



**BOARD OF TRUSTEES
REGULAR MEETING MINUTES
AUGUST 28, 2023**

REGULAR MEETING

A Regular Meeting of the Town of Olathe Board of Trustees was held as a hybrid meeting on Monday, August 28, 2023. Said meeting was posted in accordance with the Sunshine Law. Mayor Jake Foreman called the Meeting to order at 7:00 PM and lead the Pledge of Allegiance.

TRUSTEES PRESENT: Mayor Jake Foreman; Mayor Pro Tem Greg Davidson; Trustee Darrin Westermann; Trustee Mark Hillier; Trustee Christine Kinion

TRUSTEES ABSENT: Trustee Steve Gottlieb

STAFF PRESENT: Monique Garrett, Town Administrator; Chief Frank Rodriguez, OPD; Sara Dillon, Finance Officer/Deputy Town Clerk; Carol Viner, Town Attorney (virtually)

PUBLIC PRESENT: Elaine Davison (R); John and Amanda Thomas (NR); Colleen Zweigle (NR); Commissioner Sue Hansen (NR); Angeles Mendez (NR); Jim Lobato (R)

CONSENT AGENDA

A motion by Mayor Pro Tem Greg Davidson to approve the consent agenda as presented, which includes the August 14, 2023 Board of Trustees meeting minutes and the AP approval report was seconded by Trustee Christine Kinion. Discussion – None. The motion passed with a five to zero vote in favor.

AGENDA CHANGES – None.

OLD BUSINESS – None.

PUBLIC COMMENT

Elaine Davison – Enjoyed the National Night Out Event.

John Thomas – Thanked the Police Department for their presence at the school crossing by the Middle High School.

DISCUSSION ITEMS

8.1) CORN FESTIVAL

Corn Festival Committee President, Colleen Zweigle, gave the Board a wrap up of the 2023 Corn Festival.

8.2) RESIDENT CONCERNS

Resident Jim Lobato discussed with the Board his concerns with weeds and junk in yards. He also voiced that he would like to see more sidewalks in Town.

ACTION ITEMS

9.1) FESTIVAL AGRICOLA

Festival Agricola organizer, Angeles Mendez requested a fee waiver for the festival in place of sponsorship and our logo on the festival flyers.

A motion by Trustee Mark Hillier to waive the \$500 festival fee in lieu of a Festival Agricola sponsorship was seconded by Trustee Christine Kinion. Discussion – None. The motion passed with a five to zero vote in favor.

9.2) RESOLUTION 2023-05

A RESOLUTION CALLING AN ELECTION IN THE TOWN OF OLATHE, COLORADO, REGARDING THE ESTABLISHMENT AND OPERATION OF MEDICAL AND RETAIL MARIJUANA STORES AND IMPOSITION OF A 5% EXCISE TAX ON RETAIL MARIJUANA SALES.

A motion by Trustee Mark Hillier approving Resolution 2023-05 was seconded by Trustee Christine Kinion. Discussion:

Trustee Hillier asked Ms. Viner if having two questions on the ballot; one addressing allowing marijuana dispensary establishments within the Town limits and a second that imposes a 5% excise tax on the marijuana products is allowed in the one election? And asked about Town Trustees and staff educating the public on the need for this within the Town.

Attorney Carol Viner stated that yes having both questions on the same ballot is allowed and that herself and Clerk Garrett will be putting together the required pros/cons statement that will be in the election "blue book" that is mailed to all registered voters. Ms. Viner also stated that she can put together Resolutions in support of the ballot questions for the next Board meeting if directed by the Trustees. Ms. Viner also stated that Town Trustees and staff cannot advocate using Town resources, or during Town working hours.

Mayor Pro Tem Davidson asked if a business owner would be able to mail out a pamphlet or information?

Ms. Viner answered that yes, they can and that they could send out the Resolution if they wanted. She stated that any private citizen can advocate for this, and she would encourage it if the Town is serious about getting additional revenue for the Town.

Trustee Westermann stated he would like to see within the Resolutions that the ballot questions also reflect a choice for the voters as two different options as ways to increase revenue for the Town.

Ms. Viner stated that yes, she can reflect that in the Resolutions.

Town Clerk Garrett asked Ms. Viner about the time limits for the pros and cons statements.

Ms. Viner stated the time limits are with the County Clerk and Recorder.

Mayor Foreman asked for further discussion, hearing none, the vote was called. The motion passed with a five to zero vote in favor.

9.3) RESOLUTION 2023-06

A RESOLUTION OF THE TRUSTEES OF THE TOWN OF OLATHE, COLORADO SUBMITTING TO THE REGISTERED ELECTORS AT THE NOVEMBER 7, 2023, COORDINATED ELECTION, A BALLOT QUESTION REGARDING THE IMPOSITION OF A SALES TAX INCREASE OF 1% TO BE USED FOR THE OLATHE POLICE DEPARTMENT, TRANSPORTATION AND INFRASTRUCTURE, AND PARKS AND RECREATION.

Town Attorney Ms. Viner told the Board that this Resolution for an imposition of 1% increase on sales tax to be used for public safety, road infrastructure and parks. And the same as with the previous Resolution you cannot exceed the revenue stated or you must return it to the voters and there after it is debruced.

A motion by Trustee Christine Kinion approving Resolution 2023-06 was seconded by Mayor Pro Tem Greg Davidson.

Discussion:

Mayor Pro Tem Davidson asked if the Town would have to do the same pro/con procedure as the other TABOR question requires and if the statements are fact checked.

Ms. Viner stated that yes, the pro/con statements are required by State Statute and no they are not fact checked.

Ms. Garrett also stated that we must have the ballot questions translated by a certified translator.

The motion passed with a six to zero vote in favor.

The Board convened as the Local License Authority

9.4) LIQUOR LICENSE RENEWAL FOR R&B KOYOTE LIQUORS INC

Town Clerk Monique Garrett told the Board that Koyote Liquor has submitted all necessary paperwork and fees for their liquor license renewal application and that Koyote Liquor has not had any past violations. Ms. Garrett recommended approval of the liquor license renewal application pending completion of the Fire Department inspection.

A motion by Trustee Mark Hillier to approve Koyote Liquors liquor license renewal application pending said inspection was seconded by Mayor Pro Tem Greg Davidson. Discussion – None. The motion passed with a five to zero vote.

The Board reconvened into regular session.

TOWN ADMINISTRATOR REPORT

- Updated the Board on the work on the baseball field.
- Discussed budget schedule with the Board.
- Updated the Board on the Hersum Avenue project.

STAFF COMMENTS – None.

BOARD COMMENTS

Trustee Kinion – Thanked John and Amanda Thomas for being at the meeting and their support for the ballot questions.

ADJOURNMENT

There being no further business at hand, a motion was made by Trustee Mark Hillier and seconded by Mayor Pro Tem Greg Davidson to adjourn the regular meeting of the Board of Trustees at 8:02 PM with no further action taken. Discussion – None. The motion passed with a five to zero vote in favor.



Jake Foreman, Mayor

ATTEST:



Monique Garrett, Town Clerk

Approved as submitted ☒

Approved as amended ☐

