

May 4, 2017

Meeting began at 7:05 p.m.

Present: Bill Muse, Mayor; Farlan Behunin, Steve Cox, Pete Benson, Gladys LeFevre,
Council Members; Judi Davis, Clerk

Public Present: Bill and Judith Geil, Haylee Apperson, Ashley Coombs, Mary Jane
Coombs, Donna Owen, Peg Smith.*

Pledge of allegiance

Gladys made a motion to approve the minutes of the March 2 and April 6 meetings as presented. Farlan seconded the motion. The vote was unanimous.

Haylee stated that DABC wants a copy of **Magnolia's business license**, but their current license is for a mobile food business, and they would like to change it to a restaurant. She asked if it could just be changed or if the ordinance needs to be changed first. They are not mobile. They are considering the 1200 sq. ft. of contained space and the kitchen in the bus as their restaurant. They are not mobile and do not have a drive up window although they do serve on paper and plastic and asked if we could change the ZO definition of restaurant.

Bill asked if the State Parks are aware of their facility and if they have approved it. Haylee answered that Mike Nelson (Park Manager) and Tim Smith (Region Manager) have approved it. DABC said that the State Parks that allow beer sales with food are at golf courses and are located inside actual buildings. Haylee reported that there are others that do it that aren't inside buildings and mentioned Pole's Place as an example.. Bill asked that they have Tim Smith or someone above him send us a letter stating that Anasazi State Park has permission to have a limited license restaurant on their site.

Farlan read from the DABC code that alcohol may not be consumed in a park and wondered how that fits this situation. * Gladys commented that the Park is located in a residential zone and wondered if we can have a restaurant and other facilities owned by different people on the same parcel. Pete thinks it is a planning issue. Haylee's first concern is getting the business license changed. Pete commented that we need to update the zoning ordinance. Peg has looked for a CUP for Magnolia's but can't find one. After adding mobile food to the chart of uses, the CUP was not discussed. On State property, our rules may not be enforceable, but they want to be in compliance. Pete suggested we might approve it and let the State take it from there. The restaurant problem may be a State issue. If we can get a letter from State Parks saying Magnolia's is a restaurant, we could give them a new business license.

May 4, 2017

Page 2

Bill would like to have them go ahead but would like a letter from State Parks and Recreation giving their approval.

Donna was present to discuss the **package liquor store** they are requesting. Steve clarified that it is the Town applying to have an agency in Boulder, and that if it is approved, the State will accept applications from anyone wanting the facility and will choose which one will get the agency. Donna is asking us to write the letter to DABC expressing why we feel one is needed. Gladys, Pete and Steve think we need public comments. We will schedule an opportunity to receive public input before the June meeting so that a letter can be written in time to be received at DABC before June 10.

The Boulder Exchange store has been sold and a preference given for the transfer of their **Class A beer license** to the new owners. Pete made a motion to approve issuing the Class A beer license to **Hall's Store**. Steve seconded the motion, and the vote was unanimous with Gladys abstaining.

The list of **checks issued** in April was reviewed, and Steve made a motion that they be approved. Pete seconded the motion, and the vote was unanimous.

Gladys reported that the Young Men and Young Women will be cleaning the cemetery and that Jamie Pace fixed the leak at the firehouse.

Steve ordered and placed various signs at the Community Center and the Tract Park. Bob Phillips is now working. He agreed that we may be able to use the brush hog at the cemetery clean up.

Farlan reported that Steve has ordered some no parking signs for the Post Office and for the corner where Dennis Bertucci has his shop. Because of some close calls, we may need to put some stop signs where the road by Catmull's café enters the Burr Trail Road and also where Boulder Mountain Lodge traffic enters the highway. In discussing roads, Mary Jane reported that on the Lower Boulder Road overgrown trees at the curve by Ryans need to be trimmed. The Tree Ordinance may require owners to cut the branches of their own trees that are a hazard on the road. We should write a letter to Barsches asking them to cut them back or the Town will have it done and charge them for the work.

Pete discussed the Cooperative Agreement with the Department of Forestry in which the Town has agreed to do volunteer work to meet our obligation in the Cooperative Wildlands Preparedness Plan. We will prepare the plan which will direct property owners to clean up around their homes in an effort to prevent the spread of wildfires. He will bring some presenters to educate the community on things to do to prevent the spread of fires around homes. Pete made a motion that we sign the agreement with the Division

May 4, 2017

Page 3

of Forestry, Fire and State Lands. Steve seconded the motion, and the vote was unanimous. We may need to rent or hire a chipper to chip branches. The chips could then be used by the Tree Committee. The Planning Commission had more discussion on the Kennedy Subdivision and roads, community input for the General Plan, and the Skype work meeting with the Rural Planning Group here on May 10. Next week they will hold a public hearing on the proposed change to the ZO clarifying the terms of Planning Commissioners.

Bill discussed Arbor Day, which went well in spite of the wind. They replaced a dead apple tree with an heirloom apple tree. They are doing a good job. He also reported that Gibbs Smith has a half-acre lot across the street south of his home and would like to build a sixplex on it. We need to think about changing the ordinance to protect our five-acre limitation and still increase housing, while considering what is the best use of a parcel of land. It is a complicated issue but is doable.

We will schedule a public hearing on June 1 at 6:45 to receive input on an ordinance change clarifying Planning Commission terms.

Farlan made a motion that the meeting adjourn. Steve seconded the motion. The vote was unanimous.

The meeting adjourned at 8:40 p.m.

Minutes prepared by Judith Davis, Town Clerk