



**FLORENCE CITY COUNCIL**  
**Regular Meeting Minutes**  
**Monday, October 7, 2024, 6:30 PM**

Watch this meeting live on the City's YouTube channel at  
<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:**

Mayor Wolfe	Present
Councilman Vanhoutan	Present
Councilman Stiefel	Absent
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, Public Works Director Sam Elstun, and City Attorney Dan Findlay.

**3) PROCLAMATIONS**

a) Domestic Violence Awareness Month Proclamation

Mayor Wolfe recited the proclamation and proclaimed October 2024 as Domestic Violence Awareness Month in the City of Florence, Colorado.

**4) PUBLIC COMMENTS**

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

Joen Elliott- 404 Wilson Avenue

Reported on local events or projects including Fremont Exceptional Women, Halloween, So Long Summer Festival, Christmas on Main Street, a downtown kiosk, and upcoming Florence Chamber of Commerce elections.

Steve Andrews- 257 CR 119

Appreciated the City's participation in the Black Hills Energy rate case and urged the City Council to reject their franchise agreement renewal.

**5) CONSENT AGENDA**

- a) Consider approving the minutes as written for the Regular City Council Meeting on September 16, 2024
- b) Consider approving City expenditures prepared on September 26, 2024, in the amount of \$2,188.26, and October 2, 2024, in the amount of \$22,118.30
- c) Consider approving the annual liquor license renewal for the Liquor Locker
- d) Consider approving the Report of Changes Application for the Florence Brewing Company, LLC

- e) Consider approving the Street Closure Request Form for the Florence Merchants
- f) Consider selecting an applicant for the vacant position on the Board of Zoning and Adjustments
- g) Consider approving the proposed Intergovernmental Agreement (IGA) for Cost Sharing and Common Interest with the City of Cañon City regarding the Black Hills Energy Rate-Making Case
- h) Consider approving the proposed first amendment to the City Manager’s Employment Agreement with the City of Florence

Mayor Wolfe requested item 5g be removed from the Consent Agenda.

Councilor MacKinnon motioned to approve the Consent Agenda, excluding item 5g. Councilor Stone seconded. With the Councilmembers voting in favor of the motion, the motion carried.

City Attorney Dan Findlay stated the City has consulted with its outside Council, a utility expert, on the Black Hills Energy rate case. Florence and Canon City have agreed to cost-share expenses from the utility firm based on per capita proportions. The agreement provides Florence exit opportunities if needed.

Councilor MacKinnon motioned to approve the Consent Agenda item 5g. Councilor Mergelman seconded. With the Councilmembers voting in favor of the motion, the motion carried.

**6) NEW BUSINESS**

- a) Consider approving Resolution No. 11 - 2024, a resolution allowing a professional office as a Use by Special Review at 100 East Main Street

Planning Director Ashley Fox stated the applicant, MountainView Homes, has applied for a Special Use Review at 100 East Main Street located in the Central Historic Business District (CHB). The applicant has been located in the Central Historic Business District since October 2023 with a previously approved Special Use Review. A real estate office meets the definition of a professional office in section 17.08 of the Florence Municipal Code; which is an allowed use in the CHB by a special use review. Section 17.68.010 of the Municipal Code exempts non-residential uses from off-street parking requirements for the CHB zone district. The Planning Commission held a Public Hearing on September 19, 2024, where they voted 3 in favor and 1 abstention on the special use review application.

Councilor MacKinnon reiterated the business was moving from one CHB location to another, and listed the diverse history of Florence businesses.

Councilor Mergelman voiced the importance of retail business spaces in the downtown district area.

Jayne Newsom-MountainView Homes

Gathered Main Street merchants in favor of her application, and shared her new Sales Tax License with the Council. She then elaborated on her business plan to sell art from local artists in her real estate office.

Amy Bourlon-Hilterbran-1338 Kelsey Court

Spoke in favor of Ms. Newsom’s business, and her personal investments into the Florence community.

Councilor Gardner and Councilor Stone voiced supportive comments regarding Ms. Newsom's application.

Motion to approve Resolution No. 11 - 2024, a resolution allowing a professional office as a Use by Special Review at 100 East Main Street: Councilor MacKinnon

Seconded by: Councilor Gardner

5 Ayes, 1 Nay Mergelman

Motion passed: 5 – 1

**7) COUNCIL UPDATES**

a) City Council Reports

Councilor Mergelman and Councilor Gardner thanked the City for their hard work during the Pioneer Day celebration.

Councilor Stone attended the Outdoor Industry Summit and expressed how interesting it was.

Councilor MacKinnon noted how nice Florence looked during the Pioneer Day celebration. She also announced the upcoming Florence Merchant's Crazy Sidewalk Sale on October 12, 2024, from 9-3PM.

Mayor Wolfe gave kudos to the RE-2 school district for their new construction projects. He attended the District Attorney candidate forum, met on the Black Hills Energy rate case, and attended the Chamber of Commerce meeting. Mayor Wolfe then presented a statement regarding the scheduled Public Utilities Commission Informational Meetings and Public Hearings for the rate case (written statement is attached).

City Attorney Findlay also noted the potential for virtual participation as well.

b) City Manager Reports

City Manager Amy Nasta stated the City would share upcoming information on the PUC's Public Hearings and Informational Meetings. Due to the proximity to other cities, any PUC events in Florence would be informational only. She announced the Notice of Budget would publish on Wednesday, October 9, 2024, and physical copies would be available for review at the library, City Hall, and electronically on the City's website.

Councilor Stone asked the City Manager to look into downtown parking.

City Manager Nasta also noted the City would be releasing an RFQ for the Master Plan process, which would include citizen and Council engagement. This project is anticipated to start in 2025.

Public Works Director Sam Elstun reported on the Hazardous Tree Removal Project, ADA Sidewalk Replacement, and North Pikes Peak Project.

**8) 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 and receiving legal advice regarding specific legal questions related to Stuart v. Sackett/Philips/Winters and/or Glenn v. City of Florence

Councilor Gardner motioned to enter into an executive session at 7:18 p.m., pursuant to C.R.S. §24-6-402(4)(b), an executive session for the purpose of conferencing with an attorney and receiving legal advice regarding specific legal questions related to Stuart v. Sackett/Philips/Winters and Glenn v. City of Florence

Seconded by: Councilor MacKinnon

6 Ayes

Motion Passed: 6 – 0

Attendees of the executive session were the City Council, the City Attorney, and the City Manager. The executive session adjourned at 7:35 p.m.

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.

**9) ADJOURNMENT:** Adjournment until the next regular City Council Meeting  
Monday, October 21, 2024

Councilor Gardner motioned to adjourn the meeting. Councilor Mergelman seconded. With all of the Councilmembers voting in favor of the motion, the motion carried.

Mayor Wolfe adjourned the City Council Meeting at 7:36 p.m.

CITY OF FLORENCE, CO

BY: \_\_\_\_\_  
Steve Wolfe, Mayor

RESPECTFULLY SUBMITTED: \_\_\_\_\_  
Cortlyne Huppe, City Clerk