

MINUTES TO BE APPROVED AT MARCH TOWN COUNCIL MEETING

Boulder Town Council Regular Meeting

Thursday January 4, 2024 7:00 PM

Meeting Minutes

Town Council Members present- Mayor Judy Drain, Josh Ellis, Ray Gardner, Gladys LeFevre- via zoom, John Veranth

Town staff present or on Zoom- Town Clerk Jessica LeFevre, Deputy Clerk Lacy Allen, Zoning Administrator Erin Smith

Meeting was called to order at 7:00pm

Pledge of Allegiance The Pledge of Allegiance was recited.

Councilmember Veranth asked Attorney Winn for the record that there had been questions about the election and was asking for clarification that there was no barrier in the new councilmembers taking any oath to be elected into office. Attorney Winn clarified that there had been no formal challenge to the election results. Meaning there is no barrier to anyone taking the oath.

Swear in new Town Council members Clerk LeFevre swore in new Town Council members John Veranth, Ray Gardner, and Josh Ellis.

Approve agenda Motion to approve the agenda made by Councilmember Ellis. Motion seconded by Councilmember Gardner. All voted Aye. Motion passed unanimously.

Sign Conflict of Interest Disclosure Forms All members present filled out the Interest Disclosure forms.

TC conflict of interest disclosure None were disclosed.

Department report, council and administrators

Councilmember LeFevre had nothing to report.

Clerk LeFevre reported on the progress of the new deputy clerk and zoning administrator.

Mayor Drain had nothing to report.

Review of Roberts Rules 5 minute limit Mayor Drain provided a 5 minute review of Roberts Rules pertaining to making motions and amendments to motions.

Public Comments 3 minutes maximum per person. You may not give your time up to another person. Public Comments will be open for 30 min.

Mayor Drain opened the meeting for Public Comments.

Keith Watts made a comment regarding the pedestrian path. Keith stated that he had hoped the pathway would be on the agenda. He had sent comments and maps to the town council and he would like them to be considered. He asked that his letters be posted. He noted problems with Plan A regarding the grade and ADA. He also mentioned the drainage at the Burr Trail corner to which he believes plan A would be problematic. He mentioned 2 other options that he proposed and would like to encourage the Town Council to consider other options besides plan A.

Approve minutes for September Regular, October Regular, November Regular, November Work, November Emergency Work Meeting. Jessica Lefevre noted that the November Emergency Work Meeting would not be looked at because it had not been corrected and would be added to the next agenda for approval. John mentioned that he was not an attendee of these meetings, but he believes the policy should be that he approves so he seconded the motion to approve September Regular Meeting Minutes.

Motion to approve the September 7, 2023 Regular Meeting Minutes made by Councilmember LeFevre. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Motion to approve the October 18, 2023 Regular Meeting Minutes made by Councilmember LeFevre. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Motion to pass the November 7, 2023 Regular Meeting Minutes made by Councilmember LeFevre. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Motion to pass the November Work Meeting Minutes made by Councilmember LeFevre. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Approval of the November Emergency Work Meeting was moved to February.

Open meeting training for the body Clerk LeFevre stated this was a required training that needed to be completed at home by all Councilmembers. She explained that once the course was completed there is a certificate that should be printed off that can be held on file. Mayor Drain stated the training needed to be completed before the next meeting.

Clerk LeFevre played the open meeting training videos from the State for Council.

Keith Watts commented on the public comment section of the training and asked Council if they would like to discuss the pedestrian path per his previous Public

Comment. Mayor Drain stated they would not discuss it that evening because there was too much on the agenda and she wanted to be able to discuss it when they had enough time to thoroughly discuss.

Town Council job appointments Mayor Drain appointed Councilmember LeFevre to the cemetery, building, travel council, and the business bureau. She appointed Councilmember Ellis with EMT, Fire Council, and Roads. She appointed Councilmember Gardner enforcement, grounds and parks, and library. She appointed Councilmember Veranth Planning Commission, landfill, and the Arts Council. Mayor Drain was appointed the Garfield Planning Commission and the Tree Board.

Councilmember Veranth and Councilmember Ellis switched landfill with roads.

Clerk LeFevre clarified the assignments. Mayor Pro Tem would be addressed at the following meeting.

Scheduling of Town Council meetings for the year Mayor Drain suggested starting meetings at 6:00 pm during daylight savings time. It was decided to maintain a 7:00 pm start time and the July 4th meeting was moved to July 3rd.

Clerk LeFevre suggested selecting a date for potential second meetings and work meetings. Councilmember Veranth suggested planning around the Planning Commission's second meeting.

Colleen Thompson stated the Planning Commission second meetings would be on the fourth Thursdays of the month.

Mayor Drain suggested leaving the third Thursday as the date for second meetings as necessary.

It was decided to leave the 2024 Council meetings for the 1st Thursday of every month with the exception of July which would be moved to Wednesday the 3rd.

Presentation of Planning Commission and Board of Adjustment candidates Mayor Drain presented the candidates for the Planning Commission and alternate position and allowed each to present and explain why they were interested in the position.

Jen Bach presented and stated she would be more interested in the alternate position. Councilmember Veranth asked if she would be interested in the Board of Adjustment position. She replied she would have to look more into it before she agreed to that.

Nick Vincent presented. Mayor Drain asked if he would be interested in the alternate position if someone else was appointed to the primary position. He replied he would be.

Daryl Fuller presented. Mayor Drain asked if he would be interested in the alternate position if someone else was appointed to the primary position. Councilmember Veranth asked Mr. Fuller if he would be interested in staying on the Board of Adjustments.

Executive Session Mayor Drain made a motion to exit the public meeting. Councilmember Ellis seconded. All voted Aye. Motion passed unanimously.

Motion to go into the executive session to discuss the candidates made by Mayor Drain. Seconded by Councilmember Ellis. All voted Aye. Motion passed unanimously.

Motion to close the executive session made by Councilmember Ellis. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Motion to open the public meeting made by Councilmember Gardner. Seconded by Councilmember Ellis. All voted Aye. Motion passed unanimously.

Appoint Planning Commission Members Mayor Drain appointed the 5 year Planning Commission position to Nancy Tosta and Darryl Fuller as the alternate Planning Commission member.

Appoint Board of Adjustments Members Mayor Drain appointed Elizabeth Julian to the one year Board of Adjustments position and Nick Vincent to the five year Board of Adjustments term.

Vote on Average Lot Size Ordinance Councilmember Veranth moved to pass the ordinance 2024-1. Seconded by Councilmember Ellis.

Mayor Drain stated this had been discussed in December but she wanted to give the new Councilmembers a chance to ask questions. Councilmember Ellis asked how future landowners would know that they could not further subdivide their property per the ordinance. Councilmember Veranth answered his question and explained how the wording in the ordinance explained this.

Councilmember Gardner asked if there was a mechanism they could implement to require a realtor to disclose this information. Councilmember Veranth replied it was really about the due diligence of the potential buyer to obtain this information.

Councilmember Ellis made a motion to replace the current wording of 153.119 Lot Averaging C with the alternative wording "The basis of the lot size average calculation shall be the total area of the parcel or lot being divided as of January 4, 2024 and the cumulative number of existing and proposed building lots on that original parcel, not including areas separately demarked for common use or open space protection or rights-of-way, public or private. Councilmember Veranth seconded.

Councilmember LeFevre stated she was concerned about this because of the way the lots showed up on the tax notices and asked how this would affect people with multiple adjacent parcels. Mayor Drain suggested they look more into this. Councilmember Veranth stated there was a sense of urgency to get this ordinance passed because there were two conceptual subdivisions that were being presented and relied on this ordinance to be passed.

Councilmember Ellis asked how this ordinance would affect the subdivisions.

Councilmember Veranth recommended they pass this and then ask the Planning Commission to look into multiple adjacent parcels owned by the same person.

Councilmember Ellis made a motion to replace subsection C in 153.119 of Ordinance 2024-1 with the amended wording C as proposed in the document. Seconded by Councilmember Veranth. All voted Aye. Motion passed unanimously.

Councilmember Veranth motioned to adopt ordinance 2024-1 an ordinance changing lot size requirements in the LDR and GMU Zoning Districts, as amended by the previous action. Seconded by Councilmember Ellis. All voted Aye. Motion passed unanimously.

Meeting protocols discussion- Timelines of when the draft agenda needs to go out, when documents will be accepted by, format of documents, etc. Clerk LeFevre opened a discussion about how new members felt about the procedures pertaining to the meeting and requested that submitted documents be named in a certain format based on the date as year.date.month of submission followed by the name of the document for ease of record keeping and organization. She suggested they set deadlines for submission of certain documents pertaining to meetings.

Councilmember Ellis suggested they look into standard best practices for other cities in order to set timelines for the submission of documents from the public and suggested leaving the Agenda as a living document on the Google drive until they were posted on the Friday before the meeting.

Councilmember Veranth suggested adding the initials of the person submitting a document into the title. He stated that agendas were living documents and ultimately the Mayor decided what went onto the agenda and thought that having the agendas and meeting materials ready the Friday before the meeting on the Google Drive was a good goal to set and to have the agenda available to the Public on the Tuesday before the meetings. He suggested adding information items to the agenda as necessary and adding a consent agenda section.

Clerk LeFevre stated that she could submit a document to Google Sheets with issued checks that would be a living document she would update as checks were issued that could be referenced. She also stated that submitted documents should have page numbers.

Councilmember Ellis stated that Councilmembers' email addresses were attached to the Town website and they were going to reissue email addresses once the website was taken down and recreated. He explained the new website would initially be barebones and have only the minimum requirements in order to reissue email addresses to Councilmember, but the site would be dramatically improved once the programmer had time. He commented it was going to get worse before it got better but it would get a lot better and help move Boulder into a more technological system.

On-Solve discussion Councilmember Veranth stated he had looked over these documents and that they should be submitted to the Fire Department in order to determine if they were on board.

Clerk LeFevre explained what On-Solve was and presented the On-Solve quote. Councilmember Veranth stated he was supportive of this but they needed to make sure that the Sheriff and the Fire Department thought that this system was something that would work for Boulder.

Councilmember Gardner commented the Sheriff's office already used a system like this and thought that Boulder might be able to piggyback on the system that was already in place. Mayor Drain asked him to look into it. Councilmember Ellis commented the Fire Department used SafeAlert which was a similar system but it was based on mass texting which caused issues with Android and iPhone compatibility. He stated they should work together to develop a plan on how they were going to use the tool before they decided what tool to get.

Councilmember Veranth commented he was excited about On-Solve because it had a lot of flexibility and potential but they needed the Fire Chief to support it before they decided as a Council to spend the money.

Mayor Drain instructed Councilmember Ellis to take the lead on this issue and look into the options.

Approval for December checks issued Motion to approve the list of December checks made by Councilmember Veranth. Seconded by Councilmember LeFevre. All voted Aye. Motion passed unanimously.

Upcoming business for February Business items for February were presented and discussed.

Topics discussed: Boulder Farmstead Contract, Town Council responsibility for Emergencies, Fraud Risk Assessment, Mayor Protem, Budget and Non-motorized trails.

Adjourn Motion to adjourn made by Councilmember Veranth. Seconded by Councilmember Ellis. All voted Aye. Motion passed unanimously.