

Palmer Lake Board of Trustees, Nov. 10 and 17

Board adopts new town code, proceeds with retail marijuana

By James Howald and Jackie Burhans

The Palmer Lake Board of Trustees held a public hearing and first reading of its new town code on Nov. 10 and unanimously adopted the code on Nov. 17. At the Nov. 17 Local Licensing Authority meeting and subsequent special meeting, the board tackled implementation issues related to the recently passed adult-use cannabis ballot issue. The board also discussed the proposed 2023 budget, voted on four resolutions, and granted four special event permits.

**New town code adopted**

At the Nov. 10 regular meeting, Mayor Bill Bass reviewed the history of updating the town's municipal code and opened the public hearing. Trustee Glant Havenar asked that the record reflect that she wanted to hold a public workshop before this reading but that her request was denied. Trustee Darin Dawson reviewed the history in more detail and asked if the town was planning to scrap the \$13,000 investment in recodification of the town code it had made so far. Havenar said she was ready to pass the ordinance with three caveats: she wanted the board to revisit implementing commissioners in January, review each of the 17 code chapters monthly, and revise the language to refer to Palmer Lake as a statutory town rather than a statutory city.

Town Attorney Matt Krob reiterated that the municipal code is a living document, and once adopted the board has the sole authority to make any desired changes. Planning Commissioner Susan Miner, previously on the board, said that the town needs its code to line up with state requirements and that the town cannot move forward with its Master Plan without the new code. Incoming trustees Shana Ball, Kevin Dreher, and Dennis Stern agreed with the direction Havenar proposed.

Bass closed the public hearing and added an agenda item to pass the first reading of Ordinance 16-2022 on adopting and enacting a new town code. Krob explained that the approval and actual adoption of the new town code would happen on the second reading scheduled for Nov. 17. The board unanimously passed the first reading.

On Nov. 17, the board waived the second reading

and unanimously approved the ordinance to adopt the new town code, with Havenar noting the agreement to devote one meeting per month to review the code chapters in precedence order.

**Adult-use cannabis implementation**

At its Local Licensing Authority meeting, held on Nov. 17 at the Tri-Lakes Chamber of Commerce Community Room due to a scheduling conflict, the board considered a request by Alpine Essentials to modify their premises at 850 A/B Commercial Lane in preparation for serving retail customers. They plan to make interior changes to expand and repurpose their space to serve more customers. The request was unanimously granted.

At the special meeting, the board held a long discussion to review a possible draft ordinance relating to adult-use cannabis. Krob reviewed 10 different codes and found the Leadville code to be the most comprehensive. He noted that some items, like entrances, are dictated by state code which Palmer Lake cannot change.

Havenar noted that the current code requires the businesses to get approval from the Planning Commission, which doesn't meet until Dec. 21. Then the request for a license would come back to the Board of Trustees in January and it would take at least 60 days to get a license from the state. Since these are known businesses, she asked, why would we make them wait?

Krob advised that the board could direct the staff to amend the existing code to allow retail marijuana sales in the two current locations without going to the Planning Commission and could draft an ordinance that says the businesses can apply for a license but that it would be subject to forthcoming regulations. These changes could be implemented by an emergency ordinance at the next meeting and would be effective upon passage. The board could then hold public workshops on the proposed regulations. Trustee Karen Stuth said she wanted Public Safety to have a chance to review the regulations and confirm they could implement them.

**Proposed 2023 budget direction**

Bass opened the public hearing, and Deputy Town Clerk

Julia Stambaugh reported that she had made minor changes bringing revenues and expenditures in line and doing some cleanup. In public comments, resident Roger Mosely brought attention to his concerns on over-expenditures in the water fund, calculating that Palmer Lake might need to raise its rates significantly but expressing that he was glad that some rate increases were already approved. Town Administrator Dawn Collins said that typically rates are adopted in January to be effective at the next billing. If the board sees the need to act, it can do so at any time by resolution.

Trustee Jessica Farr said the proposed budget included marijuana funds, and she felt the town shouldn't propose to use the money when it does not yet have it. Havenar said she wanted the money to go into reserves before planning to spend it. Collins confirmed that was the final direction clarified at the previous meeting. She said the money would not be spent if it does not come in and that expenditures could be reviewed by the board.

Krob noted that some municipalities pass a budget and never look at it, and some review and amend it monthly. Collins said that reviewing and amending it once would be more cost-effective. Havenar suggested reviewing it after the first month of operations of the adult-use cannabis businesses, and Melissa Woodward of Alpine Essentials noted that it would have to be done in executive session since there were fewer than three businesses.

**Resolutions passed**

The board passed the following resolutions:

- Resolution 53-2022, which adopts the Community Master Plan.
- Resolution 54-2022, which indefinitely approves and supports the annual Yule Log community tradition.

- Resolution 55-2022, which amends the town star lighting policy to include the evening of the annual Hockey Classic.
- Resolution 56-2022, which adopts the town's 3-mile annexation plan.

**Special event permits**

The board granted the following event permits:

- Star Lighting and Chili Supper on Saturday, Nov. 26 at 4:30 p.m. at the Town Hall.
- EZ Business Workshop, Wednesday, Nov. 30, from 8 a.m. to 1 p.m. at the Town Hall.
- A Christmas Carol production on Dec. 9 at 7 p.m. and Dec. 10 at 2 p.m. at the Town Hall.
- "LOVE to Party" Valentine Dinner and Dance on Feb. 11, 2023, from 5 to 10 p.m. at the Town Hall.

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The next board meeting is scheduled for Dec. 8. See the town's website at [www.townofpalmerlake.com](http://www.townofpalmerlake.com) to confirm times and dates of board meetings and workshops. Meetings are typically held on the second and fourth

Thursdays of the month at the Town Hall. Information: 719-481-2953.

Correction

In the October issue, we said that Cindy Allen had presented on behalf of the Parks Commission. The correct name is Cindy Powell. OCN regrets the error.

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