

## RECORD OF PROCEEDINGS

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*Town of Estes Park, Larimer County, Colorado, July 24, 2003*

Minutes of a Regular meeting of the **PUBLIC SAFETY COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 24<sup>th</sup> day of July, 2003.

Committee: Chairman Gillette, Trustees Jeffrey-Clark, Newsom

Attending: Trustees Jeffrey-Clark and Newsom

Also Attending: Mayor Baudek, Town Administrator Widmer, Police Chief Richardson, Fire Chief Dorman, Town Attorney White, Commanders Filsinger and van Deutekom, Mgr. Bartram, Clerk O'Connor

Absent: Chairman Gillette

Trustee Jeffrey-Clark called the meeting to order at 7:30 a.m.

### **POLICE DEPARTMENT.**

**Faith Based and Community Partnership – Request authorization to provide services.** Chief Richardson briefed the Committee on a Faith Based and Community Government Initiative Summit held for the purpose of exploring the possibility of sharing resources and developing partnerships between the faith community and local government. Based on information gathered from meetings, staff is recommending the Police Department be allowed to:

1. Provide after-hours services to distribute Salvation Army vouchers for food, gas or lodging.
2. Develop a shared database for those receiving services to better prevent abuse of the system.
3. Create an information page to be placed on the Town's website to list services available by the Faith Based and Community Partners.

Discussion followed, with **the Committee recommending the Police Dept. be authorized to provide services requested, specifically Items 1-3 described above.**

**Amendment to Chapter 9.28.030 Drug Paraphernalia – Request approval of proposed ordinance.** Commander Filsinger presented a proposed ordinance amending Chapter 9.28.030 Sale Unlawful – to read as follows:

“It is unlawful for any person to sell, deliver, posses with intent to sell or deliver, or manufacture with intent to sell or deliver equipment, products, or materials knowing, or under circumstances where one reasonably should know, that such equipment, products, or materials could be used as drug paraphernalia.”

This amendment more clearly follows State Statute, and it has been reviewed by Town Attorney White. Discussion followed, with **the Committee favorably recommends approval of the ordinance as presented.**

**Amendment to Chapter 9.18.010 Definitions (specifically skateboards) – Request approval of proposed ordinance.** Commander Filsinger also presented a proposed ordinance that amends the definition of skateboards to include “motorized” as follows:

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“Skateboard means a device propelled by human or motorized power upon which any person may ride, which is composed of one or more wheels, none of which exceeds four inches in diameter and upon which is mounted a flat board or surface designed to carry one or more persons.”

Town Attorney White has reviewed this proposed ordinance. Following discussion, **the Committee favorably recommends approval of the ordinance as presented.**

**Amendment to Chapter 9.08.070 Concealed Weapons Permits – Request approval of proposed ordinance.** Pursuant to Senate Bill 24, Chief Richardson presented a proposed ordinance amending Chapter 9.08.070 that repeals this section in its entirety. The Bill rescinded the municipal Police Chief’s authority to issue said permits, and places same with only County Sheriffs. Town Attorney White has reviewed the proposed ordinance, and he added that certain ramifications have resulted in this Senate Bill: the Town cannot now bar concealed weapons in public buildings; it bans concealed weapons in public schools; a concealed weapons permit and ID must be carried on the permittee; allows weapons in vehicles (unless the driver is a convicted felon or under the influence); the Bill is a “state issue” and as such it prohibits home rule municipalities from adopting their own legislation; private entities are allowed to prevent their employees from carrying concealed weapons and from bringing weapons into their place of business – public entities are not granted the same consideration. Officers will receive extensive training on this issue. **The Committee favorably recommends approval of the ordinance as presented.**

**Amendment to Chapter 7.12.080 Kennel Restrictions – Request approval of proposed ordinance.** Commander Filsinger reported that the proposed ordinance: (1) corrects a reference from Title 17 to Chapter 13.3 in the Estes Valley Development Code, and (2) permits the keeping of three adult dogs, over the age of three months. The increase from two to three adult dogs is in keeping with the Larimer County Land Use Code, thus enforcement should be less complicated. Town Attorney White has reviewed the ordinance. Approval of a kennel operation would be considered by the EVPC, and, if approved, would require a Business License. Concerning dog rescue operations, the Planning Staff is working on amendment to allow this use. **The Committee favorably recommends approval of the ordinance as presented.**

**Larimer Emergency Telephone Authority (LETA) Fees – Request approval of proposed resolution.** The LETA Board annually prepares a resolution to establish the monthly access facility charge (9-1-1 fee) for telephone exchange and wireless communication; this fee is \$.45/mo./phone (no change). **The Committee favorably recommends approval of the resolution for rates effective 1/1/04.**

**Reports.**

The Committee reviewed the NIBRS Second Quarter Incident Reports.

CSO Update. From staff’s perspective, this group is performing some of the functions effectively and efficiently. From the public’s perspective, staff has received the following complaints, generally pertaining to removing the CSOs primary focus from traffic duties:

TYPE OF COMPLAINT	NUMBER RECEIVED	TOTAL
Telephone	7	
Letters	4	11

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PARKING TICKETS ISSUED	PARKING TICKETS VOIDED
344	49
MERCHANT VISITS	812

The Dept. met with CDOT and the countdown timers have worked very well. Additionally, the Dept. will be meeting with the Business Advocates to discuss the 2003 CSO Program. Staff believes jaywalking has not increased, and re-assigning CSOs has somewhat relieved potential Town liability issues.

Discussion followed, with Mayor Baudek stating that pursuant to potential budget cuts, staff will be required to justify the CSO Program.

Staff commented on False Alarms, confirming 3 written warnings result in an invoice. False Alarms have not been an issue thus far.

### FIRE DEPARTMENT.

**Donation of 14' Zodiac Dive Boat, Motor & Trailer to Thompson Valley Ambulance – Request approval.** Fire Chief Dorman reported that the Platte River Power Authority recently issued a newer 16' Zodiac Dive Boat with a 40 HP Motor and Trailer to the Department. This equipment has a history of being donated from agency to agency and the Thompson Valley Ambulance Service has expressed an interest in the 14' boat. Thus, in keeping with tradition, the EPVFD has recommended this equipment be donated as stated above. **The Committee favorably recommends approval of the donation by the EPVFD to the Thompson Valley Ambulance Service.**

**Donation of 1980 Ford LN 7000 Haz Mat Truck to the American Red Cross – Request approval.** In April, the Department received their new Rescue Truck, thus the 1980 Truck is now surplus. The Kodak Corp. originally donated this vehicle to the EPVFD and the Department is seeking approval to donate the 1980 truck to the American Red Cross for their storage of shelter supplies. These supplies have been stored at the Lake Estes Power Plant, however, due to Homeland Security issues, a new location must be located. Also in keeping with tradition, the EPVFD has recommended this equipment be donated as stated above. Storage of the vehicle has not yet been determined. **The Committee favorably recommends approval of the donation by the EPVFD to the American Red Cross.**

### **Reports.**

The Committee reviewed the Second Quarter Incident Run Reports.

Chief Dorman reported on the **Open Burning Ban** that he instituted at noon on July 21<sup>st</sup>. The ban on open fires includes:

1. Building, maintaining, attending or using fire for slash burning, campfires, recreational fires or educational fires.
2. Use of all fireworks including approved fireworks (i.e. sparklers, fountains).
3. Smoking on public property, except within an enclosed vehicle or building, or an area at least three feet in diameter that is barren or cleared of all flammable material.

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4. Welding or operating acetylene or other torch with an open flame on outdoor property unless the area is clear of all flammable materials.

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**Exceptions include:** campfires or charcoal fires in approved developed campsites or picnic grounds with permanently constructed stationary masonry or metal fireplaces or grills specifically designed for the purpose of combustion, LPG or natural gas fired portable grills, other petroleum-fueled stoves, lanterns or heating devices, flares used by Public Safety agencies to warn the public of danger, training fires used by Public Safety agencies, or persons with a permit for such actions.

The ban for both the Town and County is at the lowest level at this time.

Unofficially, Chief Dorman reported that he is aware that the ISO Survey conducted last October will reduce the public protection class from a six (6) inside Town Limits and from a nine (9) outside Town Limits to a four (4). The Committee commended Chief Dorman and all associated for their excellent work on this project.

There being no further business, Chairman adjourned the meeting at 8:40 a.m.

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Vickie O'Connor, CMC, Town Clerk