOT regular/special meetings/budget workshops/BOT retreat/ public hearings.

RECORDS MANAGEMENT

- Worked with attorney on planning and creating agendas, budget resolutions, and ordinances.
- Managed municipal code organization, and public notice/hearing and ordinance publications.
- Updated Website with public records, recordings, reports, finances, and Ordinances.

ARMORY

- Received Armory expenses reimbursement payments, and finished processing 2nd quarter 2015 grant reimbursement requests.

MISC. TOWN CLERK DUTIES

- No municipal court in June.
- Processed liquor license renewals, transfers, special events, vacation rental permits, sign permits, and building permits.

BOOKKEEPING & ACCOUNTS RECEIVABLE

- Processed accounts receivable money from taxes, donations, fees, licenses, grants, and permits.
- Processed payroll checks, bank deposits, AR and AP reports, and funds transfers.
- Processed accounts payable from vendors, allocating expenses to appropriate accounts.

OFFICE MANAGEMENT & MISCELLANEOUS DUTIES

- Maintained office supplies, equipment, phones, and Internet, and coordinated repairs.
- Attended CMCA Liquor License Basics training.
-

Respectfully submitted from Deborah Bendinelli, Town Clerk, on June 25th, 2015

Correspondence Received



Deb Bendinelli <debbendinelli@townoflakecity.co>

Re: 4-Wheeler Restrictions

3 messages

Leslie Klusmire <leslieklusmire@townoflakecity.co>
To: Shelly Cappellin <shelly.cappellin@yahoo.com>
Cc: "town@townoflakecity.co" <town@townoflakecity.co>
Bcc: debbendinelli@townoflakecity.co

Tue, Mar 17, 2015 at 12:23 PM

Dear Shelley, the Lake City Board of Trustees (BOT) are considering allowing OHV's through the summer of 2015 and possibly through the whole year as a pilot project in 2015. You might want to go to the Town website to see the BOT meeting packet information for March 18th. I am copying your letter to our Trustees as they are considering this issue tomorrow night. Please keep in touch with the Town and Chamber website. Although we have approved a second Labor Day weekend for the Chamber, it may be, depending on the BOT's final decision, that OHV's will be allowed at least in downtown over the summer and possible more.

Thanks for asking! Leslie Klusmire, Town Manager

On Tue, Mar 17, 2015 at 12:13 PM, Shelly Cappellin <shelly.cappellin@yahoo.com> wrote:

Hello,

My name is Shelly Cappellin. Our family has been coming to Lake City now every year since the 70's. My grandfather was Howard Stephens.

As the younger generation begins to holiday in Lake City more frequently, we would like to know if there are any changes in rules for riding 4-wheelers in Lake City. In the past, we have rented wheelers, but are now debating on setting up a Montana Corporation in order to license the 4-wheelers and haul them out for our use.

We have also brought 4-wheelers and bought the permit for trail use as well in the past.

My father had mentioned that he recalled seeing something in the Lake City Paper regarding allowing wheelers downtown during the Labor Day Holiday back in September.

We are planning to come for the 4th of July this year and wondering if there will be a similar plan to allow wheelers in town.

Please send any information you have regarding the rules and regulations related to 4-wheelers in your community.

Thanks for your help,

Excited for another fun vacation in Lake City!

Shelly

Deb Bendinelli <debbendinelli@townoflakecity.co> Tue, Mar 17, 2015 at 2:17 PM
To: Bruce Vierheller - home <bvheller@aol.com>, Jud Hollingsworth <judhollingsworth@townoflakecity.co>, Michael Murphey <michaelmurphy@townoflakecity.co>, Richard Moore <richardmoore@townoflakecity.co>, Rob Hudgeons

<robhudgeons@townoflakecity.co>, Russ - Home <RBgallery@hotmail.com>, Russ Brown
<russbrown@townoflakecity.co>, Steve Ryals <steveryals@townoflakecity.co>, Steve Ryals - Home
<stevetrustee@hotmail.com>

Deborah Bendinelli
Town Clerk
Town of Lake City
230 N. Bluff Street
Lake City, CO 81235
Phone: (970) 944-2333
[Quoted text hidden]

Leslie Klusmire <leslieklusmire@townoflakecity.co>
To: shelly.cappellin@yahoo.com
Cc: chamber@lakecity.com, Deb Bendinelli <debbendinelli@townoflakecity.co>

Mon, Jun 22, 2015 at 11:20 AM

No other plans at this point. They repealed the ordinance allowing the pilot project because it was really their only option. They could have set it for election but the earliest they could have held it was late August when the season is nearly over. There will be the Labor Day weekend event the Chamber is sponsoring. I've copied the chamber on this email so they can share the info.

Leslie Klusmire

From: shelly.cappellin@yahoo.com [mailto:shelly.cappellin@yahoo.com]
Sent: Saturday, June 20, 2015 9:59 PM
To: Leslie Klusmire
Subject: Re: 4-Wheeler Restrictions

Leslie,

Any updates on the OHV ordinance?

Thanks,

Shelly

Sent from my iPad

On Apr 2, 2015, at 12:58 PM, Leslie Klusmire <leslieklusmire@townoflakecity.co> wrote:

Dear Shelly,

The Board did pass an OHV pilot project ordinance that would start April 19th. However, we have a citizens group who is working on and planning to file a petition to force the board to either repeal the ordinance or "stay" the ordinance (which means it won't go into effect) until after a special election is held to gain voter approval. The earliest the Town would be able to hold such an election is mid-July of this year. We will know more at our May 6 BOT meeting.

I am aware that several groups are working on some alternatives in the meantime so that we can host OHV's in Lake City while we are waiting for this issue to be resolved. I don't know the details of those ideas. Keeping in touch with the chamber is important.

I wish I had a more definitive answer but we don't know what will ultimately happen at this time.

Sincerely yours,

Leslie Klusmire

Town Manager

Town of Lake City

From: Shelly Cappellin [mailto:shelly.cappellin@yahoo.com]
Sent: Thursday, April 02, 2015 10:49 AM
To: Leslie Klusmire
Subject: Re: 4-Wheeler Restrictions

Hello Leslie,

If I am reading correctly, the Board has approved a trial period beginning April 15 for OHV's in the downtown area. Please let me know if this is correct and will run for the entire summer. Assuming we will need to purchase the stickers for our Wheelers when we arrive. So looking forward to our stay there!

Thanks

[Quoted text hidden]



Deb Bendinelli <debbendinelli@townoflakecity.co>

RE: OHV Test Program

1 message

Leslie Klusmire <leslieklusmire@townoflakecity.co>

Mon, Jun 22, 2015 at 3:09 PM

To: Alan Corporon <alan_corporon@charter.net>

Cc: st8cop@centurytel.net, Deb Bendinelli <debbendinelli@townoflakecity.co>, chamber@lakecity.com, bvheller@aol.com, Jud Hollingsworth <judhollingsworth@townoflakecity.co>, Michael Murphy <michaelmurphy@townoflakecity.co>, RBgallery@hotmail.com, Richard Moore <richardmoore@townoflakecity.co>, Rob Hudgeons <robhudgeons@townoflakecity.co>, Russ Brown <russbrown@townoflakecity.co>, Steve Ryals <steveryals@townoflakecity.co>, Steve Ryals <stevetrustee@hotmail.com>

Dear Mr. Corporon,

It's unfortunate you feel that way because the Board had no other good option. Some resident registered voters filed an referendum petition against the ordinance that required only 5% of the register voters to sign. Under Colorado law, the BOT had two choices – appeal the ordinance or set it for a special election no sooner than late August. It would have cost the Town at least \$1200 to hold a special election and for us, that is a lot of money. So the BOT decided to have the election at our regular April election in 2016 to avoid the extra cost. I think, given the circumstances they were in, the Board made a prudent and responsible decision. They did not repeal it because they were suddenly against OHV's, they had no other good choices that would positively affect this summer season. They took a risk and tried to have a pilot project and others took action to make sure it didn't happen this summer.

The chamber is holding an OHV friendly 4 day weekend on Labor Day. You can read more about it here: <http://www.lakecity.com/calendar-of-events/eventdetail/28/-/ohv-rally-festival>. Having that go well will help people who are on the fence vote positively to allow OHV's more often in the future.

I hope you will bear with the politics in our Town and help us work for a positive future in Lake City by never saying never. You may be closing out on having some good fun in the future in one of the most beautiful places in Colorado.

All the best,

Leslie Klusmire

Town Manager

From: Alan Corporon [mailto:alan_corporon@charter.net]**Sent:** Monday, June 22, 2015 1:35 PM**To:** leslieklusmire@townoflakecity.co**Subject:** OHV Test Program

Hi Leslie,

This should go to the City Council but I cannot locate any contact info for them so please pass this on.

I read earlier this month that the City Council voted to repeal the OHV Test Program that was set to start this year. When the test program was first enacted myself and a LOT of other OHV enthusiast were pleased because we would have a change do go there on part of an Alpine Ride route. Now as a result of the repeal not only will we not do the Alpine Ride, we will never go to Lake City for any reason on the future. If your town feels it does not need the revenue and wants to treat OHV riders as second rate citizen then so be it. At least Silverton is realizing the gain that can be had by allowing OHV's.

Every OHV Club in the U.S. is aware of what you have done and the fall out could be huge as the OHV community across the county is huge.

Regards,

Alan Corporon

Item 1:

Introduction of Ordinance 2015-11.

**TOWN OF LAKE CITY, COLORADO
ORDINANCE NO. 2015-11**

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, REPEALING AND REENACTING SUBSECTIONS 15.4-1 THROUGH 15.4-5 OF THE LAKE CITY MUNICIPAL CODE PROVIDING REVISED REGULATION FOR BUILDING A RESIDENTIAL CONSTRUCTION, AND OTHER RELATED MATTERS, AND ADOPTING BY REFERENCE THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE, AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Trustees of the Town of Lake City finds that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, of the Town of Lake City and the inhabitants thereof;

WHEREAS, the Board of Trustees of the Town of Lake City finds that this ordinance is necessary and proper to improve the morals, order, comfort, and convenience of the Town of Lake City and the inhabitants thereof;

WHEREAS, this ordinance is not inconsistent with the laws of the State of Colorado.

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Lake City, Colorado, as follows:

Section 1:

Subsections 15.4-1 through 15.4-4 of the Lake City Municipal Code are hereby repealed and reenacted to read as follows:

15.4-1 Adoption of Codes:

(A) There is hereby adopted, for the purpose of providing minimum standards to safeguard life, limb, health, property, and public welfare, the International Building Code, 2012 Edition, as published by the International Code Council, 4051 W. Flossmoor Road, Country Club Hills, IL 69478-5795, the subject matter of which is regulation of the conditions and maintenance of all property, buildings, and structures.

Said Code provides standards for supplied utilities and facilities and other physical things and conditions essential to ensure that such property, buildings, and structures are safe, sanitary, and fit for occupation and use; and provides for condemnation of buildings and structures unfit for human occupancy and use and for the demolition of such structures; and provides for the issuance of related permits and collection of related fees.

(B) There is hereby further adopted for the purpose of providing minimum standards to protect persons and property, the International Residential Code, 2012 Edition, as published by the International Code Council, 4051 W. Flossmoor Road, Country Club Hills, IL 60478-5795, the subject matter of which is regulation of the construction, alteration, movement, enlargement, replacement, repair, equipping, location, removal, and demolition of dwelling units, including multiple family dwellings having separate means of egress and which provides for the issuance of related permits and collection of related fees.

(C) One complete copy of each of the above referenced Codes is on file in the office of the Town Clerk and may be inspected during regular business hours. Additional copies are available for purchase.

15.4-2 Changes and Exceptions to the Adopted Codes:

(A) Certain provisions of each of the two Codes adopted by reference in subsection 15.4-1 herein above are hereby amended for local practice. A copy of the specific schedule of amendments being approved by this ordinance is attached hereto as Exhibit A.

(B) In addition to the amendments contemplated by Exhibit A, the Town further amends the two Codes by addition of a Valuation and Fee Schedule, which is attached hereto as Exhibit B.

15.4-3 General Provisions:

If there is any conflict between any provision of this Section 4 of Chapter 15 of the Lake City Municipal Code, or of the two building Codes adopted by reference therein, with any other provision of any ordinance of the Town or other

applicable State or Federal regulations, those regulations providing the more stringent or stricter requirements shall apply.

15.4-4 Violations and Penalties:

- (A) It shall be unlawful for any person to violate any provision of this Section 4 or of the two building codes adopted by reference therein. Any person convicted of such a violation may be punished by a fine of up to \$300.00, or a sentence of imprisonment of up to 90 days or by both such fine and imprisonment; provided, however, no person under the age of 18 years shall be subject to any term of any imprisonment except for contempt of Court. Each day that a violation of this Section 4 continues shall be considered a separate violation.
- (B) Any violation of the provisions of this Section 4, or of the two building codes adopted by reference therein, is hereby declared to be a nuisance and may be abated in accordance with law.
- (C) In addition to all other remedies available to the Town, it may maintain an action in a Court of competent jurisdiction to enjoin any violation of, or compel compliance with, any provision of this Section 4 or of the two building codes adopted by reference therein.
- (D) The Town may refuse to issue any permits or approvals required by Town ordinance or regulation if the applicant for the permit is in violation of any of the provisions of this Section 4 or of the two building codes adopted by reference therein.

Section 2:

This ordinance shall become effective on the thirty-first day following publication, pursuant to COLO. REV. STAT. § 31-16-105.

Section 3:

The repeal and amendment of various provisions of the Town of Lake City Municipal Code by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

Section 4:

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this ____ day of _____, 2015.

TOWN OF LAKE CITY, COLORADO

Bruce Vierheller, Mayor

I, Deborah Bendinelli, certify and attest that Ordinance 20__-__ was introduced and adopted by the Board of Trustees for the Town of Lake City at the regular meeting on the ____ day of _____, 20__.

ATTEST:

Deborah Bendinelli, Town Clerk

EXHIBIT A

A RESOLUTION ADOPTING THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE 2012 EDITION (WITH APPENDICES) AS CHANGED HEREIN

IBC CODE/SECTION	CHANGE
IRC 301.2	Climatic & Geographic Design Criteria - Add minimum snow load 70 pound.
IRC 301.2	Climatic & Geographic Design Criteria - Add minimum frost protection 36 inches
IRC 306	Sanitation - Add temporary sanitary facilities are required during construction.
IRC 311.7.5.1	Risers - Delete 4" requirement for risers, open risers are permitted
IRC 313	Automatic Fire Sprinkler Systems - Change to automatic fire sprinkler systems are recommended in one and two family residential structures
IRC 315.1	Carbon Monoxide Alarms - Add Carbon Monoxide alarms must be installed in accordance with manufacturer's instructions
IRC 322.2	Flood Hazard Areas - Change elevation certificates must be issued by qualified engineer or surveyor
IRC 905.7	Wood Shingles - Wood shingles not permitted for roofing material outside historical district. Within the historic district only, fire-retardant wood shingles are permitted but only to the extent they replace existing wood shingles.
IRC 905.8	Wood Shake - Wood shakes are not permitted for roofing material outside historical district. Within the historic district only, fire-retardant wood shakes are permitted but only to the extent they replace existing wood shakes.
Chapter 11	Energy Efficiency - Eliminate this chapter
Chapter 11	Change - Thermal envelope requirements are R21 for walls and R40 for ceilings
Chapter 13-24	Adopt 2012 Mechanical Code and Fee Schedule.
Chapter 13-24	Adopt 2012 Fuel Gas Code
Chapter 25 - 43	Plumbing & Electrical - Eliminate these chapters (we rely on state codes and inspectors for plumbing and electrical)
IRC Appendices	
Appendix E	Adopt Appendix E -Manufactured Housing used as Dwellings
Appendix F	Adopt Appendix F - Radon Control Methods Change Recommended, not adopted
Appendix J	Adopt Appendix J - Existing Buildings & Structures
Appendix L	Adopt Appendix L - Permit Fees
ICC 400-2012	Log Homes - Adopt the International Code Council Standard 400- 2012 for log homes

EXHIBIT B

VALUATION AND FEE SCHEDULE

Building Valuation Schedule

Construction	Valuation (per sq. ft.)
Wood Frame, Masonry, Milled Log	\$144
Full Round Log	\$216
Finished/Semi-finished Basement	\$32
Unfinished Basement	\$24
Wood Frame Garage	\$58
Masonry Garage	\$69
Car Port	\$29
Decks	\$21

For projects where the owner/builder is providing reclaimed or recycled materials or manufacturing their own materials for construction, valuations may be determined based on the owner's estimate of building and materials cost at the discretion of the Building Official. An example of this valuation determination would be if an owner/building was harvesting and milling trees on their own property.

Valuations of additions will be based on the construction values above, the contractor's bid, or the owner's estimate of building and materials cost at the discretion of the Building Official. Valuations of alterations, remodels, repairs, reconstructions, sheds and other out-buildings, and any other structure not listed, including commercial structures and Construction Types I-V shall be based on the contractor's bid or the owner's estimate of building and materials cost. If neither is provided the Building Official shall make the valuation determination. Should the permit applicant disagree with the determination of the Building Official, the applicant shall provide a detailed and itemized cost breakdown of the proposed construction project to determine valuation.

Use Tax shall be determined on 50% of the total valuation of the project. Use Tax shall be calculated at 4% of the 50% valuation determination or 4% of the materials cost, whichever is greater or relevant to the project.

Building Permit Fees shall be determined by Appendix L; Permit Fees of the IBC/IRC 2012 Editions, as adopted and amended by the Town of Lake City. Please see fee schedule.

VALUATION AND FEE SCHEDULE

Permit Fee Schedule

Building Permit Fees will be calculated based on the Valuation Schedule and Appendix L of the 2012 International Residential Code as adopted by the Town of Lake City. Please see Valuation Schedule and Appendix L.

Note: Building Permits will expire two years from the date of issuance. Extensions may be granted with cause by written request. A \$25 administrative fee will be charged for extensions.

The Plan Review Fee will be calculated at 10% of the Building Permit Fee.

Note: 20% of Plan Review Fee, for Commercial Occupancies only, will go to the Lake City Fire Protection District for Code Review.

The Mechanical Permit Fee is \$25 plus 2% of installed equipment costs (not including labor). Modular Building Fees will be calculated as per adopted Valuation and Fee Schedules.

Re-inspection Fee	\$50/hour
Inspection for which no fee is indicated	\$50/hour
Additional Plan Review (changes, revisions, additions)	\$50/hour
Third Party Consultants (plan review, inspections, etc.)	Actual Cost

Consultants may be engaged at the discretion of the Building Official. Owner and/or Owner's agent will be notified in writing of the need for third party consultation and be responsible for actual costs.

Use Tax shall be determined on 50% of the total valuation of the project. Use Tax shall be calculated at 4% of the 50% valuation determination or 4% of the materials cost, whichever is greater or relevant to the project.

Item 2: Liquor License Renewal

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

PACKER SALOON AND CANNIBAL GRILL
 PO BOX 1244
 LAKE CITY CO 81235

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name ALPINE SUN LLC		DBA PACKER SALOON AND CANNIBAL GRILL		
Liquor License # 4703231	License Type Tavern (city)	Sales Tax License # 27964740	Expiration Date 9/16/2015	Due Date 8/2/2015
Street Address 310 N SILVER STREET LAKE CITY CO 81235				Phone Number (970) 944 4144
Mailing Address PO BOX 1244 LAKE CITY CO 81235				
Operating Manager Zuzana Palencarova	Date of Birth 6/9/87	Home Address 310B N. Silver St. Lake City, CO 81235		Phone Number (970) 901-1200
<p>1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Is the premises owned or rented? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease _____</p> <p>2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.</p> <p>3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>6. SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS: Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.</p>				

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business ZUZANA PALENCAROVA	Title OWNER, MANAGER
Signature <i>Z Palencarova</i>	Date 8/18/15

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For Town of Lake City	Date
Signature	Title Mayor
	Attest