

City of Dacono  
City Council Meeting Minutes  
Monday, January 10, 2022

**Meeting held remotely via Zoom called to order at 6:07 PM**

**Members Present**

Danny Long  
Adam Morehead, Mayor  
Kevin Plain  
Jackie Thomas  
Jim Turini, joined the meeting at 6:08 PM  
John Wargo  
Kathryn Wittman

**Staff Present**

AJ Euckert, City Manager  
Valerie Taylor, City Clerk  
Jennifer Krieger, Community Development Director  
Jordan Eiche, Assistant City Manager  
Kathleen Kelly, City Attorney

**Presentations and Proclamations**

None

**Public Comment on Issues Not Scheduled on Agenda** *(Any documents presented to City Council at the meeting will be kept in the City Clerk's office and will be available for viewing.)*

None

**Consent Agenda**

- a. Minutes of the December 13, 2021 Regular Meeting and December 20, 2021 Special Meeting.
- b. Accounts Payable dated January 10, 2022 in the amount of \$452,127.54.
- c. Approval of Resolution 22-01, approving a Proposal for Services with Fred Diehl Consulting.
- d. Approval of Resolution 22-02, approving an Eighteenth Interim Agreement with the Northern Integrated Supply Project Water Activity Enterprise, for participation in the Northern Integrated Supply Project.

Council Member Plain moved to approve the Consent Agenda as presented. The vote was unanimous with Mayor Morehead declaring the motion carried.

**General Business**

**A. Public hearing and approval of Ordinance 919, rezoning certain property located within the Mesa Ridge Subdivision, on Second Reading.**

Mayor Morehead opened the public hearing.

Caitlin Sheahan, with Kimley-Horn 3801 Automation Way, Fort Collins, CO - was sworn in by City Clerk, Valerie Taylor and presented her report and was available for questions.

Jennifer Krieger, Community Development Director asked for the following to be entered into the record: Dacono Municipal Code & Zoning Map, Dacono Comprehensive Plan, Staff Report dated January 10, 2022, Proof of mailing providing notice by the applicant, Mesa Ridge narrative dated October 4, 202, CC Resolution 19-67 approving a Development and Vesting Agreement for the Mesa Ridge Subdivision, PC Resolution 21-03 recommending approval of a

preliminary plat and PUD preliminary development plan for the Mesa Ridge Subdivision, CC Resolution 21-67 approving a preliminary plat and preliminary development plan for the Mesa Ridge subdivision, Request for an electric land use hearing, dated November 2, 2021, PC Resolution 21-05, she then presented her report.

With no further public comments, Mayor Morehead closed the public hearing.

Council Member Thomas moved to approve Ordinance 919, rezoning certain property located within the Mesa Ridge Subdivision, on Second Reading. The vote was unanimous with Mayor Morehead declaring the motion carried.

**B. Public hearing and approval of Resolution 22-03, approving a Special Use Permit to authorize long-term parking of a food truck at E.L.F. Grill, 102 8<sup>th</sup> Street and confirming approval of the Site Plan for E.L.F. Grill.**

Mayor Morehead opened the public hearing.

Ryan Bertram, 102 8<sup>th</sup> Street, Dacono was sworn in by City Clerk, Valerie Taylor and presented his report.

Jennifer Krieger, Community Development Director asked that the following be entered into the record: Site development dated February 19, 2020, Dacono Municipal Code, Staff report dated January 10, 2022, Application for a Special Use Permit and Applicant Narrative, Resolution No. 20-36, approving a site plan, Resolution No. 20-37, approving a revocable license agreement, P.C. Resolution 21-06, recommending approval of a special use permit, Request by the applicant to hold a public hearing by Electronic Participation and then presented her report.

Elizabeth Jarvis resident of 704 Railroad Ave, Dacono was sworn in by City Clerk, Valerie Taylor and stated that the restaurant has affected her quality of life and increased her stress level. She voiced her concerns about more traffic, speeding and parking issues, trash and debris in their yard, damage to her garage and increase in noise levels. Smells and traffic have affected the use of her patio. They have had issues, that have been somewhat subsided, with trash pickup and deliveries being done before 6 AM.

Jennifer stated that most of Ms. Jarvis' comments were related to the operation of the business.

Mr. Bertram stated that Ms. Jarvis stated that there were issues in the past because of the deliveries, they stopped the deliveries until 7 AM, the trash truck service used to come at 6:30-6:45 AM, and they do not come before 7 AM. When it comes to speeding down 6<sup>th</sup> to 8<sup>th</sup>, he has told his employees not to act like hoodlums. Regarding parking, the larger trucks will park to the west.

Dave Ruttan resident of 704 Railroad Ave, Dacono was sworn in by City Clerk, Valerie Taylor. He asked about the conditions of approval and that they state the food truck is to take up only one space and the plan shows that space is northeast spot. The conditions state that the food truck shall not infringe on the right-of-way, food trucks can be big. He asked what the size of the food truck would be and when the addition to the building will be completed. He voiced his concerns about the service area taking an additional parking spot, the addition requiring more parking, the truck being a giant sign when ELF Grill is at the max for their signage and asked how the power would be provided.

Jennifer stated that the site meets the parking requirements; the hours are limited to try to prevent any carryover parking from the food truck and restaurant. The access from 8<sup>th</sup> street is not considered an alley but an access point.

Mr. Bertram stated the food truck is 26 feet, the parking spots are 18 feet but the corner parking spot is much larger. The customers that are walking up would be able to park at the thrift store if needed. The side of service will be to the west and the rear of the truck. They are trying to limit the overlap of the food truck and the restaurant hours. The addition will not be done for a long while and the design was to provide a waiting area for customers, not additional seating. The signage is to identify the business. The power will be provided directly from the pole close to the truck, the truck will have a generator but only for events that they will attend.

Mr. Ruttan asked about servicing the customers from the west side of the truck, takes up two spots because customers have to have a place to stand.

Jennifer stated that the City does not typically count words on vehicles as part of the overall signage.

Mayor Morehead asked if the City has a stance on the service window taking up another parking spot. Jennifer stated that if the business cannot operate under the conditions of the Special Use Permit then it would come before city council again. She stated the city will give the business the benefit of the doubt.

Natalie Burk resident of 102 7<sup>th</sup> Street, Dacono was sworn in by City Clerk, Valerie Taylor. She voiced her concerns about large vehicles, increase in traffic, people with no regards for the neighborhood. She said traffic would cut through the area to avoid the intersection at 6<sup>th</sup> Street and Highway 52, she is not sure if the traffic is from that or from ELF Grill. There are big vehicles that park along Railroad and there is a definite increase of traffic. They would like to see something a little more formal, like a coffee shop, go in the building vacant to the thrift store. What if someone would want to put a business in that vacant building, where would they park. She would like the truck approved for a year to see how it goes.

Jennifer stated that with respect of any kind of a time period, this is a Commercial Residential, mixed use zoning district. We have a successful business that we are trying to help them remain successful. If Council finds they are not meeting the requirements, they can always review the Special Use Permit.

Mr. Bertram stated that the building next to the thrift shop couldn't be a restaurant due to not having enough parking. The truck is going to cost \$157,000 and would not be a good business investment for just a year.

Ms. Jarvis asked when the food truck was going to actually start and be open. Mr. Bertram stated that it will probably take him 5 or 6 months to build the food truck.

Council Member Long stated he is concerned about the traffic in the mornings. Mr. Bertram stated the food truck will close around 11 or 11:30 AM, maybe noon. It will not affect much of the existing traffic for the restaurant. The food truck will be open from 6 AM-noon, they don't want it to interfere with the restaurant.

Council Member Turini stated that parking and speeding are a citywide problem, not just around ELF Grill.

Council Member Thomas asked if it was to open at 6 AM or 7 AM. Mr. Bertram stated that the food truck would open at 6 AM. He stated that he did apply for it to be open up until 1 PM but it will all depend on business.

With no further public comments, Mayor Morehead closed the public hearing.

Council Member Wittman moved to approve Resolution 22-03, approving a Special Use Permit to authorize long-term parking of a food truck at E.L.F. Grill, 102 8<sup>th</sup> Street and confirming approval of the Site Plan for E.L.F. Grill with conditions noted. The vote was unanimous with Mayor Morehead declaring the motion carried.

**C. Council Organizational Matters.**

AJ Euckert, City Manager presented his report.

Mayor Morehead moved to appoint Council Member Plain as Council Representative to the Planning Commission. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead moved to appoint Council Member Wittman as Council Representative to the Board of Adjustment. The vote was unanimous with Mayor Morehead declaring the motion carried.

Council Member Thomas moved to appoint Council Member Turini and Council Member Wittman as alternate Council Representatives to DRCOG. The vote was unanimous with Mayor Morehead declaring the motion carried.

Council Member Wittman moved to appoint City Manager AJ Euckert as Representative and Mayor Morehead as Alternate Representative to CML Policy Committee. The vote was unanimous with Mayor Morehead declaring the motion carried.

Council Member Wittman moved to appoint Council Member Thomas as Council Representative and Council Member Long as Alternate Council Representatives to the Carbon Valley of Chamber of Commerce Representative. The vote was unanimous with Mayor Morehead declaring the motion carried.

Council Member Wargo moved to appoint Council Member Long as Representative and Council Member Wittman as Alternate Council Representatives to the SH-52 PEL Group. The vote was unanimous with Mayor Morehead declaring the motion carried.

**D. Appointments to Boards and Committees.**

Council Member Thomas moved to reappoint current board members as presented and Chris Baca as a new member to the Board of Adjustment. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead appointed Kevin Plain as Chairperson for the Planning Commission, Cody Childers as Chairperson for the Police Advisory Committee, Stan Owens as the Chairperson for the Liquor Authority and Kathryn Wittman as the Chairman of the Board of Adjustment.

**Staff Reports**

**AJ Euckert** – He stated there is no Planning Commission meeting tomorrow. Monday City Offices will be closed for the Martin Luther King Jr Holiday. The January 24<sup>th</sup> council meeting will be held via zoom. The HVAC system is not working in the new Council Chambers; he is pushing the contractors to get things done. Firestone Dinner will be held on January 20<sup>th</sup>.

**Jordan Eichem** – no report.

**Jennifer Krieger** – no report.

**Brian Skaggs** – not present.

**Kathleen Kelly** – no report.

**Valerie Taylor** – no report.

**Kelly Stroh** – not present.

**Council Members**

**Jackie Thomas** – no report.

**Jim Turini** – He apologized for being late, they have been crazy at the Lafayette Rec Center, they have been taking in residents from Superior and Louisville.

**Danny Long** – no report.

**Adam Morehead** – no report.

**Kathryn Wittman** – no report.

**Kevin Plain** – no report.

**John Wargo** – no report.

**Adjournment:**

With no further business to be discussed, the meeting was adjourned at 7:52 PM.

Approved this 24<sup>th</sup> day January, 2022.



Adam Morehead, Mayor

Attest:

  
Valerie Taylor, City Clerk