



Keystone Town Council Agenda

The Keystone Town Council will have a Regular Meeting on January 14, 2025, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435.

The Town of Keystone conducts hybrid meetings. This meeting will be held in person at Keystone Town Hall and will also be broadcast live over Teams. [Join the live broadcast available by computer here](#). If you will need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 450-3500x1 via phone, or clerk@keystoneco.gov via e-mail, at least 72 hours in advance of the meeting.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF AGENDA

III. COMMUNICATIONS TO COUNCIL

A. *Public Comment (Pursuant to Resolution 2024-18, comment is limited to non-agenda items only; 3-minute time limit please)*

IV. CONSENT

A. FIRST READING OF ORDINANCES

- 1. Ordinance 2025-O-1, An Ordinance of Town Council of The Town of Keystone, Colorado, Adopting a General Penalty Provision, Providing an Appointment Process for the Municipal Court Judge, Creating an Administrative Citation Process, and Amending Ordinance 2024-O-12 to Follow the State Schedule for Traffic Fines**

B. RESOLUTIONS

- 1. Resolution 2025-01, A Resolution of Town Council of the Town of Keystone, Colorado, Designating the Public Place for Posting of Notices of Public Meetings**

2. Resolution 2025-02, A Resolution of Town Council of the Town of Keystone, Colorado, Approving an Amended Colorado Open Records Act Policy
3. Resolution 2025-03, A Resolution of Town Council of the Town of Keystone, Colorado, Adopting Town of Keystone Pay Grades and Job Classifications

C. MEETING MINUTES

1. December 10, 2024 – Meeting Minutes

D. EXCUSED ABSENCES

E. OTHER

1. Accounts Payable List
2. TOK24-018: Class 2 Sign Permit for Keystone Adventure Center, located at 0172 Argentine Ct.

V. DISCUSSION

A. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC HEARING) – NONE

B. RESOLUTIONS

C. OTHER

1. Appointment of Alternate Planning & Zoning Commissioners
 1. Planning & Zoning Commission Alternate Member Interviews
 - a. Diane Leavesley
 - b. Mark Clay Willcoxon
 - c. Travis Garrison
 - d. Kaili Warren
 2. Nomination of Candidates and voting
 3. Resolution 2025-04, A Resolution of Town Council of the Town of Keystone, Colorado, Appointing and Setting the Terms for the Two Vacant Alternate Members of the Town of Keystone Planning and Zoning Commission
 4. Oath of Office

VI. PLANNING MATTERS

VII. REPORT OF TOWN MANAGER AND STAFF

VIII. REPORT OF MAYOR AND COUNCIL

IX. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items on other matters that are not on the agenda)

X. SCHEDULED MEETINGS

XI. EXECUTIVE SESSION

Executive Session pursuant to C.R.S. sec. 24-6-402(4)(b) and (4)(g) to receive legal advice related to an agreement with Vail Summit Resorts and to discuss documents subject to the nondisclosure requirements of the Colorado Open Records Act.

XII. ADJOURNMENT

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: January 14, 2025 – Town Council
SUBJECT: [FIRST READING] 2025-O-01, An Ordinance Of Town Council Of The Town Of Keystone, Colorado, Adopting A General Penalty Provision, Providing An Appointment Process For The Municipal Court Judge, Creating An Administrative Citation Process, And Amending Ordinance 2024-O-12 To Follow The State Schedule For Traffic Fines

Executive Summary:

Ordinance 2025-O-01 implements certain processes for enforcing the Town of Keystone's regulations. The ordinance provides the process for appointment of the municipal court judge, creates an administrative fine process, and amends the Model Traffic Code ordinance to follow the state schedule.

Recommendation:

Staff recommends that Council approve Ordinance 2025-O-01 on first reading.

Background:

Overview of Municipal Court Violations

Municipalities in Colorado are empowered to adopt and enforce ordinances that regulate various activities within their jurisdictions. These regulations help maintain public safety, protect property, and enhance the quality of life for residents. To ensure compliance, municipalities may impose penalties and fines for violations of such ordinances. Colorado law allows municipalities to adopt a fine schedule, provided that

such fines are reasonable and comply with state statutes.

Under Colorado Revised Statutes, municipalities have the authority to adopt fines and penalties for ordinance violations, subject to statutory limits. Per C.R.S. § 31-16-101, a municipality may impose fines up to a maximum amount for any ordinance violation, provided such penalties are not excessive or arbitrary. State law provides that the maximum penalty for an ordinance violation is \$2,650 (this amount may be adjusted for inflation based the Denver-Boulder CPI since 2013). In addition, the municipality may enforce an ordinance violation by imprisonment of not more than 364 days. The ability to impose a jail sentence is limited to ordinance violations which are criminal in nature and there is a corresponding criminal state law.

The issuance of a citation for violating a municipal ordinance must adhere to the principles of due process as guaranteed by the United States Constitution and the Colorado Constitution. Due process requires that any governmental action depriving any individual of life, liberty, or property follow established legal procedures that are fair, reasonable, and impartial.

For municipal code violations, this means that citations must be issued in accordance with clearly defined laws and procedures. The procedure is that individuals must receive adequate notice of the alleged violation, including specific detail about what condition is violating the ordinance. The process also requires that the individual has the opportunity to contest the citation in a neutral forum, such as a municipal court or hearing process. Failure to comply with these due process requirements of notice and an opportunity for a hearing could render the citation invalid and a legal challenge. Adherence to these safe guards protects the rights of the individual and the integrity of the municipal enforcement system.

Overview of Ordinance 2025-O-01 on Penalties, Municipal Court Judge Appointment, and Administrative Citations

The ordinance implements matters related to handling ordinance violations through the

municipal court and handling ordinance violations through an administrative process.

Section 8.1 of the Town Home Rule Charter sets the framework for the municipal court for Keystone:

Section 8.1. Municipal Court.

- (a) There shall be a Municipal Court of record that shall have jurisdiction to hear and determine all cases arising under this Charter or the Ordinances of the Town. The powers of and the procedure in such Municipal Court and the manner of enforcement of its orders and judgments shall be such as is provided for under this Charter, the laws of the State of Colorado, and the Ordinances of the Town with respect to municipal courts of records. The Town Council shall provide a suitable place and all supplies and personnel necessary for the proper functioning of the Court.
- (b) In accordance with state law, the Municipal Court shall be presided over, and its functions exercised by one (1) or more municipal judges, who shall be attorney(s)-at-law authorized to practice in Colorado and otherwise qualified and appointed by the Town Council as established by Ordinance. By the Town Council's Resolution or Ordinance, a municipal judge shall receive compensation not dependent upon the outcome of the matters to be decided by such judge.
- (c) The Town Council shall provide for the enforcement of its Ordinances by fine or imprisonment or both, within the limits established by State law.

Section 2 of the ordinance implements Section 8.1(c) of the Charter by specifying the maximum penalty for violations of ordinances. The maximum monetary penalty is \$2,650 for each day of the violation and, for criminal type violations, jail time could be ordered and the maximum jail time is 364 days.

Section 3 of the ordinance implements Section 8.1(b) of the Charter to specify a process for appointment and removal of a municipal court judge. The Town Council appoints a Presiding Municipal Judge for an initial term of at least two years, with subsequent terms determined at its discretion. Assistant Municipal Judges may be appointed as needed. If the Presiding Judge position becomes vacant, the Town Council appoints a replacement for the remainder of the term. The judge must be a

Colorado licensed attorney. The ordinance also provides the grounds for removal of a judge for cause: (1) Conviction of a felony or crime of moral turpitude; (2) Disability preventing performance of essential duties; (3) Misconduct or ethical violations; (4) Ineffectiveness or failure to meet legal standards; and (5) Neglect of judicial responsibilities without valid justification.

Section 4 of the ordinance provides a different process for handling ordinance violations -- the administrative citation. This process would be conducted outside of the municipal court. The following is an outline of that administrative process. The ordinance dictates the form of the administrative citation. That citation identifies the violation and requires payment of a penalty for the violation. Payment is required even if the individual later remedies the violation. A second and a third citation, each requiring payment of a penalty, may be issued if the property owner does not remedy the violation. A failure to pay the penalty may result in imposition of a late fee and any penalties and fees may be referred to collections. In addition, if the violation is not repaired after issuance of an administrative citation, the Town may use court enforcement to achieve resolution. An individual may request a hearing on the citation and that hearing would be handled through a Hearing Officer.

Section 5 of the ordinance proposes an amendment to the recently adopted Model Traffic Code ordinance (2024-O-12). That ordinance allowed the Town Council to establish a unique fine schedule for traffic violations. During research into Dillon's fine schedule, it was noted that both Dillon and Silverthorne adhere to the fine schedule set forth in state law for traffic violations. While any municipality, whether home rule or statutory, can create its own fine schedule, adopting a unique schedule involves both advantages and challenges. Because Council is contemplating partnering with Dillon on police services and with Dillon and Silverthorne on municipal court services, the recommendation is to align with Dillon's approach (the state fine schedule) for consistency.

Alternatives:

Town Council may provide alternative direction on the topics in Ordinance 2025-O-01.

Financial Considerations:

There are no financial considerations applicable to this ordinance.

Previous Council Actions:

A draft of this ordinance was discussed at a work session on December 10, 2024. Council provided direction to amend the administrative fine process to allow for filing an appeal to the issued administrative fine citation within 7 working days rather than 5 days. The subject matters in this ordinance were also discussed at the October 22, 2024, work session.

Next Steps:

If Council approves this ordinance on first reading, it will be scheduled for second reading and public hearing on January 28. The effective date of the ordinance is thirty days after publication.

Suggested Motions:

Because this ordinance is on the Consent Agenda, a motion to approve the consent agenda will approve this ordinance on first reading.

Attachment:

- 2025-O-01, An Ordinance Of Town Council Of The Town Of Keystone, Colorado, Adopting A General Penalty Provision, Providing An Appointment Process For The Municipal Court Judge, Creating An Administrative Citation Process, And Amending Ordinance 2024-O-12 To Follow The State Schedule For Traffic Fines

**TOWN OF KEYSTONE
ORDINANCE NO. 2025-O-01**

**AN ORDINANCE OF TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, ADOPTING A GENERAL PENALTY PROVISION, PROVIDING AN
APPOINTMENT PROCESS FOR THE MUNICIPAL COURT JUDGE, CREATING AN
ADMINISTRATIVE CITATION PROCESS, AND AMENDING ORDINANCE 2024-O-
12 TO FOLLOW THE STATE SCHEDULE FOR TRAFFIC FINES**

WHEREAS, the Town of Keystone (the “Town”) is a Colorado home rule municipality organized pursuant to Article 20, Section 6, of the Colorado Constitution; and

WHEREAS, Article 20, Section 6 of the Colorado Constitution confers upon a home rule municipality the authority to regulate the jurisdiction, power, and duties of the Town’s municipal court; and

WHEREAS, Article 20, Section 6 of the Colorado Constitution confers upon a home rule municipality the authority to impose, enforce, and collect fines and penalties for the violation of the municipality’s charter or adopted ordinances; and

WHEREAS, the Town Council finds that the adoption of this Ordinance is a proper exercise of its authority to adopt a general penalty provision, an administrative citation process, and the State’s fine schedule for traffic violations.

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. The Town Council adopts General Penalty provision.

General Penalty

I. Violations.

It is a violation of this Code for any person to do any act which is forbidden or declared to be unlawful or perform any required by the ordinances of the Town of Keystone.

II. General penalty for violation.

- (a) Any person who pleads guilty or no contest or who, after trial, is found guilty of violating any municipal ordinance designed as a major offense or crime, shall be fined in an amount not to exceed two thousand six hundred fifty dollars (\$2,650.00) or shall be incarcerated for a period not to exceed three hundred sixty-four (364)

days, or both such fine and imprisonment, except as may be otherwise imposed within the context of a specific section, subsection or chapter.

- (b) Any person found liable or responsible for a violation of any ordinance designated as a minor offense or civil infraction may be ordered to pay a civil penalty or fine for such infraction of not more than two thousand six hundred fifty dollars (\$2,650.00), plus costs, damages, and expenses. In addition, the Municipal Judge may issue any orders necessary to abate a nuisance.
- (c) Each person violating any provision of an ordinance shall be guilty of a separate offense for each and every day during any portion of which any violation of the ordinance is committed, continued or permitted by such person, and shall be punished accordingly.

Section 3. The Town Council adopts a process regarding the appointment of a municipal court judge.

Appointment of Municipal Court Judge

I. Appointment of Municipal Judges.

The Town Council, by resolution, may appoint the Presiding Municipal Judge to preside over the Town's Municipal Court for an initial term of not less than two (2) years and, in its discretion, for subsequent term(s), the length of which shall be determined by the Town Council. One or more Assistant Municipal Judge(s) may be appointed by the Town Council for a term as necessary to transact the business of the Court. Upon a vacancy in the position of the Presiding Municipal Judge, the Town Council may appoint a new Presiding Municipal Judge for the remainder of the unexpired term.

II. Qualifications of Judges.

A Municipal Judge shall be an attorney-at-law, licensed as an attorney in the State of Colorado, and otherwise qualified to perform the work of a municipal court judge.

III. Compensation of Judges.

- (a) The compensation of the Presiding Municipal Judge shall be in such amount and on such other terms as set by agreement entered into between the Town and the Presiding Municipal Judge or by resolution of the Town Council, as amended from time to time.
- (b) The compensation of an Assistant Municipal Judge shall be based on hours of service or number of court sessions served and shall be as set by resolution of the Town Council, as amended from time to time, or as agreed to in writing executed by the Town and the Assistant Municipal Judge.

IV. Oath of office.

Before entering upon the duties of office, a Municipal Judge shall take an oath of affirmation, given by the Mayor, the Mayor Pro Tem, or the Town Clerk, to support the Constitution and laws of the United States, the Constitution and laws of the State of Colorado, and the laws of the Town, and will faithfully perform the duties of office.

V. Removal of Judge.

A Municipal Judge may be removed by Town Council during the term of office only for cause. A Municipal Judge may be removed for cause for:

- (1) Conviction of a felony or any crime involving moral turpitude;
- (2) Any disability that renders the Judge unable to perform the essential job functions of the position;
- (3) Misconduct, including, but not limited to, unethical behavior, abuse of judicial power, or a violation of the judicial code of conduct;
- (4) Inability to perform judicial duties effectively or repeated failure to adhere to legal standards; or
- (5) Failure to fulfill the responsibilities of the judicial position without reasonable justification.

Section 4. The Town Council adopts an Administrative Citation Process provision.

Administrative citation process

I. Purpose; scope.

The purpose of this Article is to encourage prompt compliance with the ordinances of the Town of Keystone and prompt payment of penalties for violations thereof. This Article provides for administrative penalties that may be imposed for violation of the following regulations:

- Nuisances
- Land Use Code
- Building Regulations
- Other regulations as defined in the ordinance

II. Definitions.

For the purposes of this Article the following terms shall have the meanings assigned to them below.

Administrative Hearing Officer or AHO means the person with exclusive authority to hear appeals from administrative citations issued under this Article.

Code Officer means the Town Manager or the Town Manager's designee, including but not limited to a code enforcement officer, the building official or designee, or any other Town official or employee charged with enforcing the regulation.

Manager means the Town Manager or the Town Manager's designee.

Municipal Court means the Municipal Court for the Town of Keystone, Colorado.

Responsible party means a person who is alleged to have violated the regulation.

III. Authority.

- (a) Any responsible party violating regulation may be issued an administrative citation by a Code Officer as provided in this Article.
- (b) Notwithstanding any other provision of this Code, responsible parties cited under the provisions of this Article shall have only the appeal rights granted herein.
- (c) Administrative citations shall be issued only after the responsible party has received a notice and demand and has been given time to comply as stated in the notice and demand.
- (d) Upon issuance of an administrative citation for a violation of an applicable section, no additional administrative citation shall be issued for the same violation for ten (10) days or, if the responsible party appeals, until after the appeal has been heard and the responsible party has not complied with an order of the AHO within ten (10) days of its issuance or such other time as the AHO has specified.
- (e) A fine assessed by means of an administrative citation issued by the Code Officer shall be payable directly to the Town of Keystone, and if not timely paid, shall be collected in accordance with the procedures specified in this Article.
- (f) Enforcement actions for violations of regulation are intended to be alternative in nature. At any one time, the Town may pursue a civil, criminal, or administrative action against a responsible party. The Town may also choose to pursue an alternative action upon staying the original action.

IV. Notice and demand.

- (a) Upon becoming aware of a violation of an applicable section, a Code Officer may issue a notice and demand to the responsible party. The notice shall provide the following information, where applicable:
 - (1) The location of the violation;
 - (2) The date and approximate time the violation was observed;
 - (3) The property in violation by address or legal description;
 - (4) The applicable section violated together with a description of the violation;
 - (5) A description of the action required to correct the violation;
 - (6) A demand that the violation be corrected or abated on or before a specified time and date. The time and date shall be not less than seven (7) days from the date of the notice; and
 - (7) A statement that, if the nuisance is not corrected or abated on or before the date and time stated in the notice, the Town may at its option pursue enforcement alternatives including issuance of an administrative citation.
- (b) Service of a notice and demand on the responsible party shall be by any of the following means:
 - (1) The Code Officer may personally deliver a copy of the notice and demand to a responsible party; or

- (2) A copy of the notice may be mailed by first class mail to the last known address of a responsible party as reflected in the County real estate records; or
 - (3) A copy of the notice and demand may be posted in a conspicuous place at the site of the violation. In addition, a copy of the document, with a statement of the date, time, and place at which the posting was made, must be mailed to the property owner's last known address as stated on the County Assessor's website. Prior to posting a property, the Code Officer must first consult with the Town Attorney's Office regarding this method of service.
- (c) The Town's provision of notice pursuant to Paragraph (b)(2) of this Section to the last known address of a responsible party as reflected in the records of the Summit County Clerk and Recorder's Office shall be considered adequate notwithstanding any error in the County's records. An officer may reasonably rely upon current County records to obtain an accurate address for a responsible party.
 - (d) At any appeal hearing conducted pursuant to Section IX, the AHO may consider evidence of actual notice received by a responsible party in determining whether adequate notice of a violation or of a citation has been provided. The AHO may find that notice is adequate despite a lack of technical compliance with subsection (b) hereof upon evidence that a responsible party received actual notice of a notice and demand at least ten (10) days prior to the issuance of an administrative citation for the specified violation(s) or actual notice of an administrative citation.

V. Administrative citation.

- (a) If the responsible party has failed to correct the violation noted in the notice and demand within the time provided on such notice, a Code Officer may issue an administrative citation to the responsible party.
- (b) The Code Officer may require that the responsible party provide evidence of identity and residential or working address.
- (c) The Code Officer shall attempt to issue the administrative citation to the responsible party at the site of any violation. The Code Officer may issue the administrative citation to the responsible party by the methods described in Section VI.
- (d) The Code Officer shall attempt to obtain the signature of the person receiving the administrative citation on the citation. If that person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.
- (e) Notice shall be deemed served on the earliest of: (i) the date of receipt by the responsible party, if personally served; (ii) the fifth day after the mailing of the administrative citation; or (iii) the fifth day after posting the administrative citation.

VI. Contents of administrative citation.

- (a) The administrative citation shall state the location of the violations and the date and approximate time the violations were observed. Where applicable, the administrative citation shall identify the property in violation by address or legal description.
- (b) The administrative citation shall refer to the regulation violated and describe the violations.

- (c) The administrative citation shall describe the action required to correct the violations.
- (d) The administrative citation shall require the responsible party to correct the violations immediately and shall explain the consequences of failure to correct said violations.
- (e) The administrative citation shall state the amount of fine imposed for the violation.
- (f) The administrative citation shall explain how the fine shall be paid, the time period by which it shall be paid, and the consequences of failure to pay the fine.
- (g) The administrative citation shall briefly state the process for appealing the administrative citation.
- (h) The administrative citation shall contain the signature of the Code Officer and the signature of the responsible party if it can be obtained.

VII. Appeal of administrative citation.

- (a) A person served with an administrative citation may file a notice of appeal within seven (7) working days from the service of the administrative citation. Compliance with this time limit shall be a jurisdictional prerequisite to any appeal brought under this Article, and failure to comply shall bar any such appeal.
- (b) The notice of appeal shall be made in writing and shall be filed with the Town of Keystone in person, by facsimile transmission, by email, or by mail. Regardless of the manner of filing such appeal, the notice of appeal must be filed with the Town of Keystone within seven (7) working days from the date the administrative citation was served.
- (c) As soon as practicable after receiving the written notice of appeal, the Town Manager shall assign an AHO who shall schedule a date, time and location for the hearing.
- (d) Written notice of the date, time and location of the hearing shall be personally served upon or sent by first class mail to the responsible party at least seven (7) working days prior to the date of the hearing. The hearing shall be held no more than twenty-one (21) days after a timely filed notice of appeal.
- (e) In computing the day a notice of appeal must be filed or the day by which a hearing must be held, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to the first day thereafter which is not a Saturday, Sunday, or legal holiday.

VIII. Administrative hearing officers.

- (a) The AHO must be an attorney licensed to practice law in the State of Colorado with a minimum of three (3) years of experience.
- (b) Any person designated to serve as an AHO is subject to disqualification for bias, prejudice, interest, or for any other reason for which a judge may be disqualified in a court of law.

IX. Administrative appeals.

- (a) Administrative appeals are intended to be informal in nature. Formal rules of evidence and discovery do not apply. The procedure and format of the administrative hearing shall follow the procedures provided in this Section.

- (b) The parties to an administrative appeal shall be the responsible party and the Town. Parties may be represented by legal counsel. Each party may call and question witnesses, cross-examine witnesses and present evidence in support of its case.
- (c) The AHO shall have the power to administer oaths, issue subpoenas to require the presence of witnesses and, when necessary, grant continuances. Subpoenas may be issued to require the presence of persons and production of papers, books and records necessary to the determination of any hearing which the AHO conducts. It is unlawful for any person to fail to comply with any subpoena issued by the AHO. A subpoena shall be served in the same manner as a subpoena issued by the District Court of the State. Subpoenas issued pursuant to this Section may be enforced by the Municipal Court judge.
- (d) The only issue to be decided by the AHO is whether the Code Officer exceeded his/her authority in issuing the administrative citation. To do so, the Town bears the burden of proof to establish the existence of a violation of the Code. The Town's meeting of this burden of proof shall constitute prima facie evidence that the Code Officer did not exceed his/her authority. The appellant shall have the burden of rebutting such evidence.
- (e) The standard of proof required in an administrative appeal is a preponderance of the evidence.
- (f) Hearings shall be recorded by electronic means and transcripts of such recordings shall be made at the expense of the party requesting the transcript.
- (g) Whenever it appears that an appeal is not filed within the time permitted by this Article, particular law or ordinance involved, or that the AHO for some other reason lacks jurisdiction, the appeal may be dismissed on the motion of any party or on the AHO's own motion.
- (h) The decision of the AHO shall be known as an administrative enforcement order.
- (i) The AHO may uphold the administrative citation and all penalties or dismiss the administrative citation and all penalties or may waive or conditionally reduce the penalties assessed by the administrative citation. The AHO may also impose conditions and deadlines to correct the violations or require payment of any outstanding penalties.
- (j) In the event that the AHO does not dismiss the administrative citation, the AHO shall assess reasonable administrative costs of not less than twenty-five dollars (\$25.00), but not to exceed fifty dollars (\$50.00).
- (k) The administrative enforcement order shall become final on the date of mailing the order to the responsible party. A copy of the order shall be provided to the Town.

X. Failure to attend administrative appeal.

Any responsible party who fails to appear at the hearing is deemed to waive the right to a hearing and the adjudication of the issues related to the hearing, provided that proper notice of the hearing has been provided. The AHO may take testimony, evidence and argument from the Town and issue an administrative enforcement order.

XI. Penalties assessed.

- (a) The penalties assessed for each administrative citation issued for violations of the applicable code sections are as follows:
 - (1) First administrative citation: one hundred fifty dollars (\$150.00).
 - (2) Second administrative citation on the same violation within a twelve (12) month period: three hundred dollars (\$300.00)
 - (3) Third and each subsequent administrative citation on the same violation occurring in a twelve (12) month period: five hundred dollars (\$500.00).
- (b) If the responsible party fails to correct the violation, subsequent administrative citations may be issued for violations of the same applicable section.
- (c) Payment of the fine shall not excuse the failure to correct the violations nor shall it bar further enforcement action by the Town.
- (d) All fines assessed shall be payable to the Town of Keystone.

XII. Failure to pay fines.

- (a) The failure of any responsible party to pay the fines assessed by an administrative citation within the time specified on the citation or administrative enforcement order, if an administrative hearing was held, may result in the imposition of a late fee of fifty dollars (\$50.00).
- (b) In the event of failure to pay all fines assessed, the manager may refer the matter for collection by whatever means are available to the Town.
- (c) An action or other process provided by law may be maintained by the Town to recover or collect any amounts, including late fees, interests, and administrative costs, owing under this Article.

Section 5. Amendment to Ordinance 2024-O-12 to include Section 1701 of the Model Traffic in the Town of Keystone. Paragraph (8) of Section 3 of Ordinance 2024-O-12 is deleted in its entirety.

Section 6. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 7. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 8. Effective Date. The Ordinance shall be effective thirty days after publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON _____, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

_____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

READ, PASSED AND ADOPTED WITH A ROLL CALL VOTE OF ___ IN FAVOR AND ___ OPPOSED ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS _____ DAY OF _____, 2025.

Kenneth D. Riley, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Maddy Sielu, Town Clerk
DATE: January 14, 2025 – Council Meeting
SUBJECT: Resolution 2025-01: A Resolution of Town Council of the
Town of Keystone, Colorado, Designating the Public Place
for Posting of Notices of Public Meetings

Executive Summary:

Colorado law requires municipalities to identify a posting location for meeting notices required by the Colorado Open Meetings law.

Recommendation:

Staff recommends that the Town Council approve Resolution 2025-01 designating the location for posting the meeting notices.

Background:

Pursuant to §24-6-402(2) C.R.S. public meetings of the Town Council, Boards and Commissions and other formally constituted bodies, where a quorum of three or more members are expected to be in attendance, must be posted at least twenty-four (24) hours prior to each meeting. This section also provides that the public place for posting such notices shall be designated annually at the Town Council's first regular meeting of the calendar year.

Further, in §24-6-402(2) II C.R.S, clarifies that "It is the intent of the general assembly that local governments transition from posting physical notices of public meetings

in physical locations to posting notices on a website, social media account, or other official online presence of the local government to the greatest extent practicable.”

Resolution No. 2025-01 provides the designated posting location to be on the Town’s website, keystone.colorado.gov, which has been provided to the Department of Local Affairs for inclusion in the inventory maintained pursuant to §24-32-116, C.R.S. The Resolution also designates a physical posting location, for use in the event of exigent or emergency circumstances. This physical posting location shall be a Public Meeting Notices Binder located immediately within the internal entrance to the 1628 Sts John Road, Keystone, CO 80435. Without need to amend this resolution, the Town may choose to administratively re-designate the posting location to a bulletin board, kiosk, computer monitor, television screen, or other manner or method of visible display within the same location. Nothing in the Resolution precludes the Town from posting at the physical location, in addition to posting on the Town’s website.

Alternatives:

Designate an alternate public posting location.

Financial Considerations:

N/A

Previous Council Actions:

Town Council approved Resolution 2024-10, Designating the Public Place for Posting of Notices of Public Meetings for the calendar year of 2024.

Next Steps:

None.

Suggested Motion:

Since this item is on the consent agenda, a motion to approve the consent agenda will be sufficient for passage of the Resolution.

Attachments:

- Resolution 2025-01, A Resolution of Town Council of the Town of Keystone, Colorado, Designating the Public Place for Posting of Notices of Public Meetings

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-01

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
DESIGNATING THE PUBLIC PLACE FOR POSTING OF NOTICES OF PUBLIC
MEETINGS**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipality governed by the Keystone Home Rule Charter; and

WHEREAS, pursuant to Section 24-6-402(2), C.R.S., and Section 3.10 of the Keystone Home Rule Charter, any public meeting of the Town Council of the Town of Keystone, and/or the Town’s boards, commissions, and other formally constituted bodies, at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority of quorum of the body is in attendance, or is expected to be in attendance, for the discussion of public business, must by law be held only after full and timely notice to the public; and

WHEREAS, the Town’s website is accessible at no charge to the public, and the Town has provided the website address to the Department of Local Affairs for inclusion in the inventory maintained pursuant to Section 24-32-116, C.R.S; and

WHEREAS, the Town will retain one physical location within the Town boundaries designated for posting notice no less than twenty-four hours prior to a meeting;

WHEREAS, the Town is deemed to have given full and timely notice if the notice of the public meeting is posted in a designated public place within the boundaries of Town of Keystone or on the public website of the Town; and

WHEREAS, the public place or places for posting such notice must be designated annually at the Council’s first meeting of the calendar year; and

WHEREAS, the Council has convened its first regular meeting of the 2025 calendar year on this 14th day of January 2025; and

WHEREAS, this Resolution is to apply only to those meetings for which applicable state or local law requires public notice to be posted by the Town as a Town-conducted meeting; and

WHEREAS, the Council wishes to designate the location for posting notice of its meetings as set forth herein.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. Designated Posting Location. As of the effective date of this Resolution, and pursuant to Section 24-6-402, C.R.S., the Town's designated posting location for notices of public meetings shall be on the Town's webpage, accessible online at the following address: www.keystone.colorado.gov

Section 2. Designated Physical Posting Location. In the event of exigent or emergency circumstances such as a power outage or an interruption in internet service that prevents the public from accessing the online designated posting location or prevents the Town from posting a notice at the online designated posting location, the Town will post notice of public meetings at least twenty-four hours prior to the meeting at the following physical location within the Town: at the front reception area located immediately within the internal entrance to: 1628 Sts John Road, Keystone, CO 80435. Without need to amend this resolution, the Town may administratively redesignate the posting location to a bulletin board, kiosk, computer monitor, television screen, or other manner of method of visible display within the publicly accessible main entrance, entry way, vestibule, or exterior of the building at 1628 Sts. John Road, Keystone, CO 80435.

Nothing herein shall preclude the Town from posting at such physical location, in addition to posting on the Town's website designated above.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of __ in favor and ___ against, this 14th day of January 2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Maddy Sielu, Town Clerk
DATE: January 14, 2025 – Council Meeting
SUBJECT: Resolution 2025-02: A Resolution of Town Council of the
Town of Keystone, Colorado, Approving an Amended
Colorado Open Records Act Policy

Executive Summary:

This resolution amends the Colorado Open Records Act (CORA) Policy adopted by the Town Council on February 13, 2024, to include a provision that requestors must submit requests on a form provided by the Town Clerk. Additionally, it updates the hourly research and retrieval fee to \$41.37.

Recommendation:

Staff recommends that the Town Council approve Resolution 2025-02 approving an amended Colorado Open Records Act Policy.

Background:

The Colorado Open Records Act (CORA) is intended to promote public access to records and transparency in government. CORA provides that a custodian of records responds to requests for public records. The Town Clerk typically serves in the role of the records custodian. Further, in §24-6-402(2) II C.R.S, clarifies that “It is the intent of the general assembly that local governments transition from posting physical notices of public meetings in physical locations to posting notices on a website,

social media account, or other official online presence of the local government to the greatest extent practicable.”

On February 13, 2024, the Town Council approved Resolution 2024-24 approving a policy designating the Town Clerk as the official custodian of records for the Town. The policy also set the Town Clerk’s rules and regulations related to open records requests.

Resolution No. 2025-01 provides two updates to the existing CORA policy.

1. Requires the use of a form provided by the Town Clerk to be used for making a CORA request. Use of a form provided by the Town Clerk, will ensure that all CORA requests are able to be clearly identified and marked received by the designated custodian of records. Receiving requests embedded in other communications or via multiple methods make identifying, tracking, and responding to requests difficult to manage. Utilizing a form to track requests will ensure that members of the public’s requests are received and identified more clearly.
2. Updates the hourly fee for research and retrieval to \$41.37. Section 24-72-205 (6) (b), C.R.S., requires the Director of Research of the Legislative Council Staff to adjust the Colorado Open Records Act maximum hourly fee for the research and retrieval of public documents for inflation on July 1, 2019, and each five years thereafter. Effective July 1, 2024, the maximum hourly fee increased to \$41.37. In order to adopt this new fee, government entities must revise and publish their Colorado Open Records Act policies to include the new fee.

Alternatives:

Direct Town Staff to amend the policy in a different way or maintain the existing CORA policy.

Financial Considerations:

The updated fee will more accurately reflect the cost of research and retrieval time done by staff.

Previous Council Actions:

Town Council approved Resolution 2024-24, Approving a Colorado Open Records Act Policy

Next Steps:

None.

Suggested Motion:

Since this item is on the consent agenda, a motion to approve the consent agenda will be sufficient for passage of the Resolution.

Attachments:

- Resolution 2025-02, A Resolution of Town Council of the Town of Keystone, Colorado, Approving an Amended Colorado Open Records Act Policy
- Amended Colorado Open Records Act Policy dated January 14, 2025

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2025-02

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
APPROVING AN AMENDED COLORADO OPEN RECORDS ACT POLICY**

WHEREAS, the Colorado Open Records Act (CORA), §24-72-201, et seq., C.R.S., declares it to be the public policy of the State of Colorado that all public records are open for inspection by any person at reasonable times (except as otherwise provided); and

WHEREAS, §24-72-203(1), C.R.S, permits the custodian of records to make such rules and regulations as to the inspection as are reasonably necessary for the protection of the records and the prevention of unnecessary interference with the custodian's regular duties; and

WHEREAS, the Town Council adopted with Resolution 2024-24, a CORA policy designating the Town Clerk as the official custodian of Town records and setting for the Town Clerk's rules and regulations for inspection of public records on February 13, 2024; and

WHEREAS, the Town Clerk desires to amend the CORA policy to require the public to fill out requests on a form provided by the Town and update the fee schedule for a public records request; and

WHEREAS, the Town Council desires to adopt the amended CORA policy.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town Council adopted the Administrative Policy Regarding the Provision of Public Records Pursuant to the Colorado Open Records Act designating the Town Clerk as the official custodian of all records and identifying the Town Clerk's rules and regulations related to the inspection of records on February 13, 2024. Town Council approves amended administrative policy dated January 14, 2025. The amended policy is attached as Exhibit A.

Section 2. Effective Date. This resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of ___ in favor and ___ against, this 14th day of January 2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney

ADMINISTRATIVE POLICY REGARDING THE PROVISION OF PUBLIC RECORDS PURSUANT TO THE 'COLORADO OPEN RECORDS ACT'

Effective Date:

These rules and regulations were adopted by the Keystone Town Council on February 13, 2024, Resolution 2024-24. Amended on January 14, 2025, Resolution 2025-02.

Custodian of Public Records:

The Keystone Town Clerk is hereby designated as the official custodian of all records maintained by the Town of Keystone. The Town Clerk may, as deemed necessary, designate another person the duties required by these rules and regulations.

Town Clerk's Rules and Regulations

1. Public records of the Town of Keystone are open for inspection and copying in the office of the Town Clerk during regular business hours as required by the Colorado Open Records Act, C.R.S. §§ 24-72-201, et seq. ("CORA") and except as otherwise provided.
2. All requests to inspect and/or copy public records must be made in writing to the Town Clerk, on a form provided by the Town Clerk. Each request shall include specific information about the record being requested as well as the requestor's name, address, and contact information.
3. Any requested public record not in the care, custody or control of the Town is not subject to inspection under these rules and regulations. Additionally, the Town Clerk has no obligation to reconstruct or create any document to satisfy the request. The Town Clerk will respond to the requesting party of this fact.

4. If the public record requested is in the care, custody or control of the Town and such record is not in active use or is in storage and therefore is not readily available at the time the requesting party asks to examine it, the Town Clerk will set a date and hour at which time the record will be made available for inspection.
5. All original Town records shall remain in the possession, custody, and control of the Town Clerk at all times.
6. As required by law, the Town Clerk will redact any private, confidential, or otherwise protected information contained in a public record before releasing it to the requesting party.
7. The Town is not required to create a new public record or to create a different format than the existing one in response to a request.
8. Inspection of a public record will not be permitted if it is determined that the record is not permitted by any provision of the Colorado Open Records Act, 24-72-204(2)(a) and contrary to the public interest.
9. If the request is for a voluminous number of records and/or is likely to require more than one hour of time to complete the request, the Town Clerk may require the requesting party to make a reasonable deposit against the final cost of complying with the request. Once the deposit is filed, the Town Clerk will begin to fulfill the request.
10. The Town Clerk has three (3) working days in which to complete the request. If more time is needed, the Town Clerk may extend the time an additional seven (7) working days, for a total of ten (10) working days, to complete the request and will notify the requesting party of the additional time needed.
11. In calculating the due date, the Town Clerk applies the following guidelines:

- a. If a request is received after 5:00 p.m., it is considered received the next working day.
- b. In calculating the time to respond, the day the request is received is not counted.
- c. For broad, general requests, the timeframe for fulfilling a request may be put on hold while the Town Clerk attempts to clarify or narrow the request with the requestor.
- d. For requests that require a deposit or payment, the timeframe for completion of the request is put on hold until payment is received.

12. At the Town Clerk's discretion, requests with the same or similar search terms from one requestor will be consolidated as necessary, and the Town Clerk will notify the requestor of this decision. Each request will be handled in the order in which it is received. Once consolidated, the prescribed fee below will be charged for the staff time necessary to review and respond to the consolidated request.

Fees:

1. The first hour of research and retrieval is free. After the first hour, the rate for research and retrieval is \$41.37 and is pro-rated by the quarter of an hour.
2. Charges for copies of a public record is \$0.25/page.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
FROM: John Crone, Town Manager
DATE: January 14, 2025 – Town Council Meeting
SUBJECT: [Consent] Resolution 2025-03, A Resolution of Town Council of the Town of Keystone, Colorado, Adopting Town of Keystone Pay Grades and Job Classifications

Executive Summary:

Adoption of a pay schedule for FY 2025.

Background:

The reason to have a published pay schedule is primarily to promote transparency in government operations. The pay schedule also allows for ease of pay analysis and pay adjustment. The rates in the schedule do not reflect additional benefits that are provided by the Town.

The schedule also provides comparative classifications for the Town's various jobs. The proposed pay schedule that is attached to this memo reflects current pay rates for Town employees. It also allows for flexibility in new hirings.

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-03

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE,
COLORADO, ADOPTING TOWN OF KEYSTONE PAY GRADES AND JOB
CLASSIFICATIONS**

WHEREAS, the Town of Keystone employs workers across a wide range of positions; and

WHEREAS, the publication of pay grades and job classifications promotes government transparency; and

WHEREAS, the publication of pay grades and job classifications encourages fair and non-discriminatory treatment of all employees; and

WHEREAS, it is important to the provision of good government that the Town of Keystone's pay grades and job classifications be easily accessible.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado:

Section 1. The Town of Keystone's Pay Grades and Job Classifications attached to this resolution are hereby adopted.

Section 2. Effective Date. This resolution shall take effect upon its approval by the Town Council.

ADOPTED by a vote of __ in favor and __ against, this 14^h day of January 2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney



Town of Keystone Pay Ranges and Job Classifications – Fiscal Year 2025

<u>Salary Grade</u>	<u>Job Title</u>	<u>Range Minimum</u>	<u>Range Maximum</u>
500		\$152,006	\$204,006
	Town Manager (e)	\$73.08/hr.	\$98.08/hr.
400		\$104,000	\$164,008
	Community Development Director (e) Finance Director (e)	\$50.00/hr.	\$78.85/hr.
300		\$93,995	\$127,005
	Town Clerk (e)	\$45.19/hr.	\$61.06/hr.
200		\$84,011	\$102,731
	Public Works Director (e) Town Planner (e)	\$40.39/hr.	\$49.39/hr.
100		\$67,995	\$88,005
	Deputy Clerk / Admin Assistant (e)	\$32.69/hr.	\$42.31/hr.

*(e) – exempt position



Keystone Town Council Minutes

A Regular Town Council Meeting of the Keystone Town Council was held on December 10, 2024, at 7:00 p.m. at 1628 Sts. John Rd, Keystone, CO 80435. Full and timely notice of the meeting had been posted and a quorum of the body was present.

I. CALL TO ORDER, ROLL CALL

Mayor Riley called the meeting to order at 7:02 p.m. The roll was called, and it was found there were present and participating at that time the following members:

Councilmember Gretchen Davis, Councilmember Jonathan Hagenow, Councilmember Carol Kerr, Councilmember Dan Sullivan, Councilmember Aaron Parmet, Councilmember Valerie Thisted, and Mayor Ken Riley.

II. APPROVAL OF AGENDA

Mayor Riley presented the agenda.

Councilmember Davis moved to approve the agenda. Councilmember Hagenow seconded.

By voice vote, the motion passed unanimously, and the agenda was approved as presented.

III. COMMUNICATIONS TO COUNCIL

Mayor Riley opened the floor for public comment.

Seeing no members of the public wishing to speak, Mayor Riley closed the public comment period.

IV. CONSENT

A. FIRST READING OF ORDINANCES

B. RESOLUTIONS

- 1. Resolution 2024-72, A Resolution of Town Council of the Town of Keystone, Colorado, Authorizing Town Staff to Finalize and Execute a Contract for Services with the SE Group for the Town of Keystone's First Comprehensive Plan**
- 2. Resolution 2024-75, A Resolution of Town Council of the Town of Keystone, Colorado, Approving a Contract with Vail Summit Resorts Inc. for Maintenance of Certain Roads**

C. MEETING MINUTES

- 1. November 12, 2024 – Meeting Minutes**

D. EXCUSED ABSENCES

E. OTHER

- 1. Accounts Payable List**

Mayor Riley recognized Town Clerk Madeleine Sielu to present the consent agenda.

Councilmember Kerr moved to approve consent agenda.

Councilmember Sullivan seconded.

By voice vote, the motion passed unanimously, and the consent agenda was approved as presented.

V. DISCUSSION

A. QUASI-JUDICIAL ITEMS

- 1. [Public Hearing] TOK24-012, A Class 4 Variance for a Proposed Single-Family Residence Located at 0236 Razor Drive, Lot 38, Loveland Pass Village Subdivision, to Allow a 20' Front Yard Setback (a 5" Front Yard Variance), and a 15' Rear Yard Setback (a 10' rear yard variance), zoner R-2: Applicant: Bobby Craig,**

Arapahoe Architects

Mayor Riley opened the quasi-judicial hearing considering TOK24-012, A Class 4 Variance for a Proposed Single-Family Residence Located at 0236 Razor Drive, Lot 38, Loveland Pass Village Subdivision, to Allow a 20' Front Yard Setback (a 5" Front Yard Variance), and a 15' Rear Yard Setback (a 10' rear yard variance), zoner R-2: Applicant: Bobby Craig, Arapahoe Architects.

Town Planner Andrew Collins provided a report of the staff findings based upon review of the application materials for the variance. He reviewed staff's evaluation of the applicant based on the following criteria and standards:

- 1) The strict application of the Town's Zoning Regulations would result in peculiar and exceptional practical difficulties to, or, exceptional and undue hardship upon, the property owner in the development of the property because of special circumstances applicable to the property such as size, shape, topography or other extraordinary or exceptional physical conditions.
- 2) The variance can be granted without substantial detriment to the public health, safety, and welfare.
- 3) The variance can be granted without substantial impairment of the intent of the Town's Zoning Regulations.
- 4) Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district.
- 5) Reasonable use of the property is not otherwise available without granting of a variance and the variance being granted is the minimum necessary to allow for reasonable use.
- 6) The parcel for which the variance is being granted was not created in violation of Town zoning or subdivision regulations, or in violation of Colorado State Statutes.

Following the staff presentation, Bobby Craig, the applicant, provided testimony related to the application and how it met the above proposed criteria for the public comment.

Following testimony from the applicant, Mayor Riley opened the floor for public comment on the application.

The following members of the public spoke: Randy & Edy Stout spoke about the intended use of the property. Tommy Banks, resident of Loveland Pass Village, spoke about questions whether the standard of hardship and reasonable use had been met. Patty Banks, resident of Loveland Pass Village, spoke about the impacts of similar setback variances in the past. Martin Sundquist, resident of Loveland Pass Village, spoke about concerns with granting the front setback.

Seeing no further members of the public wishing to speak, Mayor Riley closed the public comment period.

Town Council deliberated on whether or not the property met each of the stated criteria for review for a Class 4 variance.

Councilmember Hagenow moved to approve Resolution 2024-73, Approving TOK24-012, A Class 4 Variance for a Proposed Single-Family Residence Located at 0236 Rasor Drive, Lot 38, Loveland Pass Village Subdivision, to Allow a 20' Front Yard Setback (a 5" Front Yard Variance), and a 15' Rear Yard Setback (a 10' rear yard variance) with an amendment to include a condition that only the garage and the directly attached deck above the garage would be included in the front setback, in order to meet condition 5. Councilmember Parmet seconded.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow, Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan,

Mayor Riley (6)

Nays: Councilmember Thisted (1)

Absent: (0)

The motion passed, and Resolution 2024-64 was approved as amended.

B. CONSIDERATION OF ORDINANCES (SECOND READING/PUBLIC HEARING)

1. Ordinance 2024-O-14, An Ordinance of Town Council of the Town of Keystone, Colorado, Implementing The Voter-Approved 2% Lodging Tax And Providing Penalties For The Violation Thereof, and Declaring an Emergency

Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to introduce Ordinance 2024-O-14, Implementing the Voter-Approved 2% Lodging Tax and Providing Penalties for the Violation Thereof, and Declaring an Emergency.

Mayor Riley opened the floor for public comment on Ordinance 2024-O-14.

Seeing no members of the public wishing to speak, Mayor Riley closed the floor for public comment.

Councilmember Sullivan moved to approve Ordinance 2024-O-14.
Councilmember Hagenow seconded.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow,
Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan,
Councilmember Thisted, Mayor Riley (7)

Nays: (0)

Absent: (0)

The motion passed, and Ordinance 2024-O-14 was adopted.

2. Ordinance 2024-O-15, An Ordinance of Town Council of the Town of Keystone, Colorado, Imposing a Temporary Suspension on Natural Medicine Uses and Healing Center Facilities to Allow for Study, Review, and Regulation Development, Declaring an Emergency, and Providing for an Immediate Effective Date

Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to present Ordinance 2024-O-15, Imposing a Temporary Suspension on Natural Medicine Uses and Healing Center Facilities to Allow for Study, Review, and Regulation Development, Declaring an Emergency, and Providing for an Immediate Effective Date.

Mayor Riley opened the floor for public comment on Ordinance 2024-O-15.

Seeing no members of the public wishing to speak, Mayor Riley closed the floor for public comment.

Councilmember Davis moved to approve Ordinance 2025-O-15, Imposing a Temporary Suspension on Natural Medicine Uses and Healing Center Facilities to Allow for Study, Review, and Regulation Development, Declaring an Emergency, and Providing for an Immediate Effective Date.

On roll call, the result was:

Ayes: Councilmember Davis, Councilmember Hagenow, Councilmember Kerr, Councilmember Parmet, Councilmember Sullivan, Councilmember Thisted, Mayor Riley (7)

Nays: (0)

Absent: (0)

The motion passed, and Ordinance 2024-O-15 was adopted.

C. RESOLUTIONS

1. Resolution 2024-74, A Resolution of Town Council of the Town of Keystone, Colorado, Approving Amended Town Council Bylaws

Mayor Riley recognized Town Manager John Crone and Town Attorney Jennifer Madsen to present Resolution 2024-74, Approving Amended Town Council Bylaws.

Councilmember Parmet moved to approve Resolution 2024-74.
Councilmember Kerr seconded.

On voice vote, the motion passed unanimously, and Resolution 2024-74 was approved.

2. Adoption of Fiscal Year 2025 Budget Package

Mayor Riley recognized Town Manager John Crone to present the Fiscal Year 2025 Budget Package.

Councilmember Parmet moved to approve Resolution 2024-76, Adopting a Budget for the Town of Keystone, Colorado, for the Calendar Year Beginning on the First Day of January 2025 and Ending on the Last Day of December 2025, with an amendment to increase the amount given to trail maintenance by \$50,000. Councilmember Davis seconded.

On voice vote, the motion passed unanimously, and Resolution 2024-76 was approved as amended.

Councilmember Davis moved to approve Resolution 2024-77, Appropriating Sums of Money to the Various Funds and Spending

Agencies, in the Amounts and for the Purposes as Set Forth Below, For the Town of Keystone, Colorado, for the 2025 Budget Year, with an amendment to increase the appropriation in the General Fund an additional \$50,000 for trail maintenance. Councilmember Parmet seconded.

On voice vote, the motion passed unanimously, and Resolution 2024-77 was approved as amended.

Councilmember Kerr moved to approve Resolution 2024-78, Levying Property Taxes for the Year 2025, the Help Defray the Costs of Government for the Town of Keystone, Colorado, for the 2025 Budget year. Councilmember Parmet seconded.

Councilmember Kerr clarified for the record that the mill levy was set at 0.0%

On voice vote, the motion passed unanimously, and Resolution 2024-78 was approved.

D. OTHER

1. Cancellation of meeting on December 24, 2024

Councilmember Thisted moved to cancel the regularly schedule Town Council meeting scheduled for December 24, 2024. Councilmember Sullivan seconded.

On voice vote, the motion passed unanimously, and the meeting scheduled for December 24, 2024, was cancelled.

VI. PLANNING MATTERS

VII. REPORT OF TOWN MANAGER AND STAFF

The Town Manager will work on coordinating a day long retreat for Town Council at the beginning of 2025. Town officials have continued to meet with Homeowners Associations. The Intermountain Transportation Planning Region has identified the project of Razor Drive as one of twelve priority projects, in their request. Summit Economic Partnership is applying for a rural technical assistance grant to develop an economic program for the Town of Keystone. Keystone Resort will be hosting several upcoming events over the course of the holidays. The Town will be applying for a Colorado Department of Transportation grant for the Razor Drive project.

VIII. REPORT OF MAYOR AND COUNCIL

Councilmember Kerr discussed the January Coffee with Council to determine a preference of evening timing. Additional updates will be determined prior to the event.

Councilmember Kerr also shared positive feedback about the Town's work on Short-Term Rentals.

Mayor Riley provided an update on a natural gas pipeline that ends in Summit County. He noted that there would be future discussions with towns in Summit County about reducing the usage of natural gas.

Councilmembers Davis and Kerr attended the Colorado Municipal League Policy Committee meeting. They shared that Governor Polis has considered to move funds from the Environmental Impact Assistance Fund (EIAF), which has been a large source of grant funding for the Town of Keystone so far.

Councilmembers Sullivan and Thisted provided an update on the recent Coffee With Council meeting.

IX. OTHER MATTERS (Town Manager/Mayor/Councilmember may bring up items on other matters that are not on the agenda)

X. SCHEDULED MEETINGS

XI. EXECUTIVE SESSION

Councilmember Davis moved to enter into an Executive Session pursuant to C.R.S. Section 24-6-402(4)(b) to receive legal advice related to the consideration and the potential adoption of an employee benefit policy. Councilmember Hagenow seconded.

By hand vote, the motion passed unanimously, and the Council entered Executive Session at 9:21 p.m.

The Executive Session concluded at 10:05 p.m.

XII. ADJOURNMENT

Seeing no further business to conduct, the meeting adjourned at 10:06 p.m.

Town of Keystone
Accounts Payable List

Period: November 21 through December 31, 2024

Payables processed for the period indicated above:

PAYEEES	AMOUNT	DESCRIPTION	REVIEWED, APPROVED BY
*Paylocity	427.05	payroll processing fee Dec	E.Cox, J Crone
*Rocky Mountain Reserve	2,659.24	FSA admin fee; claims funding	E.Cox, J Crone
Abell, Gabrielle	214.72	reimbursement costco membership, supplies	M. Sielu, J. Crone
All Summit Always Professional	3,400.00	plowing Nov	M. Sielu, J. Crone
Black Diamond Gourmet	858.00	council dinners 11/12-12/10	M. Sielu, J. Crone
CEBT	12,673.13	health insurance premium Jan25	E.Cox, J. Crone
Colorado Barricade Co	223.50	sign	M. Sielu, J. Crone
Employers Council Services Inc	405.00	payroll, human resources consultant	M. Sielu, J. Crone
Epic Print Pros LLC	49.08	sign board	M. Sielu, J. Crone
FirstBank Credit Card Center	1,431.89	p-card charges	M. Sielu, J. Crone
Keystone Policy Center	4,900.00	Office Lease Jan25	J. Crone
Marchetti & Weaver	14,743.42	Accounting Sep-Nov	J. Crone
Resultant	225.00	MS365 license Dec	M. Sielu, J. Crone
SeaGrizzly, LLC	145.00	telephone provider Dec	M. Sielu, J. Crone
Summit County Elections	7,749.66	november election	M. Sielu, J. Crone
Verticomm (All Copy Products)	1,968.00	IT Managed Service Provider	M. Sielu, J. Crone
Widner Juran LLP	9,570.48	legal services	J. Crone

Total Payables 61,643.17

Payrolls processed during the period indicated:

		Paydate
Payroll Wages (Net pay)	71,891.61	11/29 & 12/13 & 12/27
Payroll Taxes & Liability Payments	18,826.57	11/29 & 12/13 & 12/27
CRA Contributions	13,460.33	11/29 & 12/13 & 12/27 & 12/30 adjustment

Total Payroll 104,178.51

TOTAL ACCOUNTS PAYABLE 165,821.68

1/8/2025 0:00

Acronym Table

CAST	Colorado Association of Ski Towns
CEBT	Colorado Employee Benefits Trust
CIRSA	Colorado Intergovernmental Risk Sharing Agency
CMCA	Colorado Municipal Clerk Association
CML	Colorado Municipal League
CRA	Colorado Retirement Association
FSA	Flexible Spending Account
NWCCOG	NorthWest Colodao Council of Governments
SIPA	Statewide Internet Portal Authority
STR	Short Term Rental
WC	Workers Compensation

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney
FROM: Lindsay Hirsh, Community Development Director
Andrew Collins, Planner
DATE: January 14, 2025 – Town Council Meeting
SUBJECT: [Consent] TOK24-018: Class 2 Sign Permit for Keystone Adventure Center, located at 0172 Argentine Ct.

Executive Summary:

On July 9, 2024, the Town Council approved Ordinance 2024-O-08 Amending Ordinance No. 2024-O-05, Town of Keystone Land Use Code, And Declaring an Emergency. This ordinance was in response to the Council's desire to improve the process of reviewing Community Development Department decisions related to Class 2 development reviews. A Class 2 sign permit has subsequently been approved for the Keystone Adventure Center located at 0172 Argentine Court and is now before Council for review.

[The application materials are available at this link.](#)

Recommendation:

The Community Development Department approved the Class 2 Sign Permit for the Keystone Adventure Center building signage. The Community Development Director has not identified any reason for Council's review (and call up) of that decision.

Background:

The subject Class 2 Sign Permit application is to allow the replacement of existing wall signs with two new wall signs that meet the requirements of the Town's Land Use Code

Sign Regulations, and the Keystone Resort PUD Sign Program. The sign permit application was accepted on December 12, 2024, with the Keystone Neighbourhood Company (KNC) approval. The Community Development Department subsequently approved the sign permit application on December 26, 2024, as it meets the Town Land Use Code and Keystone Resort PUD Sign Program requirements. On December 26, 2024, per the Amended Code, Staff sent a Notice of Action to Town Council, The Town Attorney, and the Town Manager. Per the revised Code language, the Community Development Department has scheduled the Notice of Action as an agenda item for the next Town Council meeting. A decision to appeal (or call up) that decision must be made within 21 days. Consistent with the Home Rule Charter, Town Council decides to appeal by an affirmative vote of the majority of the Town Council present at that meeting.

Financial Considerations:

N/A.

Previous Council Actions:

None.

Alternatives:

If there is interest by Council to hear/appeal the item, then Council will need to remove the item from the Consent Agenda and vote on an appeal process of the Community Development Department's decision to approve the subject Class 2 Sign Permit request. If a majority of Council members vote to appeal the decision of the Community Development Department's approval, Staff will initiate the Appeal process per Chapter 12 of the Code.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

THROUGH: John Crone, Town Manager
Jennifer Madsen, Town Attorney

FROM: Lindsay Hirsh, Community Development Director

DATE: January 14, 2025 – Town Council Meeting

SUBJECT: Resolution 2025-04, A Resolution of Town Council of Town of Keystone, Colorado, Appointing and Setting the Terms for the Two Vacant Alternate Members of the Town of Keystone Planning and Zoning Commission

Executive Summary:

The purpose of this resolution is to document the voting that occurred at the meeting on January 14, 2025, to identify the alternate members of the Planning and Zoning Commission and the terms of those members.

Background:

Section 9.3, Article IX of the Town of Keystone Home Rule Charter created a Planning and Zoning Commission to assist the Town Council in planning the development of the Town. Section 9.3 of the Home Rule Charter provides that the Town Council shall further prescribe by ordinance the powers and duties of the Planning and Zoning commission, the qualifications of the members, and the appointment procedure.

Town Council adopted Ordinance No. 2024-O-01 prescribing the membership, powers and duties, and appointment procedure for the Town of Keystone Planning and Zoning Commission. Ordinance No. 2024-O-01 provides that there are seven members and two alternate members for the Planning and Zoning Commission. As the Council is aware, Jon Hagenow (3-year term) and Nick Bjugan (2-year term) resigned from the Planning and Zoning Commission leaving two alternate seats vacant. Town staff initiated the

recruiting process and received 10 applicants. Staff narrowed the applicants' down to five based on their letters of interest, residency and background. On January 14, 2025, the Town Council held interviews for the Planning and Zoning Commission vacancy's and voted to appoint the selected members to the positions and the terms. A script outlining the appointment/voting process has been provided to the Mayor to assist with this process.

The Community Development Director narrowed the applicants down to the following five people for Council interviews: Diane Leavesley, Mark Clay Willcoxon, Travis Garrison, Kaili Warren, and Jill Desmond. Jill Desmond was unable to attend this evening's meeting due to prior obligations. Town Council has been provided with all of the applicant's materials and may choose to appoint any of the applicants.

Alternatives:

Not applicable.

Financial Considerations:

There is no financial consideration.

Previous Council Actions:

None

Next Steps:

Appoint two applicants for the two vacant alternate seats.

Attachment:

- Resolution 2025-04, A Resolution of Town Council of The Town of Keystone, Colorado Appointing and Setting the Terms for the Two Vacant Alternate Seats of the Town of Keystone Planning and Zoning Commission.

TOWN OF KEYSTONE
Summit County, Colorado

RESOLUTION 2025-04

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO
APPOINTING AND SETTING THE TERMS FOR THE TWO VACANT ALTERNATE
MEMBERS OF THE TOWN OF KEYSTONE PLANNING AND ZONING COMMISSION**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, Section 9.3, Article IX of the Town of Keystone Home Rule Charter created a Planning and Zoning Commission to assist Town Council in planning the development of the Town; and

WHEREAS, Section 9.3 of the Home Rule Charter provides that Town Council shall further prescribe by ordinance the powers and duties of the Planning and Zoning commission, the qualifications of the members, and the appointment procedure; and

WHEREAS, the Town Council adopted Ordinance No. 2024-O-01 prescribing the membership, powers and duties, and appointment procedure for the Town of Keystone Planning and Zoning Commission; and

WHEREAS, Ordinance No. 2024-O-01 provides that there are seven members and two alternate members for the Planning and Zoning Commission; and

WHEREAS, on September 24, 2024, Members Jonathan Hagenow and Nick Bjugan of the Planning and Zoning Commission submitted their resignations and such resignations created two vacancies on the Planning and Zoning Commission; and

WHEREAS, at its regular meeting on January 14, 2025, Town Council held interviews of candidates for the two vacant alternate seats of the Planning and Zoning Commission.

WHEREAS, following interviews, Town Council completed a nomination and voting process to select appoint such members to the positions and the terms.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town Council voted to appoint the following individuals to fulfill the remainder of the specified term, which term is to begin on May 14, 2024, to the Planning and Zoning Commission:

_____Alternate Member, 3-year term

_____ Alternate Member, 2-year term

Section 2. Effective Date. This Resolution shall be effective immediately upon adoption.

ADOPTED by a vote of __ in favor and __ against, this _____ day of _____, 2025.

By: _____
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

By: _____
Town Clerk

By: _____
Town Attorney