

# **Board of Trustees Public/Special Meeting**

Town of Lake City
Jun 29, 2022 at 5:30 PM MDT to Jun 29, 2022 at 6:30 PM MDT
230 N Bluff St Lake City, CO 81235

# **Agenda**

I. Special Meeting 5:30 PM

- A. Call to Order
- B. Roll Call
- C. Citizen Communications
- D. Action Items
  - 1. Discussion and Possible Action to Approve a Variance to allow Fireworks Display on July 3rd
- II. Public Meeting on Food Trucks in Lake City

6:00 PM

A. Public Comments about Food Trucks



# Fireworks Authorization Request

### To the Board of Trustees:

Given the Stage 1 Fire restrictions, The Lake City / Hinsdale County Chamber of Commerce respectfully requests authorization of the public fireworks display in Memorial Park on the evening of July 3rd, 2022, produced by J&M Displays. We appreciate your consideration.

# Kate Hopson

Chamber Director and Events Coordinator 469-955-2006 events@lakecity.com

# TOWN OF LAKE CITY, COLORADO ORDINANCE NO. 2014-5

AN ORDINANCE OF THE TOWN OF LAKE CITY, COLORADO, AMENDING ORDINANCE NUMBER 1, SERIES 1966, BY THE ADDITION OF A NEW SECTION 9.2 CONCERNING MOBILE VENDORS.

WHEREAS, the Board of Trustees of the Town of Lake City has determined that the offering of goods and services for sale from mobile facilities is generally inconsistent with the best interests of the Town and its citizens;

WHEREAS, the Board of Trustees finds that this ordinance is necessary and proper to provide for the safety, preserve the health, and promote the prosperity of the Town of Lake City and the inhabitants thereof; and

WHEREAS, Section 9.2 of the Lake City Municipal Code, originally adopted by Ordinance Number 1, Series 1966, was repealed by Ordinance Number 2, Series 1984, Section 3.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO, as follows:

# Section 1:

Ordinance Number 1, Series 1966, is hereby amended by the addition of the following:

# 9.2 Mobile Vendors.

<u>9.2-1</u>. <u>Permit Required</u>. It shall be unlawful to sell or offer any goods, services, or things for sale within the Town of Lake City from any "motor vehicle," "trailer," "utility trailer," or "trailer coach," as such terms are defined by state law, without a permit issued by the Board of Trustees.

9.2-2. <u>Permitted Event Exception</u>. No permit shall be required of persons who are registered as vendors for events permitted pursuant to Chapter 16 of the Lake City Municipal Code.

# Section 2:

This ordinance shall become effective on the thirty-first day following publication, pursuant to COLO. REV. STAT. § 31-16-105, except that any business currently operating shall be allowed to continue its operations until December 31, 2014, after which time all such businesses shall be subject to this ordinance.

# Section 3:

The amendment of various provisions of the Town of Lake City Municipal Code Colorado by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

# Section 4:

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

INTRODUCED AND ADOPTED by the Board of Trustees of the Town of Lake City, Colorado, this 3<sup>rd</sup> day of September, 2014.

I, Deborah Bendinelli, certify	and attest	that Ordinance	2014-4 was
introduced and adopted by the Boar	d of Trustees	s for the Town of	Lake City at
the regular meeting on the 3rd day of S	September, 20	014.	
ATTEST:			
	_		
Deborah Bendinelli, Town Cler	k		



#### Vance Lipsey <townmanager@townoflakecity.co>

# food trucks

marynet@centurytel.net <marynet@centurytel.net> To: Vance Lipsey <townmanager@townoflakecity.co> Mon, Jun 27, 2022 at 2:34 PM

Mayor and Trustees

Town of Lake City

Lake City, CO

Dear friends, First I thank all of you for being willing to take part in town government. It has been said that "all politics is local". I've been on your side of the table and know that decisions are not lightly made. Balancing the good of the town with personal beliefs is sometimes difficult.

I support the introduction of food trucks. I doubt that I can add anything original to all the other reasons that have been presentede to you, so I shall spare you my list. If need be, try having food trucks for a season and see how it goes.

Thank you for your consideration

Sincerely,

Mary Nettleton



# Re: Food Trucks in Lake City - Comment

Bernie Krystyniak <br/>bklakecity@hotmail.com> To: Alexander Mulhall <alexandermulhall@townoflakecity.co> Sat, Jun 25, 2022 at 8:18 AM

Comment with regard to the subject:

Sustaining a business in Lake City is a challenge due to the short summer season and small population. We are very fortunate to have several hard-working business owners that provide quality food services in our little town. We do NOT need food trucks in Lake City.

The increased competition will cut into our loyal local businesses and cause some to fail or leave. Once they are gone, it will be very difficult to attract new food businesses. We cannot count on food trucks for that service. They are transient by nature and will likely abandon our town when they find the difficulty in sustaining a business here. Allowing food trucks in town will also increase the need for inspection and regulation.

Protect our loyal, local restaurant businesses. Say NO to food trucks in Lake City.

Bernie Krystyniak 1415 Red Mountain Dr Lake City

From: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Sent: Friday, June 24, 2022 10:28 AM

To: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Subject: Food Trucks in Lake City - Public Meeting at 6:00 p.m., Wednesday, June 29, 2022

Good morning,

The Board of Trustees of the Town of Lake City will hold a public meeting starting at 6:00 p.m., Wednesday, June 29, 2022 for the purpose of taking public input and comments regarding whether or not food trucks should be allowed to operate within the town limits of Lake City.

This meeting will be held in the Armory multi-purpose room at 230 N. Bluff Street in Lake City. A Zoom meeting link will be sent out on Monday. Interested persons are invited to provide verbal comments either in person or via video conference during the meeting.

Written comments may be provided either via email to alexandermulhall@townoflakecity.co or by mail to Town of Lake City; P. O. Box 544; Lake City, CO 81235. Written comments must be received no later than 4:30 p.m.on the 29th.

Thanks and please let me know if you have any questions.

Alexander Mulhall Town Clerk/Municipal Court Clerk Town of Lake City PO Box 544 Lake City, CO 81235 (970)944-2333



# **Food trucks**

Joanie <joanieinlc@hotmail.com>

Fri, Jun 24, 2022 at 11:32 AM

To: "alexandermulhall@townoflakecity.co" <alexandermulhall@townoflakecity.co>

I don't believe food trucks should be allowed in the town of Lake City. It's not fair to the restaurants in town who pay property taxes, water and sewer, business licenses, insurance etc. Most also employ several people. I feel we need to be as supportive as possible to the restaurants in town. Thank you, Joanie Anastasion Sent from my iPhone



# **Food Trucks**

Judy Johnson <jdj50@att.net> To: Alexandermulhall@townoflakecity.co Sun, Jun 26, 2022 at 3:57 PM

I understand the option for food trucks is being considered for Lake City. Please accept my remarks as thoughts for your consideration before this goes forward.

We are now summer residents in LC but have been visiting the area for 50 years. In spite of the many decades, one of the main things we boast about is the fact that LC has been able to hold on to the same quaint charm its had since early 70's. In my opinion, adding something like food trucks dramatically alters that nostalgic feel and would also result in more garbage, litter and unfinished food left out for temptations to bears. I winter in Austin where food trucks are everywhere. In my experience, service tends to be slow & individually oriented as opposed to a walk in establishment that can accommodate a family or a group of people. Where would they be located. Surely not in public parks... I'm not sure who is advocating this idea but the pros and cons sure need to be weighed out. If given the chance to vote, mine would be a "NO".

Thank you for allowing us to give our input.

Ken and Judy Johnson 326 Park St. LC, CO

Sent from my iPhone



# **Food Trucks in Lake City**

Ken Johnson <a href="mailto:ken.johnson@att.net">ken.johnson@att.net</a>

Sun, Jun 26, 2022 at 11:07 PM

To: "Alexandermulhall@townoflakecity.co" <Alexandermulhall@townoflakecity.co>

My name is Ken Johnson. I am not a permanent resident of Lake City, and I am not a voting citizen of Lake City. However, I think I represent a very important part of Lake City. I married into a summer resident family. My wife's family have been coming to Lake City and have owned property in Lake City for over 50 years. I have spent part of my summer in Lake City for the last 42 years. For the last 16 years, my wife and I have spent over four months a year in Lake City. Consequently, I think I offer a credible opinion.

For the record, I grew up in Iowa and my dad operated several Dairy Queen stores. He employed people year-round; he paid property taxes; he kept his suppliers in business year-round; we lived in the community year-round, he was a member of the local C of C, and he sponsored Little League teams, Bowling Teams, and Hockey Teams. Dairy Queen always supported and participated in community events. That wasn't always easy. In the winter months, Dairy Queens in lowa struggled. But my dad felt he owned it to the community to be there year-round.

So, what about food trucks being allowed in Lake City? It's just a bad idea! As you know, the business season for most Lake City businesses is only four months, give or take. How can anyone think it's a good idea to allow any nomadic, freespirited person to compete and take away business from established Lake City businesses during their peak season? Will these gypsies employ as many local people? Will they pay property taxes? Will they live year-round in the community? Will they support community organizations and events? I think we all know the answers to those questions.

I admire and respect the hard-working business owners in Lake City! They deserve our support and protection against unfair competition! On their behalf, I urge you to not allow food trucks in Lake City!

Thank you.

Ken Johnson



### Food truck comment

Tim Crist <tdc1626@gmail.com>

Mon, Jun 27, 2022 at 2:46 PM

To: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Hello Alex...

Just wanted to comment on the possibility of food trucks in Lake City. Two main points for me:

- 1. Food trucks can provide a much needed option for this town in regards to cuisine. Street tacos, Indian, Thai and others would be a wonderful addition to the offerings in this town. To say it differently, something other than burgers, fried food and BBQ would be most welcome.
- 2. What's better than good old capitalism? Shouldn't we be pro-business? Why exclude someone because their "delivery system" isn't a building located here in town? Let the citizens and tourists make choices based on what they want to eat. Let's be pro-business for food trucks like we are pro-business in almost every other way.

Thanks so much for the opportunity to comment.

Tim Crist 810 Pine St



# Food Trucks In Lake City - Our View

Al Lutz < lutz.lakecity@gmail.com> To: Alexandermulhall@townoflakecity.co Mon, Jun 27, 2022 at 2:27 PM

TO: The Trustees of the Town of Lake City, CO

Good Afternoon,

We are Al and Carrie Lutz, residents of Lake City for 23 years. We understand the Trustee's are seeking input on the topic of Food Trucks operating in Lake City. To be succinct, we believe the sum of the pros and cons clearly favor the cons over the pros. This is based on what information we have available to us at this time. For us to change our thinking we would need to be provided with far more information on the benefits over and above what has already been revealed to us. Thus, we are not now in favor of food trucks in Lake City!

Thanks for listening!

Respectfully,

Al and Carrie Lutz



# **Food Trucks in Lake City**

pandcc3 <pandcc3@aol.com> To: Alexandermulhall@townoflakecity.co Mon, Jun 27, 2022 at 6:29 PM

Dear Sir,

We recently heard a consideration was being given to allow food trucks to operate inside Lake City. Please communicate to the Town Trustees that we strongly object to this idea for several reasons.

- 1. Lake City has a very short business season for our local restaurants to operate and make a living. My wife and I support these few restaurants as much as possible understanding their limits to being profitable in this small town. Bringing in food trucks will only take away from the ability to make a living in this short season by our local restaurants. Every cheap meal served by a food truck is one less meal served by our restaurants.
- 2. Food trucks have little overhead costs and while we understand some customers may like that, it is unfair to our established restaurants. If we were a big city, I get it. But we have a very limited customer base for a limited time.
- 3. On occasion there are waits to get into our restaurants during the rush hour. There is nothing wrong with that. They are waiting because they like the food and want to sit down and enjoy a good meal with good service. People wait to get into good restaurants all the time, everywhere. The town need not be concerned about this. They should rather be concerned about these same restaurants having to close because the town allowed cheap competition to come in and take their business by playing on an unfair playing field in a very limited market. In a year or 2 you might not have any local restaurants with good food, good service and good jobs. Let that sink in.
- 4. Food trucks will make our town look like some kind of carnival. The atmosphere will change and not for the good. They look cheap, they are cheap. Imagine these food trucks operating across the street from our restaurants, literally stealing their business. Think about food trucks operating in town when local fundraisers are happening and they are trying to sell hot dogs or bar b g sandwiches to folks to raise funds for a good cause. They certainly do not need food trucks sitting next door.

Please do not ruin the atmosphere of Lake City and hurt our local restaurants.

Sincerely, Paul and Carole Clauss Full Time Residents of Lake City, CO

1963 San Juan Springs Dr. Lake City, CO 81235

Sent via the Samsung Galaxy S21 5G, an AT&T 5G smartphone



# **Food trucks**

To: alexandermulhall@townoflakecity.co

Mon, Jun 27, 2022 at 5:31 PM

Hi there,

I would like to say No to food trucks in Lake City. We live full time 30 miles north of town. Don't think they are attractive. The locals work hard to have nice real restaurants For us.

Thank you Laura Manassa



# **Food trucks**

Sally Moore <misssally65@gmail.com> To: alexandermulhall@townoflakecity.co Mon, Jun 27, 2022 at 6:40 PM

Hello,

I am writing to add my two cents worth regarding the hot topic of food trucks in LC.

While I no longer live in LC I am a frequent visitor. While food trucks offer the allure of infinite variety, their addition to the mix would be a slap in the face to the business owners who have hung on to serve this town thru good times and badthru pandemics and avalanches and fires to scratch out a living. It is likely challenging enough for restaurant owners dealing with run-away food inflation to stay afloat without introducing outside competition with no real, long haul investment here in town.

With the economy on serious shifting sands I hope you won't risk driving your brick and mortar restaurants out of business. Vote no to food trucks.

Sincerely, Sally Moore June 27, 2022

To the Town of Lake City,

Regarding: Food/Vendor Trucks in the town

I urge the Town to take the time and effort to research the issue of food/vendor trucks within the town limits. And, the Town should take no action until that research is completed, at which time, make the results known to the public in order for townspeople to have knowledgeable input before the ordinance is written and vote is taken.

# My concerns include - depressed and additional language and additional languag

- 1. Placement of food/vendor trucks. Where will these vehicles and/or carts be allowed? I am not in support of allowing said vehicles/carts to be located on public property. Taxpayer monies should not be used to provide water, restroom or waste services for businesses. Food/vendor trucks/carts cannot be along the streets either. Having random food/vendor trucks along the streets would create hazardous conditions for pedestrians and passing cars.
- 2. Food preparation. Currently, all restaurants must prepare food in a commercial kitchen to assure appropriate cooking temps and cleanliness are maintained. (Referring back to point #1, the town/county kitchens cannot be used.)
- 3. Inspection of food vehicles/carts. The same state and county food preparation inspection requirements as placed on restaurants must be maintained and public documentation provided.

- 4. If we open the door to food trucks/carts, will we then be forced to allow all sorts of vendor trucks/carts? We must have some control over what is sold.
- 5. Noise. As I understand, the generators on food trucks are quite loud and run almost constantly.
- 6. How many vendor vehicles will be allowed? A specific number of vendor vehicles allowed and a fair and specific application process must be in place before any Town vote/action is taken.
- 7. Licensing and Permits. Currently, businesses must pay for a license to do business in the Town of Lake City. Food/vendor vehicles/carts also must be required to pay for this license, along with any other state imposed licenses/permits for food/vendor vehicles.

As this process begins, more questions/concerns may arise. I am not in favor of just opening up the town to any and all food/vendor vehicles. The food/vendor vehicles will be operational during the peak tourist season. Our summer/fall guests come for the "Lake City Experience". We must not jump headfirst into this without due diligence to make sure we do not jeopardize the "Lake City Experience".

Shari Heaton



# Food truck, trailers, or any other mobile businesses

**Roxa Hutchins Hutchins** <roxa.hutchins@gmail.com>
To: alexandermulhall@townoflakecity.co

Tue, Jun 28, 2022 at 9:42 AM

Dear Town of Lake City,

I'm writing this letter as a former owner of a food establishment, gas station, garage, and entertainment venue. One summer, we actually experienced the effect a mobile food truck (disguised as a covered wagon that actually served BBQ). Of course, our business is located in the county where there are no restrictions. Another business let them park on their lot and use their utilities and suck away at our piece of the pie. I'm speaking from experience and it's not positive. Please don't allow anything other than "Brick and Mortar (B&M) establishments of any kind in the town of Lake City. It is inherently unfair (not equitable) to do so. Anything "mobile" cannot and does not bear the same burden in terms of costs: mortgage, property taxes, insurance, investments, utilities year round, permanent improvements (water, sewer, electricity, building codes, regulations, inspections, etc., etc. You name it and there really is no comparison. On top of that is the short season (summer) many of these B & M businesses have to compete for their slim piece of the pie to get them by in the winter. Lake City does not have the population, winter tourists, nor the resources for every citizen to patronize every business every day throughout the winter months to make it worthwhile for all the B & M businesses to remain open in the winter, nor do all the B & M businesses have the capability to remain open due to lack of abillity to heat their businesses, staff, and myriad of other reasons, however; they are still responsible to pay taxes, pay utilities year round (water/sewer), pay a mortgage, etc, etc, I wonder how many mobile units are winterized to stay open, my guess would be Zero. Why make it harder for our already established B & M to survive? Why make the pie smaller and smaller? Why not allow all other mobile possibilities besides food such as: mobile fly shop, mobile convenience store, mobile liquor store, mobile hotels, mobile cabin resorts, mobile real estate offices, mobile restaurants (of yeah, that's what you're considering), mobile bakery, mobile grocery store, mobile transfer station, mobile gas stations (not sure that's a thing, but could be), mobile medical clinic, mobile ice cream shop, mobile gift shops, where do you draw the line? Mobile is Mobile which means they can pick up their stakes and move out in the middle of the night. No committment, no responsibilites, no ties. I can't think of one good reason to suck the life out of the B & M businesses.

In conclusion, it's a bad idea, it's always been a bad idea. Until Lake City is a Denver, an Austin, or any number of cities that allow "mobile establishments" with very strict regulations, I recommend supporting our already established hardworking, B & M establishments.

Sincerely, Roxa Hutchins

https://mail.google.com/mail/u/0/?ik=1bd88f5ff3&view=pt&search=all&permmsgid=msg-f%3A1736893807481904710&simpl=msg-f%3A173689380748... 1/1

# Alexandermulhal@townofLakeCity.co

Re: Food Truck Proposal for the town of Lake City, CO 81235

# Areas of concern:

Food trucks need to pay an annual fee of \$5,000 to \$10,000 in lieu of taxes to support: schools water and sewer roads maintenance recreation district

Food Trucks need to reimburse city for private or public parking to support:

Water and sewer Road maintenance and public parking

Food trucks need to follow local health rules and regulations by providing:

Fire retardant systems

**Triple sinks** 

Sewage

Water

**Bathroom accommodations** 

And trash removal

Local, state, and Federal rules and regulations

Fred and Joyce Stapleton



# **Food Trucks**

Katherine Morgan <katandcharlie@gmail.com>

Tue, Jun 28, 2022 at 5:14 PM

To: "alexandermulhall@townoflakecity.co" <alexandermulhall@townoflakecity.co>

Concerning the approval or disapproval of food trucks in town on public property... Although I am not a town resident I AM a resident of Hinsdale County and, at this time, I disapprove of allowing food trucks on public property. One of the draws to Lake City is its quaint, small town feel. Seeing food trucks lined up and down the street or surrounding our beautiful park would dramatically change the feel that so many have grown to love. On numerous occasions I have heard both locals and visitors refer to Lake City as a "little slice of paradise", who in their right mind would find the idea of food trucks lining our streets as a paradise? The visual of the "Taco Delight" and "Big Bovine Burger" trucks surrounding the park and playground, the obnoxious sound of generators running, the trash that would line the streets, all a definite negative for Lake City. Concerning the trash, we all know that there are individuals who find it easier to toss trash on the ground rather than spend 20 seconds opening a bear proof container, is the town prepared for the expenditure of staff to clean up the physical mess? Do we have the staff at the Sheriff's Office to patrol and cite offenders? Has anyone thought about our precious bear population and the possible problem when the bears do their midnight hour walk about in search of the grease and trash smell? Certainly the local restaurant owners can be a bit swamped in the busy tourist season and some individuals want a quick food fix, hence, the draw to food trucks. As an involved member of our community, I want our local businesses to flourish and profit, I don't see that happening if we allow food trucks to slide into town, sponge off the tourist who are in a hurry to go check out our eclectic shops and hop back onto the trails and passes. I am not at all against progress but I am against a knee jerk action concerning the food trucks.

Katherine Morgan 1776 San Juan Dr Lake City CO 81235 505-331-6622

Sent via Katherine's wireless waffle iron.



### Food trucks

Harry MacKendrick <dhmackendrick@gmail.com> To: Alexander Mulhall <alexandermulhall@townoflakecity.co>

Wed, Jun 29, 2022 at 8:11 AM

#### Trustees:

I wanted to offer a few quick comments on the food trucks that are on tonight's agenda. I SUPPORT food trucks for the following reasons:

- I would like some variety of food offerings in town. We are all used to the same old same old. I hope if approved, there would be some new choices.
- I rarely eat out during the busy summers. The restaurants are crowded, and I choose not to frequent them. Food trucks would offer some alternatives and "thin the crowd."
- Food trucks would offer food that you could get on the run. Oftentimes you need to grab and go and get on with
- I think that by not allowing food trucks in town, they will merely set up shop in the county much like the donut trailer. The town will have a missed opportunity on collecting taxes for the benefit of the city. Why throw away a chance to further business and revenue?

Hopefully you will give consideration on allowing food trucks in town. I believe they will be a step forward in growing our offerings and business opportunities in town for residents and guests alike.

Thank you. Harry MacKendrick 815 Pine ST.



# **Food trucks**

Dan LAST\_NAME < dtbear13@comcast.net>

Wed, Jun 29, 2022 at 12:07 PM

To: "alexandermulhall@townoflakecity.co" <alexandermulhall@townoflakecity.co>

Cc: "dave@hallrealty.net" <dave@hallrealty.net>

#### Alexander

I wish to weigh in on the issue of food trucks in Lake City. As a homeowner and contributor to the local economy and tax base for 45 years, have family members who grew up in Lake City and our now homeowners, I am definitely not in favor of this idea for the following reasons:

- 1. The businesses that provide food and drink in Lake City are owned and run by dedicated people who put their hearts and souls into trying to survive by providing needed services during the several months a year that tourism allows them to make a living. There is no way there would be a level playing field with these food trucks taking needed business from established businesses.
- 2. Unlike the dedicated business owners that pay rent/mortgage, utilities, taxes on their land and building, to allow a food truck to get around all these expenses by using free public land to compete against these businesses is unjust and guite possibly illegal. Any use of public land, particularly the town park, should be strictly forbidden. The trash that would be generated around a food truck would not be attractive to town. Food truck patrons would walk away and when done. leave their trash wherever.
- 3. There is no pressing need for these trucks in Lake City during the summer months. Perhaps a pilot program where they would provide services in the October to May months would be much more beneficial and truly provide needed services during the winter for tourism. As they would not have to light and heat a real business location, they might be able to afford it. If they can survive the winter, then reassess their need for Lake City.
- 4. We don't need more unsightly vehicles laying around Lake City.
- 5. I am at a loss as to why so many people move to Lake City to get away from their previous locales because of the beauty and laid-back ambience of Lake city and then want to turn it into what they've left behind. Food trucks on the mall in Washington, D.C. and other large cities actually serve a purpose and fill a niche. No such need in Lake City.

Thank you for your consideration.

Daniel W Trujillo 1140 Ocean Wave Dr Lake City, Co