

**TOWN OF SILT  
REGULAR BOARD OF TRUSTEES MEETING  
OCTOBER 13, 2020 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Tuesday, October 13, 2020. Mayor Richel called the meeting to order at 7:04 p.m.

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<b>Roll call</b>	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Samuel Flores – via Zoom Trustee Jerry Seifert Trustee Sam Walls
	Absent	Trustee Andreia Poston

Present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Town Treasurer Amie Tucker, Public Works/Utilities Director Trey Fonner, Chief of Police Mike Kite, Town Attorney Michael Sawyer, Contract Planner Mark Chain and members of the public.

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**Pledge of Allegiance and Moment of Silence**

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**Public Comments** – There were no public comments.

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**Consent Agenda**

1. Minutes of the September 28, 2020 Board of Trustees meeting

**Mayor Pro-tem Knott made a motion to approve the consent agenda as presented. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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**Conflicts of Interest** – Trustee Brintnall stated his wife is the manager at High Q and wanted to make certain that he did not have a conflict regarding the two marijuana ordinances before the Board this evening. Attorney Sawyer stated that he would not as they are ordinances of general applicability.

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**Agenda Changes** – There were no agenda changes.

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**Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7<sup>TH</sup> STREET, WITHIN THE TOWN OF SILT, COLORADO**

Contract Planner Mark Chain introduced himself to the Board and went over his staff report and the special use permit to allow for a modular duplex unit. He stated that the P&Z has considered this application and recommends approval with the eight conditions as stated on the resolution. There was brief discussion regarding a shared access and driveway agreement and the placement of an irrigation line and easement that would be acceptable by town staff.

Applicant Jesse Schoeller stated that duplex would be his primary residence and that he has spoken with Xcel Energy regarding the plans for rerouting of the current line that runs across the property. He stated that he is excited to move forward with his project and be a part of the community adding that would be respectful during the building process. He also stated that he has been in contact with his neighbors regarding the shared driveway and that they are willing to work with him on an agreement.

The public hearing was opened at 7:30 p.m. There were no comments and the hearing was closed at 7:31 p.m.

**Mayor Pro-tem Knott made a motion to approve Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7<sup>TH</sup> STREET, WITHIN THE TOWN OF SILT, COLORADO with the addition of language to number three that states that the irrigation easement would be placed in an acceptable location to the town. Trustee Walls seconded the motion, and the motion carried unanimously.**

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**Resolution No. 18, Series 2020, A RESOLUTION OF THE TOWN OF SILT, COLORADO APPROVING A MINOR SUBDIVISION FINAL PLAN AND PLAT FOR PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, LOCATED SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO (continuance requested by applicant)**

Attorney Sawyer provided the Board with an update on the project and that after meeting with the development team today they have asked that a couple of the agreements be revised regarding the final plat approval. He added that he believes their request could be accommodated but would require that the hearing be postponed until the next meeting.

**Trustee Seifert made a motion to continue Resolution No. 18, Series 2020, A RESOLUTION OF THE TOWN OF SILT, COLORADO APPROVING A MINOR SUBDIVISION FINAL PLAN AND PLAT FOR PROPERTY KNOWN AS THE VILLAGE AT PAINTED PASTURES ANNEXATION, LOCATED SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO until the October 26 meeting. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.**

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**First reading of Ordinance No. 7, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 5 OF THE SILT MUNICIPAL CODE RELATED TO THE LICENSING OF MEDICAL MARIJUANA AND**

## RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

Attorney Sawyer went through his report and the changes that are being requested by this ordinance. He stated that the Board had imposed a moratorium on applications for marijuana businesses back in January and that staff has been working on changes to two sections of code based on feedback from the Board at previous meetings. Ordinance changes include:

- Administrative changes and updates;
- Restriction on number of marijuana businesses;
- Prohibiting hearing on marijuana business license until receipt of all required land use approvals;
- Removal of sign regulations;
- Industrial hemp;
- Restriction on the location of marijuana businesses; and
- Prohibition of delivery to retail marijuana consumer.

The public hearing was opened at 7:46 p.m. Renee Grossman, owner of High Q asked what the rationale was behind limiting stores to one in area described area. Attorney Sawyer stated that information would be addressed in the zoning ordinance. Ms. Grossman added that this ordinance is consistent with what was discussed in the past by the Board. The public hearing was closed at 7:48 p.m.

**Trustee Seifert made a motion to approve the first reading of Ordinance No. 7, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 5 OF THE SILT MUNICIPAL CODE RELATED TO THE LICENSING OF MEDICAL MARIJUANA AND RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO. Trustee Flores seconded the motion, and the motion carried unanimously.**

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First reading of **Ordinance No. 12, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 17 OF THE SILT MUNICIPAL CODE RELATED TO THE ZONING REQUIREMENTS FOR MEDICAL MARIJUANA AND RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

Attorney Sawyer went over the ordinance and there was discussion regarding hemp, concentration, setback and prohibitions, what would happen if a current business sold out to someone else, relocation of a current store, square footage of gross floor area allowed and the delivery of marijuana being prohibited.

The public hearing was opened at 8:13 p.m. Renee Grossman, owner of High Q stated that the board has already capped the number of businesses at two and doesn't see a need for further restrictions taking it down to one for downtown licenses, adding that lowering the number doesn't protect current businesses. She also commented on limiting the sizes of stores, setback issues with parks, schools and places of worship and that she feels that the town is targeting the marijuana industry as these same types of regulation aren't required with other businesses in town. The public hearing was closed at 8:17 p.m.

Mayor Richel stated that the town needs rules and regulations in place to assist staff when dealing with potential applicants. He added that changes to the code would also help an applicant from wasting money on an application plus the number of hours spent by staff to review them. He then stated that he doesn't feel that the town is picking on the marijuana industry and that in regards to her comment about marijuana businesses being capped at two downtown, he stated the Silt does not want to be known as a "marijuana" town and that the two current stores are sufficient for our citizens.

Mayor Pro-tem Knott stated that he agrees with the Mayor and that we are not trying to force any of our stores out but that we need to be clear and concise in our rules. The Board stated that they base their decisions on what they hear from the citizens, and that the citizens of this town have stated that they don't want any more stores. It was also stated that Silt is unique and that many people move here because it is not considered a "marijuana" town. There was additional discussion regarding the limitation of 1500 square feet and if that should be increased to 2000 square feet.

**Trustee Walls made a motion to approve the first reading of Ordinance No. 12, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF TITLE 17 OF THE SILT MUNICIPAL CODE RELATED TO THE ZONING REQUIREMENTS FOR MEDICAL MARIJUANA AND RECREATIONAL MARIJUANA FACILITIES WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO with a change to section 17.73.030(D) from 1500 to 2000 square feet. Trustee Brintnall seconded the motion, and the motion carried unanimously.**

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### **Fall Event Update**

Community Development Technician Centeno gave an update on the soccer program this year and thanked all of those who have helped especially with all of the COVID restrictions in place. She then went through the events that are scheduled for the remainder of the year which include:

- Fall Clean-up
- Family Fall Fest – Pumpkin carving/painting in conjunction with the Silt Library, scarecrow stuffing at Veteran's Park and a Main Street Trick or Treat with the downtown businesses where Easter Eggs will be handed out by Santa. Live music on the mobile stage will be performing at both the park and downtown,
- Silt Craft Fair in conjunction with the Silt Library and the Silt Historical Park, and
- Polar Express event with a movie, treats and Santa.

Administrator Layman thanked Nicole for all that she has done with the recreation program especially in regards to the COVID requirements.

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### **Administrator & Staff updates**

Administrator Layman provided an update on the water/wastewater plant operations adding that staff continues to work with consultants and new staff to continue to improve operations at the plant. Director Fonner reminded everyone of a cross-connection survey on the website that

staff is doing for the Colorado Department of Health and asked citizens to go online and complete it.

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### Updates from Board / Board comments

The Trustees all thanked staff for all of their hard work and for their work on the budget and the recreation program. Mayor Pro-tem Knott recognized Ms. Centeno, staff and the Board on the recreation program that has been accomplished this year in light of COVID. Mayor Richel also thanked everyone for keeping Silt as open as they have due to the circumstances. Trustee Walls stated that there will be a group of people refurbishing the flagpole at Veterans Park.

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Mayor Richel adjourned for a break at 8:53 p.m. and reconvened at 8:58 p.m.

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### Executive Session

Mayor Pro-tem Knott made a motion to go into an executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) – Town Administrator evaluation. Trustee Walls seconded the motion, and the motion carried unanimously. The board adjourned to executive session at 8:58 p.m.

At the end of executive session, Mayor Richel made the following statement: “The time is now 9:27 p.m., and the executive session has concluded. No formal action was taken in executive session. The participants in the executive session were: Keith Richel, Jerry Seifert, Kyle Knott, Sam Walls, Justin Brintnall, Samuel Flores, Michael Churchill and Jeff Layman. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record”. No objections were stated.

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Mayor Pro-tem Knott made a motion to approve the Town Administrator’s quarterly bonus of \$2000. Trustee Brintnall seconded the motion, and the motion carried unanimously.


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### Adjournment

Trustee Seifert made a motion to adjourn. Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:28 p.m.

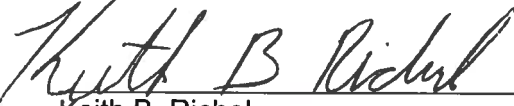
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Respectfully submitted,

  
Sheila M. McIntyre, CMC  
Town Clerk



Approved by the Board of Trustees

  
Keith B. Richel  
Mayor