



**MINUTES OF THE BUENA VISTA BOARD OF TRUSTEES  
VIRTUAL REGULAR MEETING  
TUESDAY, June 9, 2020**

**MINUTES OF THE MEETINGS OF THE BOARD OF TRUSTEES ARE A TRANSCRIPT OF THE GOVERNING BODY'S ACTIONS RATHER THAT A VERBATIM RECORD OF DELIBERATIONS.**

A virtual regular meeting of the Board of Trustees was called to order by Mayor Duff Lacy, at 7:00 pm, Tuesday, June 9, 2020 having been previously noticed in accordance with the Colorado Open Meetings Law.

**ROLL CALL**

Attendee Name	Title	Status
Duff Lacy	Mayor	Present
Amy Eckstein	Trustee	Present
Libby Fay	Trustee	Present
Norm Nyberg	Trustee	Present
Devin Rowe	Trustee	Present
Cindie Swisher	Trustee	Present
David Volpe	Trustee	Present

**Town Staff Present:**

Town Administrator Phillip Puckett  
Principal Planner Mark Doering  
Police Chief Jimmy Tidwell  
Public Works Director Shawn Williams  
Special Projects Manager Joel Benson

Town Attorney Jeff Parker  
Town Treasurer Michelle Stoke  
Fire Chief Dixon Villers  
Recreation Director Earl Richmond  
Town Clerk Paula Barnett

**PLEDGE OF ALLEGIANCE**

Mayor Lacy led the pledge of allegiance.

**AGENDA ADOPTION**

**MOTION NO. 1:**

MOVE TO APPROVE THE AGENDA.

<b>RESULTS</b>	<b>CARRIED</b>
<b>MOVER:</b>	Trustee Fay
<b>SECONDER:</b>	Trustee Eckstein
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

**CONSENT AGENDA**

*Approval of matters that are routine in nature that require review and/or approval, i.e. minutes and reports. (Professional Service Agreements (PSA) that exceed \$25,000.00 require the Consent Agenda to be approved by a Roll Call vote)*

**A. Minutes**

- 1. Board of Trustees Regular Meeting – May 26, 2020
- 2. Recreation Advisory Board Meeting – February 5, 2020
- 3. Trails Advisory Board Meeting – March 3, 2020

**B. Police Chief Report**

**C. Fire Chief Report**

**D. Chaffee County Director of Housing May 2020 Activities Report**

Trustee Fay and Trustee Rowe shared they appreciate Chief Tidwell’s comments in his monthly report related to the incident that occurred in Minneapolis involving George Floyd and four police officers.

**MOTION NO. 2:**

MOVE TO APPROVE THE CONSENT AGENDA.

<b>RESULTS</b>	<b>ROLL CALL</b>	<b>CARRIED</b>
<b>MOVER:</b>		Trustee Swisher
<b>SECONDER:</b>		Trustee Nyberg
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

**PUBLIC COMMENT**

Allen and Carol Kelly, 142 Penn Lode Drive, Breckenridge, shared with the Board they recently purchased three lots on East Main Street and Court Street, and have submitted plans for construction of Court Street Social. Mr. Kelly shared that he and Carol are looking forward to being a part of the community, and that they and the project architect, Tim Sabo with Allen-Guerra Architecture will be available to participate in the East Main Street Improvements discussion.

Kathi Perry, 18960 Vista Drive, Buena Vista, read the letter she submitted to the Board of Trustees on June 8, 2020, regarding having a Fourth of July Parade.

Liz Sielatycki, 554 Park Lane, Buena Vista, shared with the Board that she was pleased to see Chief Tidwell’s statement condemning the use of force. Sielatycki stated through her position with Chaffee County Family & Youth Initiatives, she has always maintained a wonderful partnership with Chief Tidwell and his staff, and appreciates their service and dedication to the community. Sielatycki encouraged the Board to approve having Mayor Lacy sign the Mayor’s Pledge.

Emily Nancarrow, 35000 County Road 371, urged the Board to authorize Mayor Lacy to sign the Mayor’s Pledge that was submitted to the Trustees.

Jessica Eaddy, who is currently residing in Salida and will be moving in July to 814 W. Main Street, Buena Vista, shared she has worked professionally with the Buena Vista Police and Chaffee County Sheriff's Departments, appreciates the excellent service they provide, and their commitment to protect citizens and visitors. Eaddy encouraged the Trustees to approve having the Mayor sign the Mayor's Pledge.

## **STAFF REPORTS**

1. Town Administrator – Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

Puckett reviewed with the Board that the Main Street Program was suspended in January 2019 due to staffing changes. Town staff has approached the Buena Vista Chamber of Commerce to see if they would like to take over management of the program which is commonly run by a Chamber. The Chamber determined they cannot effectively run the program due to limited staffing and higher priorities.

Puckett stated staff is recommending Town withdraw from the program for the following reasons, and is seeking a recommendation from the Trustees on proceeding forward:

- East Main Street has changed significantly since the 2013 DCI study and when Town joined the Main Street program in 2014/2015, with the private sector growing significantly in the number and types of businesses. The Town also has increased ongoing investment into maintenance and enhancements (trash/recycling cans, benches, flowers, gardens, signage, trees, etc.)
- The program is not effective as a top-down approach nor is it meant to be another advisory board, and more success has come from "grass-roots" efforts.
- Town staff capacity is limited and is consistently committed to higher priorities
- In recent years, the Board of Trustees has recognized the need for broader economic focus including the Airport, Colorado Center, Highway corridor, Chaffee Properties, East/West/South Main and Antero Circle.

Trustee Eckstein commented that over the years, businesses and the community have benefited from the Main Street Program, and ideally the Chamber of Commerce should oversee the program. Trustee Eckstein suggested the possibility of a coordinator to oversee the Main Street Program and work with the Advisory Boards and Commissions to coordinate the different programs in the community.

2. Town Treasurer – Highlights of the report in the packet were reviewed and Stoke responded to Trustee comments and questions.
3. Recreation Director – Highlights of the report in the packet were reviewed and Richmond responded to Trustee comments and questions.

4. Public Works Director – Highlights of the report in the packet were reviewed and Williams responded to Trustee comments and questions.
5. Airport Manager – Highlights of the report in the packet were reviewed and Puckett responded to Trustee comments and questions.

## **BUSINESS ITEMS**

### **East Main Street Improvements**

Principal Planner Mark Doering reviewed that Staff is requesting direction from the Trustees regarding right-of-way improvements for East Main Street between Court Street and Beldan Street. The existing 80' wide right-of-way has a public sidewalk, curb and gutter, and parallel parking along the north side of Main Street, but does not have existing sidewalk, curb and gutter, or parking along the south side. The south side of the street has an existing bicycle lane and an unfinished edge abutting the undeveloped property south of Main Street. The block along the south side of Main Street (between Court and Beldan) will need a new alley built to provide access and utilities to support existing and new developments, and direct vehicle access to Main Street for new development will not be allowed.

Doering reported that he has met with representatives from the school district to discuss potential impacts to their operations and school crossings along East Main Street, and it was agreed to add a mid-block bump-out on the north side as well when one is installed on the south side of the street to increase the safety of children walking to and from school.

Doering reviewed with the Board two options for streetscape designs which include the following:

Option A includes the removal of the bicycle lane to allow diagonal parking for east-bound traffic, and new curb, gutter and attached sidewalk to match the existing configuration of the blocks to the west. The sidewalk would be 10 feet wide from the edge of buildings to the curb line. Streetlights, street trees and street furnishings (benches, trash cans and bicycle racks) would be installed, and approximately 24 or 25 parking spaces.

Option B includes the bicycle lane being removed for parallel parking for east-bound traffic, and new curb, gutter and attached sidewalk would be wider than the existing configuration of the blocks to the west. Parallel parking reduces the width of the street and allows for the installation of the new curb farther out from buildings which will result in a 17-foot-wide sidewalk. Option B requires modification to the existing bump-out at Court Street along with changes to the existing drainage improvements in the street. It would also prohibit any future changes to the parking configuration without adding significant cost to change the curb line and drainage improvements. Approximately 16 parking spaces would be provided.

Doering stated both options will require a new alley to be installed in its entirety along

Block 21, and will necessitate the creation of a mid-block crossing which would result in the new development having a consistent pattern along the undeveloped south side of the block. Currently both options would keep the north side of the street the same, allow for changes at a later date (parking, mid-block bump-out, drainage) with minimal cost, keep the center line in the same location as the rest of the street to the east and west, and alter the existing site at the east end of the block that currently has back-out parking on Main Street. The apartment buildings located there would have new raised curb and gutter along Main Street that would not conflict with the existing access, and with the addition of a new alley in the middle of the block, there is an opportunity to relocate the parking on the south side of the property, This would allow for raised sidewalk, curb and gutter to be installed.

Doering stated at this time there are no budget impacts, but as infill infrastructure is installed to meet Town’s requirements, the Town will be required to take over long-term maintenance for any new improvements. Option A results in less cost to the town to maintain existing improvements and to build new infrastructure to match existing structure. Option B will require additional expenditures to cover the cost of modifying existing improvements and future alterations to the configuration if designs/development changes the curb line to a narrower street and wider sidewalk. If the Board chooses to complete missing sections as this block develops, Town will need to pay for those improvements and be reimbursed when the remaining lots are developed.

The Board discussed the pros and cons of each option, with Trustee Eckstein favoring Option B and Trustees Fay, Nyberg, Rowe, Swisher, and Volpe preferring Option A.

Tim Sabo with Allen-Guerra Architecture, architect of the project stated he is looking at the project as an outsider to the community and feels both options have their pros and cons. The wider sidewalks are pedestrians friendly allowing businesses space for seating and clothing racks, although additional parking spaces would benefit tenants and businesses.

**MOTION NO. 3:**  
 MOVE TO AUTHORIZE STAFF TO PROCEED WITH FINALIZING PUBLIC INFRASTRUCTURE REQUIREMENTS ON EAST MAIN BETWEEN COURT STREET AND BELDAN STREET AS PRESENTED IN OPTION A.

<b>RESULTS</b>	<b>ROLL CALL</b>	<b>CARRIED</b>
<b>MOVER:</b>		Trustee Nyberg
<b>SECONDER:</b>		Trustee Swisher
<b>AYES:</b>	Fay, Nyberg, Rowe, Swisher, Volpe	
<b>NAYES:</b>		Eckstein

**Lease Purchase Agreement for Two Police Vehicles**

Town Treasurer Michelle Stoke reviewed with the Board that in the 2020 Budget, \$106,000.00 was allocated for the purchase of two police vehicles. Due to the anticipated impacts the COVID-19 pandemic may have on sales tax revenue and unexpected expenses,

Staff explored options to reduce the one-time expenditure and lease the cars. Stoke stated the lease payments would be \$24,000.00 per year, and can be paid off early with a prorated amount of interest.

Trustee Rowe asked if the Board and Staff should consider postponing purchasing/leasing the vehicles until 2021. Police Chief Tidwell and Town Administrator Puckett stated CIRSA, the Town’s insurance carrier, has set requirements on how many hours of service and miles police vehicles may accrue, and the Town has strived to maintain a replacement program for patrol cars to ensure the fleet does not fall out of insurance compliance, and officers have dependable vehicles.

The Trustees and Staff discussed the number of vehicles the Town owns that are no longer in service and how they should be disposed of. Puckett will provide the Board with a list of vehicles.

**MOTION NO. 4:**  
 MOVE TO ADOPT ORDINANCE NO. 8 APPROVING A LEASE PURCHASE AGREEMENT WITH FORD MOTOR CREDIT COMPANY FOR TWO POLICE CARS.

RESULTS	ROLL CALL	CARRIED
<b>MOVER:</b>		Trustee Nyberg
<b>SECONDER:</b>		Trustee Volpe
<b>AYES:</b>	Eckstein, Fay, Nyberg, Swisher, Volpe	
<b>NAYES:</b>		Rowe

Eddy Sandoval, Buena Vista, thanked the Board for allowing him to make a Public Comment in this portion of the meeting since he was unable to earlier due to technology difficulties. Sandoval thanked the Buena Vista Police Department for their outstanding dedication, service, and efforts to ensure there is very minimal crime in the community. Sandoval encourage the Board to vote in favor of Mayor Lacy signing the Mayor’s Pledge showing unity to the community, the state, and globally.

**Notice of Award 2020 Chip-Seal Street Improvements Project**

Public Works Director Shawn Williams reviewed with the Board that Staff published a Request for Proposal for the street improvements project to install asphalt and chip-seal on portions of South Gunnison Avenue, South Railroad Street, and Oak Street, which are identified in the 5-year street maintenance plan. Three bid proposals were received which Staff reviewed and considered. Staff recommends a Notice of Award and Contract for the described work be awarded to A-1 Chip-Seal Company. The bid submittal cost is \$74,268.75 with the funding source coming from the Street Improvement Capital Fund that was allocated \$315,000.00 in the 2020 Budget.

**MOTION NO. 5:**  
 MOVE TO APPROVE RESOLUTION NO. 35 NOTICE OF AWARD TO A-1 CHIP SEAL COMPANY FOR THE RAILROAD 2020 STREET FUND IMPROVEMENT PROJECT.

<b>RESULTS</b>	<b>ROLL CALL</b>	<b>CARRIED</b>
<b>MOVER:</b>		Trustee Nyberg
<b>SECONDER:</b>		Trustee Fay
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

**Chaffee County Comprehensive Plan Draft Review**

Principal Planner Mark Doering reviewed with the Board that Chaffee County is currently updating the county comprehensive plan, and their consultants have assembled a draft based upon outreach meetings and online surveys. Doering requested the Trustees to review the draft of the Chaffee County Comprehensive Plan and submits comments to him prior to the June 16<sup>th</sup> joint meeting involving the Trustees, Chaffee County Planning Commission, and members of the Town’s Planning & Zoning Commission.

**TRUSTEE/STAFF INTERACTION**

Trustees and Staff reported on or commented about recent and upcoming events, activities and topics.

Trustee Eckstein asked the Board if there is interest in receiving an update from the BV Safety Core Committee and Wold Architects and Engineers on proceeding forward with securing funding, site selection, and designs for a new fire station. Puckett stated a work session will be scheduled in late August or early September to discuss key findings, and proposals for the site.

Trustee Volpe reviewed that the Trustees received an email from a citizen regarding the project at 103 Court Street, and that he also has had several conversations with citizens both for and against the additional regulations being placed on new construction projects on Main Street. Trustee Volpe would like to discuss the role of the Historic Preservation Commission (HPC), the extra layer of bureaucracy that is being created, and ensuring there is a balance between preservation and development. His understanding is that HPC’s role is to share opinions on projects, and not to have a bearing on if, and how a given site will be constructed.

Puckett stated it may be beneficial to have a discussion with HPC to review and define roles, and to allow Trustees to provide feedback. Puckett stated HPC has completed several development reviews, gained experience from the process, and that Doering does a great job managing input received from HPC, and differentiating between preservation and development recommendations.

Doering shared HPC has made recommendations on several Main Street projects early in the design stages which have been beneficial and well received by owners and/or contractors.

The Board agreed to have a work session at a later date with the Historical Preservation Commission to clarify and discuss responsibilities.

Special Projects Manager Joel Benson reviewed with the Board the San Luis Valley Regional Transportation Plan has been released, and within the plan there are two projects designated for Buena Vista; installation of two traffic signals, and the construction of a transportation

shelter also known as a Park-n-Ride. The Park-n-Ride would provide parking for riders traveling to and from Montrose and Denver, and it could be built in town or in Johnson Village. Benson shared he has been contacted by a representative from the Colorado Department of Transportation (CDOT) stating that there is up to \$750,000.00 in state funding available for the project with an 80/20 match, that the project has a three-year completion timeline, and that the estimated cost is \$300,000.00. Benson stated he has spoken with a representative from Chaffee County and they are interested in contributing to the required 20% match. The site could have up to 26 parking spaces with the possibility of covered parking and bathrooms. CDOT needs to have a response from the Town on June 24<sup>th</sup>.

The Board agreed a Park-n-Ride would be a positive step towards improving bus transportation services in Chaffee County.

**MOTION NO. 6:**

MOVE TO APPROVE SPECIAL PROJECTS MANAGER JOEL BENSON TO CONTINUE WORKING WITH COLORADO DEPARTMENT OF TRANSPORTATION ON THE PARK-N-RIDE PROJECT.

RESULTS	ROLL CALL	CARRIED
<b>MOVER:</b>		Trustee Fay
<b>SECONDER:</b>		Trustee Rowe
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe	

**MOTION NO. 7:**

MOVE TO OPT OUT OF THE DEPARTMENT OF LOCAL AFFAIRS (DOLA) COLORADO MAINSTREET PROGRAM.

RESULTS	CARRIED
<b>MOVER:</b>	Trustee Eckstein
<b>SECONDER:</b>	Trustee Volpe
<b>AYES:</b>	Eckstein, Fay, Rowe, Swisher, Volpe
<b>NAYES</b>	Nyberg

The Trustees and Staff discussed the request from Kathi Perry to coordinate a 4<sup>th</sup> of July Parade, and to waive insurance requirements, and event fees. The Trustees and Staff discussed that the Town has administrative procedures in place for receiving and reviewing event permit applications, and encouraged the applicant to submit an application. The Town will follow established policies, collect proper fees, and take into consideration how physical distancing will be ensured for spectators.

The Trustees had lengthy discussion related to Mayor Lacy signing the Mayor’s Pledge related to police use of force policies. Trustees Volpe, Swisher, and Fay stated they would like to have additional information prior to agreeing to having the Mayor sign the pledge, and Trustee Nyberg stated he is not in favor of signing the pledge.

Trustee Eckstein stated she would like to see the Board proceed forward in signing the pledge as a step in embracing solidarity and being in support of the movement. Trustee Eckstein

requested a Work Session with the Police Department to review and evaluate Standard Operating Procedures (SOPs), and to determine if there is a need for changes in protocols.

Mayor Lacy commented he feels the department had excellent leadership and officers, and would like to have additional discussion and information prior to possible Board approval of signing the pledge. He stated that he would like to meet with Chief Tidwell and Sergeant Dean Morgan to receive their thoughts on the topic.

Trustee Rowe stated that this is a topic he is passionate about and is following closely, and the anti-police brutality movement is much larger than what is occurring in Buena Vista. Rowe stated he has total respect for Chief Tidwell and his officers, and that the issue is not about our police department and what is or isn't being done correctly, but rather relates to complete transparency. The Pledge provides the Board and citizens with information regarding the Use of Force Policies in Buena Vista. Rowe stated he wants Buena Vista to be a proud leader in the valley and the state by signing the pledge.

Police Chief Tidwell shared with the Board that all SOPs are reviewed by Town Attorney Jeff Parker to ensure they follow state statutes. Parker stated if the proposed senate bill is approved, it may change Town policies and SOPs will need to be reviewed to ensure processes are in compliance. Puckett stated a Work Session will be scheduled with Chief Tidwell and Sergeant Morgan.

**MOTION NO. 8:**

MOVE TO APPROVE MAYOR LACY SIGN THE MAYOR'S PLEDGE REGARDING POLICE USE OF FORCE POLICIES.

<b>RESULTS</b>	<b>ROLL CALL</b>	<b>FAILED</b>
<b>MOVER:</b>		Trustee Eckstein
<b>SECONDER:</b>		Trustee Rowe
<b>AYES:</b>		Eckstein, Rowe, Volpe
<b>NAYES</b>		Fay, Nyberg, Swisher
<b>TIE VOTE:</b>		Mayor Lacy – No

**MOTION NO. 9:**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THAT THE MEETING BE ADJOURNED AT 9:54 PM.

<b>RESULTS</b>	<b>CARRIED</b>
<b>MOVER:</b>	Trustee Nyberg
<b>SECONDER:</b>	Trustee Volpe
<b>AYES:</b>	Eckstein, Fay, Nyberg, Rowe, Swisher, Volpe

Respectfully submitted:



---

Paula Barnett, Town Clerk



---

Duff Lacy, Mayor

