



FLORENCE CITY COUNCIL
Regular Meeting Minutes
Monday, November 4, 2024, 6:30 PM

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<https://www.youtube.com/@CityofFlorenceCO>

1) CALL TO ORDER & PLEDGE OF ALLEGIANCE

City Council Chambers, 600 W. 3rd Street, Florence, CO 81226

Mayor Wolfe called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

2) ROLL CALL:

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|------------------------|---------|
| Mayor Wolfe | Present |
| Councilman Vanhoutan | Present |
| Councilman Stiefel | Present |
| Councilwoman Stone | Present |
| Councilman Mergelman | Present |
| Councilwoman Gardner | Present |
| Councilwoman MacKinnon | Present |

OTHERS PRESENT: City Clerk Cortlyne Huppe, City Manager Amy Nasta, Planning Director Ashley Fox, and City Attorney Dan Findlay.

3) PUBLIC COMMENTS

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion (three minutes).

Mayor Wolfe recited the following statement, "Per Colorado law, electioneering is prohibited within 100 feet of polling places while voting is open. This includes campaigning, displaying political materials, wearing advocacy clothing, distributing literature, and collecting signatures. City Hall and the Council Chambers are within 100 feet of a ballot box and thus subject to these restrictions. Public comment, elected official discussions, and audience participation will be conducted accordingly in order to protect voters from undue influence and help ensure a fair electoral process."

Cathey Young- 220 East 6th

Requested Public Works Director Sam Elstun utilize a microphone when speaking about City projects.

Paula Price- 104 W Highland

Introduced herself as the new American Legion Post Commander and invited the Council to the Legion's Veterans Day celebration. She also questioned the status of the Legion's previous proposal on Union Highland Cemetery's columbarium.

4) CONSENT AGENDA

- a) Consider approving the minutes as written for the Regular City Council Meeting on October 21, 2024
- b) Consider approving City expenditures prepared on October 24, 2024, in the amount of \$13,312.76, and October 31, 2024, in the amount of \$13,990.40

- c) Consider awarding a contract for Phase 2 ADA Sidewalk Improvements at multiple locations in Florence
- d) Consider approving the Agreement for Water Service for 2499 State Highway 67, Florence, CO 81226

Councilor Stone motioned to approve the Consent Agenda. Councilor Gardner seconded. With the Councilmembers voting in favor of the motion, the motion carried.

5) NEW BUSINESS

- a) Consider approving Resolution No.12 - 2024, a resolution amending the City of Florence Colorado Open Records Act (CORA) Policy

City Attorney Dan Findlay presented the updated CORA policy. The updated version modernizes recent House Bill actions or discussions.

Councilor Mergleman questioned if the CORA policy was unique to this City Council.

City Attorney Findlay replied it is unique to Florence, but the included language is consistent with other municipalities.

Motion to approve Resolution No. 12 - 2024, a resolution amending the City of Florence Colorado Open Records Act (CORA) Policy: Councilor Stone

Seconded by: Councilor Mergelman

7 Ayes

Motion passed: 7 – 0

- b) Consider approving Resolution No. 13 – 2024, a resolution allowing a residential unit within a building situated in the C – General Commercial Zone District as a Use by Special Review at 429 East Main Street.

Planning Director Ashley Fox stated the building at 429/431 East Main Street historically served as a residential duplex. In 2010, the current owner renovated the property and requested a zone change to commercial. An apartment is an allowed use in the C – General Commercial Zone District by a Special Use Review. The Planning Commission held a Public Hearing on October 24, 2024, and voted 2 in favor, 1 opposed, and 1 abstention on the special use review. The Planning Commission then recommended the application to the City Council for a final decision.

Sue Kinzer- 302 Wilson

Inquired about the existing businesses at the location.

Mayor Wolfe confirmed the building was originally residential, before rezoning to commercial.

Planning Director Fox stated the Special Use Review will allow the building to remain commercial, while also allowing for a residential unit to occupy half of the building.

Councilor Mergelman expressed interest in protecting prime retail business locations.

Linda Mattson- 410 County Road 84B

Stated the property has been listed for sale for quite a while, and potential buyers are interested in a half-commercial, half-residential building. With a Special Use Review, they could achieve both. She was in favor of the potential multi-use.

Councilor Gardner questioned how long the building has been for sale.

Ms. Mattson replied the building has been listed for about 1.5 years.

Councilor MacKinnon stated historically buildings have served as commercial businesses and residential housing.

Motion to approve Resolution No. 13 – 2024, a resolution allowing a residential unit within a building situated in the C – General Commercial Zone District as a Use by Special Review at 429 East Main Street: Councilor Stiefel

Seconded by: Councilor MacKinnon

5 Ayes, 2 Nays Mergelman, Stone

Motion passed: 5 – 2

6) **COUNCIL UPDATES**

a) City Council Reports

Councilor MacKinnon said Trick or Treat was successful, and that she'd be attending the upcoming Gold Belt Tour meeting.

Councilor Vanhoutan thanked the Florence Police Department for their escort with the Florence Junior/Senior High School's Howling Husky Band after winning the state championship.

Councilor Gardner thanked all of the entities for a great Trick or Treat event.

Mayor Wolfe attended the Trick or Treat event, senior coffee chat, and Planning Commission meeting. He also met with legal counsel for the PUC Black Hills Energy issue. The PUC's informational workshop is at Florence's City Hall on November 18, 2024, at 5:30 PM.

b) City Manager Reports

City Manager Amy Nasta announced the quarterly report on the tree program will be in her city manager report on November 18, 2024. She and Water Superintendent Brandon Harris have been working on the EPA's water treatment compliance for the Lead and Copper Program. She stated there is no lead or copper in the city's pipes, and that the Water Service Line Inventory Survey helps the EPA also know the makeup of citizens' water lines. She thanked Water Superintendent Harris and his staff for their work towards efficient communication and project success.

7) **EXECUTIVE SESSION(S): IF NECESSARY**

Pursuant to C.R.S. §24-6-402(4)(b), an executive session for the purpose of conferencing with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions pertaining to any item listed on the agenda herein and/or any related discussion that may arise thereto. Such executive session may be entered into at any time or at any point on the agenda, if necessary and with the requisite Council approval.

8) ADJOURNMENT: Adjournment until the next regular City Council Meeting
Monday, November 18, 2024

Councilor Stone motioned to adjourn the meeting. Councilor Gardner seconded. With all of the Councilmembers voting in favor of the motion, the motion carried.
Mayor Wolfe adjourned the City Council Meeting at 6:53 p.m.

CITY OF FLORENCE, CO

BY: _____
Steve Wolfe, Mayor

RESPECTFULLY SUBMITTED: _____
Cortlyne Huppe, City Clerk