



Conferencing Access Information: This is viewing only access.

<https://us06web.zoom.us/j/2471968228?pwd=and3VXI3ZzdvRTBwMCs0bXhBcW9Mdz09&omn=83383446203>

Join via phone at 1-719-359-4580 **Meeting ID:** 889 0624 8689
Meeting Passcode: 79264

AGENDA

Invocation/Pledge of Allegiance

Call to Order/Roll Call

Agenda Consent

- A. Approval of Agenda

2025 Christmas Pin Winner

- A. Adeline Smith

Public Comment

Public comments are limited to three (3) minutes. When you are recognized, please stand, state your name, and then address the Board in a professional manner.

The Board of Trustees may not respond to your comments during this meeting, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up.

Public Hearing

- A. Special Use Permit - 228 Comanche Street - Operate as a Bar/Tavern - Kiowa Bar

New Business

- A. Discussion and possible action on Special Use Permit - 228 Comanche Street

Public Hearing

- A. Special Use Permit - New Bar - 222 Comanche Street - 1891 Exchange & Saloon

New Business

- A. Discussion and possible action on Special Use Permit - 222 Comanche Street
- B. Discussion and possible action on Ordinance 12, Series 2025, an Ordinance of the Town of Kiowa, Colorado, Amending Article V of Chapter 18 of the Kiowa Municipal Code to Add a New Section 18-60 Prohibiting the Use of Graywater and the Installation of Graywater Treatment Works Within the Town Limits
- C. Discussion and possible action on Ordinance 13, Series 2025, an Ordinance of the Town of Kiowa, Colorado, Approving a Gift of \$30,000 to the Kiowa Main Street Program
- D. Discussion and possible action on Ordinance 14, Series 2025, an Ordinance of the Town of Kiowa, Colorado, amending Section 10-155 of the Kiowa Municipal Code Regarding Alcohol in Town parks under a valid special event liquor permit.
- E. Discussion and possible action on Resolution 16, Series 2025, a Resolution to Adopt the Kiowa Main Street Façade & Sign Improvement Grant Program
- F. Discussion and possible action on Resolution 17, Series 2025, a Resolution Supporting the Grant Application for a Community Impact Grant from the State Board of the Great Outdoors Colorado Trust Fund and the Completion of the Town of Kiowa Parks Project

Staff Reports

- A. Mayor
- B. Board of Trustees
- C. Town Attorney
- D. Town Administrator
- E. Public Works
- F. Code Enforcement

Consent Items

- A. Approval of Minutes of November 12, 2025, Special Meeting
- B. Expenditures for Year-to-Date 2025

Executive Session

- A. Pursuant to C.R.S. Sections 24-6-402 (4) (b) and (e) and Town Charter Sections 3.12 (1)(a) and (C) for the purpose of receiving legal advice from the Town Attorney on matters that are subject to attorney-client privilege and determining positions relative to matters that may be subject to

negotiations related to a potential application for annexation of land into the Town's boundaries and the initial zoning thereof

New Business

- A. Discussion and possible action pertaining to topic of Executive Session

Old Business

Discussion/Communications

Adjourn

Agenda Approved By:

**Theresa "Terry" Howard
Mayor, Town of Kiowa**

Date Posted:

December 8, 2025

Time Posted 4:00 PM



PRE APPLICATION MEETING REQUEST FORM

The pre-application review is the preliminary review of a land use or building permit proposal the town offers all applicants. **Meetings are scheduled upon request.** Pre-application reviews are a service provided by the Town prior to beginning the application process; **however, this review is not an application.** Pre-application "meeting form requests" must be submitted to the town at least **one week** prior to the actual meeting.

- If no site is currently selected the pre-application meeting can be a useful tool to identify potential areas for development or re-development.
- The property information required below can be found on the Elbert County Assessor website at www.elbert.co.us/assessor/. Please print a copy of the Assessor's page and submit it with your pre-application review request.
- Mail, email, fax or drop off the request prior to the pre-application meeting.

For Town Hall Use Only	
Project Title:	
Description:	
Review Date:	Review Time:

Contact Information:

Name	Corey Basquez, Ted Finley	
Phone	720 620 0439 303 3594773	Fax:
Email	corey.basquez@gmail.com	
Address	32400 Pine View Dr Kiowa CO	
Project Description:		
Discuss purchasing 228 Comanche and moving Kiowa Bar to this location. NO major construction		
Please indicate which is applicable to the property:		
Own	<input type="checkbox"/>	Rent <input type="checkbox"/>
Purchase	<input checked="" type="checkbox"/>	Investment <input type="checkbox"/>

Property Information: 228 Comanche St

Section-Township - Range		Zoning	
State Parcel Number		Acreage	
General Location	228 Comanche St	Water Source	KWUA
Legal Description		Sewer	KWUA
Owner Name	Deb Ullom		
Current Use	office space		
Proposed Use	bar / tavern		
<p>If available, please provide a simple detail drawing of the existing floor plan. Please attach to this application.</p>			

To: Corey Basquez & Ted Finley

From: Travis Reynolds, AICP, Planning Manager – SAFEbuilt; on behalf of the Town of Kiowa

Date: 9/12/25

Re: 228 Comanche Street – proposed bar/coffee shop use; Special Use process

Thank you for your interest in development in the Town of Kiowa. Below please find summary information regarding the proposed bar/coffee shop use at 228 Comanche Street. We've summarized the Town's land use approval process below, as discussed at the pre-application meeting, below.

Proposed Use: The coffee shop portion of the use is an allowed use by right in the Town Center district. The bar portion of the use is considered through a Special Use process.

General Summary

A Special Use Permit requiring Commission and Board approval follows a two-hearing process with mailed, posted, and published notices at least 10 days before hearings. Notices must reach adjacent owners within 300 feet. Applications must include site plans, utility letters, ownership verification, and adjacent-owner lists. The Commission recommends approval/denial, and the Board makes the final decision.

Process

1. **Application Submittal** – Written application filed with the Town including all required materials.
2. **Staff Review** – Planning staff reviews the application for completeness and may request additional materials (within a few days).
3. **Public Hearing – Planning & Zoning Commission**
 - Hearing scheduled **30–60 days** after application is received. However, as discussed, staff undertakes a referral review cycle to ensure review and endorsement by referral agencies that may have applicable regulations.
 - Commission considers staff recommendations, public testimony, and required criteria.
 - Commission may approve, deny, or recommend conditions.

- The Commission makes a **recommendation** to the Board.
4. **Public Hearing – Board of Trustees**
- Board may approve, deny, or approve with conditions after its public hearing.
-

Public Hearings & Notifications

- **Newspaper Notice** – Published once in a newspaper of general circulation at least **10 days prior** to hearing. **(Town will undertake publication)**
 - **Posting of Property** – Subject property must be posted with a sign at least **10 days prior** to hearing and remain posted through the hearing. **(Town will provide content for the notification, applicant is responsible for printing and posting)**
 - **Mailed Notice (Town will provide content for the letter, applicant is responsible for mailing)** – First-class mail notice sent to:
 - **All adjacent property owners within 300 feet** of the subject property (based on tax records).
 - Must be mailed at least **10 days prior** to hearing.
 - **Agenda Notice** – Inclusion on the official agenda of the Commission/Board also serves as notice.
-

Submittal Materials

Application must include:

1. Applicant name and address.
2. Legal description and street address of subject property.
3. Proof of ownership or owner’s written consent.
4. Full description of proposed use.
5. Site plan (with **11" x 17" reductions**) – number determined by staff.
6. Utility and fire district service letters (if services not already provided).
7. List of names and mailing addresses of adjacent property owners within 300 feet.
8. Application fee (per adopted fee schedule).

9. Any additional information required by the Planning Department (staff has discretion to waive or request extra information).
-

Decision Criteria

The Commission and Board will consider that the proposed use:

- Is consistent with the Town Master Plan and zoning code intent.
- Will not cause material adverse impacts on the neighborhood or Town.
- Does not amount to granting the applicant a special favor not available to others.
- Will not adversely affect public facilities, transportation, light/air, traffic safety, or property values.

Please feel free to reach out for clarifications or with questions to – the Town Clerk (sdavidson@townofkiowa.com) or myself (treynolds@safebuilt.com) . Again, thank you for your interest in further investment in the Town and we look forward to working with you.

Applicants:

Corey Basquez
Teddy Finley
32400 Pine View Dr, Kiowa CO 80117

Special Use Proposal Application for:

228 Comanche St, Kiowa CO
Part of Section 20, T, 8 S., R. 23 W., 6th P.M.
County of Elbert, State of Colorado

Ownership:

Nikki R Ullom and Deborah A Ullom Revocable Trust

Proposed Use:

Coffee Shop and Tavern/Bar.

Coffee Shop Operations to include a full service coffee shop during morning specific hours, and a full service bar/tavern operation during specific afternoon/evening hours.

Coffee operations include counter delivery of espresso flavored and or coffee flavored options, including pre-cooked food items that can be safely heated in a turbo chef microwaveable ovens or similar. All coffee and flavored coffee drinks shall be served in disposable take out cups as well as all food shall be served in disposable take out health code approved packaging. All coffee and espresso drinks will be made in commercially approved equipment and made to temperature and readiness standards by health code. Although business operations and liquor enforcement include approved liquor licensing, liquor or any type of or such alcohol malt beverage shall not be served during "coffee shop hours".

Bar/Tavern Operations shall include counter and table delivery of full liquor and malt beverage service operated under liquor license authority. This operation(s) shall follow liquor code and certifications required by the state and/or town municipality laws by safely serving controlled portions of mixed alcoholic drinks and or beers/wines. The bar/tavern operations will adhere to all local and/or town requirements ie; staff trained Colorado Tip's Certification (ensuring correct training and regulations for the state in which liquor is served and sold to maintain a safe environment). Furthermore; Bar/Tavern operations will also include pre-made food options that can be safely heated in ovens and/or turbo chef microwavable ovens. Food options shall consist of frozen options that are heated such as pizzas, pretzels, french fries, chicken tenders, jalapeno poppers, cheese sticks, popcorn or such. Food availability shall be required in day to day alcohol served hours to ensure safe customer alcohol consumption.

Proposed Use Consideration:

Kiowa Bar and Kiowa Coffee Shop "the business" is currently operated under town approved licensing at 222 Comanche St. The business has operated at this location over the past 5 years. The business has proposed to purchase the property at 228 Comanche St to ensure the

success of the town center as well as the business. This purchase will allow the business to stay within town center continuing safe operations of a coffee shop and bar/tavern business. In addition this will continue to keep tax dollars in town center for Kiowa and retain local and tourist business for town growth. Current operations have successfully operated a safe retail space at the current location and therefor wish to continue business operations under the proposed address.

Signed;



Corey Basquez



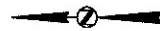
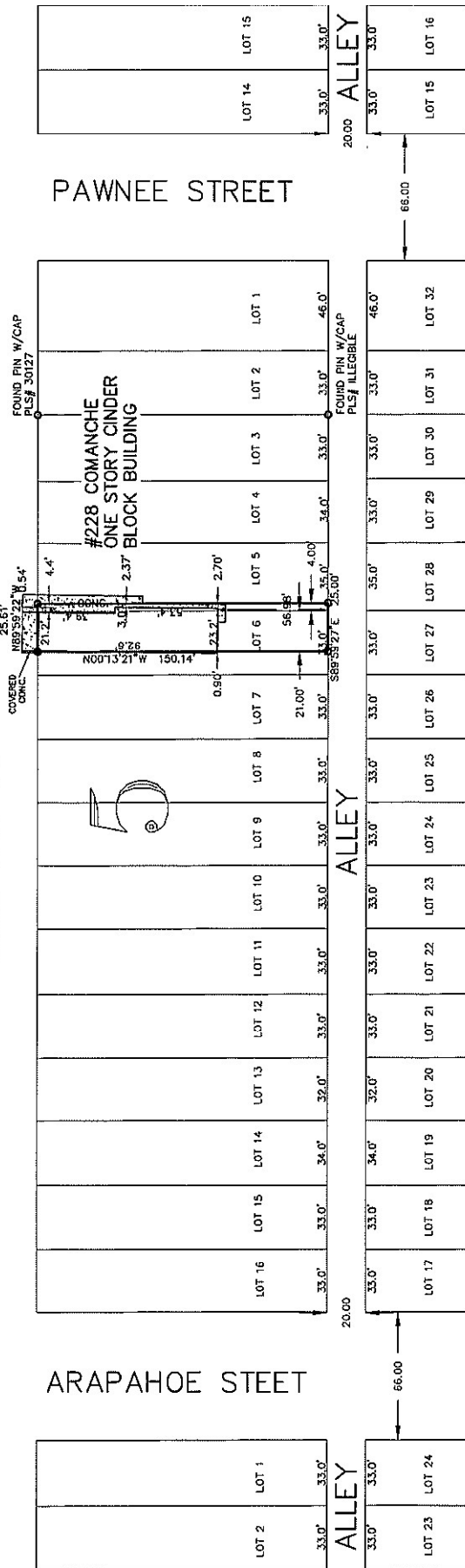
Teddy Finley

Dated: 09/17/2025

IMPROVEMENT SURVEY PLAT

PART OF SECTION 20, T. 8 S., R. 23 W., 6TH P.M.
 COUNTY OF ELBERT, STATE OF COLORADO.

COMANCHE STREET
 a.k.a. HWY 86



CERTIFICATE OF SURVEY:

This is to certify to AGPL, LLC, that on September 14, 2005 a survey was made under my direct supervision, of the herein described property situated in Elbert County, Colorado. The survey was made on the ground using the normal standard of care of Professional Land Surveyors practicing in Elbert County, Colorado. The survey was made for the purpose of showing the location of all buildings, improvements, easements and rights of way in evidence or known to me and encroachments by or on the premises are accurately shown. This survey does not constitute a title search by High Plains Survey Co., Inc. of the property shown and described hereon to determine:

1. Ownership of the tract of land.
2. Competency of this description with these of adjacent tracts of land.
3. Right of the owner to the tract of land.

This survey was performed without the benefit of a title insurance commitment or a title insurance policy. A title insurance commitment or a title insurance policy may disclose facts not reflected on this survey. Corner monuments were set, or found and accepted as indicated hereon.

DISCLAIMER: PLEASE NOTE THAT SURVEYING IS AN INHERENTLY INACCURATE ACT AND A CERTAIN DEGREE OF INACCURACY AND OPINION.

BASES OF BEARINGS: CONSIDERING THE N LINE OF BLOCK 5 TO BEAR N89°59'22"E AND MONUMENTED AS SHOWN HEREON.

*NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

PROPERTY DESCRIPTION

THE EAST 21 FEET OF LOT 6, BLOCK 5, AND THE WEST 4 FEET OF LOT 5, BLOCK 5, KUWA ORIGINAL COUNTY OF ELBERT, COLORADO

CERTIFICATE OF DEPOSIT:

Deposited this _____ day of _____, 20____, in the County Surveyor's land survey plats/right-of-way surveys at reception number _____, in the office of the Elbert County Clerk and Recorder.

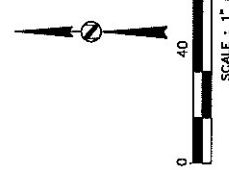
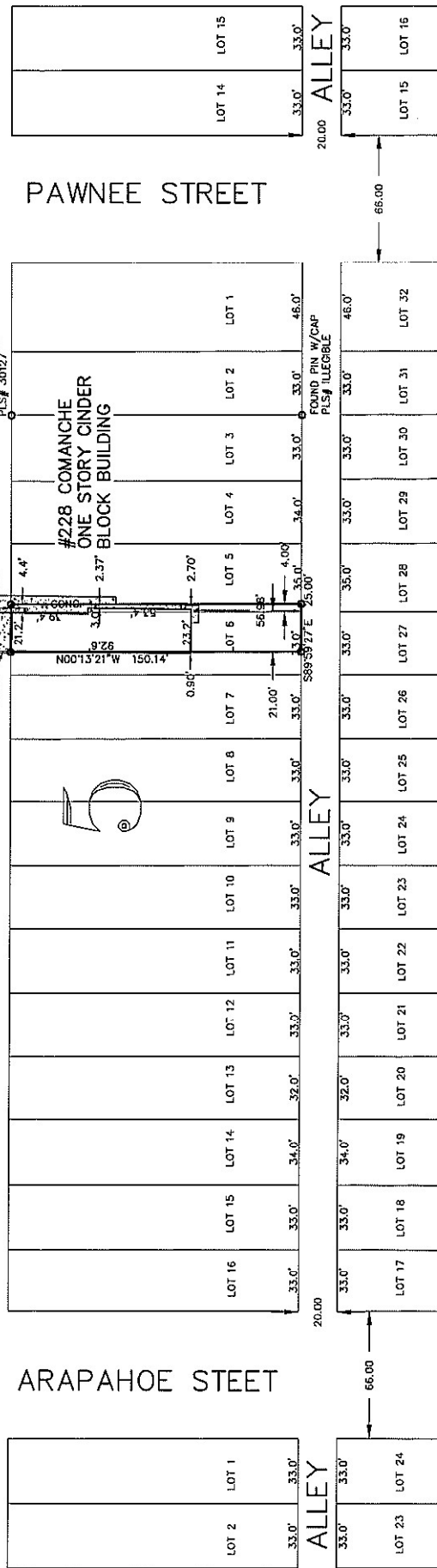
Signed _____

High Plains Survey Co. LAND SURVEYING & CONSTRUCTION STAKING LAND DEVELOPMENT, CONSULTING 345 COMANCHE, P.O. BOX 775 KIOWA, COLORADO 80147		DRAWN BY KW/CLG
TITLE IMPROVEMENT SURVEY PLAT SECTION 20, T. 8 S., COUNTY OF ELBERT, COLORADO	CLIENT AGPL, LLC	SHEET 1 OF 1 JOB NUMBER 05248-ISP
REFERENCE: Colorado 1619s 80037 For and on the behalf of High Plains Survey Co.	REVISIONS:	DATE 09/14/05 SCALE 1" = 40'

IMPROVEMENT SURVEY PLAT

PART OF SECTION 20, T. 8 S., R. 23 W., 6TH P.M.
 COUNTY OF ELBERT, STATE OF COLORADO.

COMANCHE STREET
 a.k.a. HWY 86



CERTIFICATE OF SURVEY:

This is to certify to ACP, LLC, that on September 14, 2005 a survey was made under my direct supervision, of the herein described property situated in Elbert County, Colorado. The survey was made by me and using the normal standard of care of Professional Land Surveyors practicing in Elbert County, Colorado. I hereby certify that the survey was made in accordance with the location and dimensions of all buildings, improvements, easements and rights of way in evidence or known to me, or on the premises are accurately shown. This survey does not constitute a title search by High Plains Survey Co., Inc. of the property shown and described hereon to determine:

1. Ownership of the tract of land.
2. Right of way.
3. Dimensions of this description with those of adjacent tracts of land.

The survey was performed without the benefit of a title insurance policy. The survey was performed on the basis of the insurance commitment or a title insurance policy may disclose facts not reflected on this survey. Corner monuments were set, or found and accepted as indicated hereon.

PROPERTY DESCRIPTION
 THE EAST 21 FEET OF LOT 6, BLOCK 5, AND THE WEST 4 FEET OF LOT 5, BLOCK 5, KOWA ORIGINAL COUNTY OF ELBERT, COLORADO

CERTIFICATE OF DEPOSIT:

Deposited this _____ day of _____, 20____, in the County Surveyor's land survey plats/right-of-way surveys at reception number _____, in the office of the Elbert County Clerk and Recorder.

DISCLAIMER: PLEASE NOTE THAT SURVEYING IS AN INDEPENDENT PROFESSION AND SURVEYORS MAKE NO GUARANTEE OF ACCURACY AND OPINION.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

Signed _____

High Plains Survey Co. LAND SURVEYING & CONSTRUCTION STAKING LAND DEVELOPMENT CONSULTING 303-621-8672 FAX: 303-621-8675 345 COMANCHE, P.O. BOX 775 KOWA, COLORADO 80117		TITLE IMPROVEMENT SURVEY PLAT SEC. 20, T. 8S., R. 63 W. COUNTY OF ELBERT, COLORADO
REFERENCE Colorado 1818-18187 For and on the behalf of High Plains Survey Co.	REVISIONS:	CLIENT ACP, LLC
DRAWN BY KW/CLG	DATE 09/14/05	SHEET 1 OF 1
SCALE 1" = 40'	JOB NUMBER 05248-ISP	

September 17, 2025

To Town of Kiowa:

Planning, Zoning, and Safebuilt

RE: 228 Comanche Street Acct#R107389

As a trustee, of the Nikki R Ullom and Deborah A Ullom Revocable Trust Dated March 17, 2000 property at 228 Comanche street in Kiowa. I, Deborah A Ullom, give Corey Basquez permission to apply for a relocation of the Kiowa bar to this location. This shall constitute permission to file for zoning, special use, and building permits as needed. Please contact us with any questions at 720-878-8239 in relation to ownership.



Deborah A Ullom, Trustee



Kiowa Fire Protection District
PO Box 321 ~ 403 County Road 45
Kiowa, CO 80117
Station: (303) 621-2233 ~ Fax: (303) 621-2690

September 9, 2025

RE: 228 Comanche St
Kiowa, CO 80117
Pre-application Comments

To Whom It May Concern,

Kindly review the pre-application remarks provided by the Kiowa Fire Protection District concerning the proposed occupancy change for the property at 228 Comanche Ct, Kiowa, Colorado.

Converting a small office space into a **bar/restaurant** triggers a number of compliance concerns under the **2018 International Fire Code (IFC)**, since the change of use introduces higher occupant loads, cooking hazards, and new egress requirements. Here are the main concerns:

1. Change of Occupancy

- **Office (Business Group B) → Restaurant/Bar (Assembly Group A-2).**
- This increases fire and life-safety requirements because assembly occupancies pose higher risks due to occupant load and activities (alcohol consumption, cooking, dim lighting, etc.).
- Must meet IFC/IBC provisions for **change of occupancy** (IFC Ch. 10 and 11).

2. Occupant Load & Exiting

- Occupant load calculated based on floor area and use (A-2 requires more dense load factors than offices).
- More exits may be required depending on calculated occupant load (IFC §1006).
- Exit width, travel distance, and door swing direction must meet assembly requirements.
- Panic hardware may be required on exit doors serving 50+ occupants (§1010.1.10).

3. Fire Protection Systems

- **Fire Alarm System:** Assembly occupancies with occupant load ≥ 300 generally require a manual fire alarm system (§907.2.1.2).
- **Automatic Sprinklers:** A-2 occupancies are usually required to be sprinklered if occupant load > 100 (§903.2.1.2).
- **Kitchen Hood Suppression:** Commercial cooking appliances producing grease-laden vapors require a Type I hood and automatic fire suppression system (§904.12).

4. Cooking & Ventilation Hazards

- Compliance with **commercial kitchen exhaust** requirements (§607).
- Proper ductwork, clearance to combustibles, and grease filters required.
- Portable fire extinguishers (Class K near cooking equipment per §906.4).

5. Interior Finishes & Furnishings

- Flame-spread and smoke development ratings of finishes must meet assembly occupancy requirements (§803).
- Upholstered furniture and draperies must meet fire performance standards (§805, §806).

6. Means of Egress Lighting & Signage

- Emergency lighting required for all assembly spaces (§1008).
- Exit signs required, internally or externally illuminated (§1013).

7. Storage & Utilities

- Compressed gas cylinders (e.g., CO₂ for beverage systems) regulated under IFC Ch. 53.
- Flammable/combustible liquids (e.g., cleaning agents, alcohol storage) must be stored per Ch. 57.

- Electrical and mechanical upgrades may be needed to meet code requirements for the new load and equipment.
-

8. Accessibility & Safety Features

- Must provide accessible seating and egress routes in compliance with IBC/ADA (not IFC, but enforced alongside).
 - Guardrails, handrails, and aisle spacing apply for assembly spaces.
-

SUMMARY:

The biggest shifts from an office to a bar/restaurant under the 2018 IFC are:

- Change of occupancy from **B** → **A-2**,
- Increased requirements for **sprinklers, alarms, and exits**,
- **Cooking fire protection** (hoods, suppression, extinguishers),
- Stricter rules for **interior finishes, storage, and signage**.

Respectfully submitted,

Gerry Lamansky

Gerry Lamansky
Fire Chief
Kiowa Fire Protection District
g.lamansky@kiowacofpd.gov
303-621-2233

IFC Compliance Checklist – Office to Bar/Restaurant (A-2 Occupancy)

1. Occupancy & Classification

- Verify change of use: **Business (B)** → **Assembly (A-2)**.
 - Confirm if change triggers additional code compliance (per IFC Ch. 10 & 11).
-

2. Occupant Load & Exiting

- Calculate occupant load (Table 1004.5).
 - Verify required number of exits (IFC §1006).
 - Check maximum travel distance to exits (§1017).
 - Ensure doors swing in direction of egress when serving ≥ 50 people (§1010.1.2.1).
 - Install panic hardware on exit doors if occupant load ≥ 50 (§1010.1.10).
 - Confirm exit access widths and corridor capacity are adequate (§1005).
-

3. Fire Protection Systems

- **Sprinklers:** Required if A-2 occupant load > 100 (§903.2.1.2).
 - **Fire alarm system:** Required if A-2 occupant load ≥ 300 (some AHJs require lower) (§907.2.1.2).
 - **Kitchen hood suppression system:** Required for grease-producing cooking (§904.12).
 - **Fire extinguishers:**
 - General coverage per §906.
 - Class K extinguisher within 30 ft of cooking equipment (§906.4).
-

4. Cooking & Ventilation

- Type I hood over cooking appliances producing grease-laden vapors (§607.2.1).
- Hood and duct systems installed/maintained per **NFPA 96** (referenced).

- Automatic fuel/electric shutoff tied to hood suppression system (§904.12.2).
-

5. Interior Finishes & Furnishings

- Wall/ceiling finishes meet Class A–C rating requirements (§803).
 - Floor finishes comply with flame spread limits (§804).
 - Upholstered furniture, drapes, and decorative materials meet flame resistance (§805–806).
-

6. Egress Lighting & Signage

- Emergency lighting installed for all paths of egress (§1008).
 - Exit signs provided, internally/external illumination (§1013).
 - Exits visible and unobstructed at all times (§1003.6).
-

7. Storage & Special Hazards

- Compressed gases (e.g., CO₂ beverage systems) installed per Ch. 53.
 - Flammable/combustible liquids (alcohol, cleaners) stored per Ch. 57.
 - Waste and recycling storage areas meet separation/fire-resistance standards (§315).
-

8. General Safety & Maintenance

- Electrical systems upgraded for new load (coordinate with NEC & IFC §604).
- Portable heaters or fuel-burning appliances reviewed for compliance (§603).
- Fire lanes and access for fire department maintained (§503).
- Staff trained on extinguisher use and evacuation procedures (§404, §405).

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town of Kiowa Planning and Zoning Commission and the Board of Trustees shall hold a public hearings concerning a Special Use Permit to allow the property described in Exhibit A, and generally located at 228 Comanche Street, Kiowa, CO- to operate as a bar or tavern pursuant to the Town of Kiowa Zoning Regulations.

The Planning & Zoning Commission public hearing will be held on November 19th , 2025 at the hour of 6:00 p.m. or as soon as possible thereafter as the agenda of the Planning and Zoning Commission permits.

As required, a second public hearing shall be held before the Town Board of Trustees on December 9th , 2025 at the hour of 7:00 p.m. or as soon as possible thereafter as the agenda for the Town Board of Trustees permits.

The public hearings will be held at the Kiowa Town Hall, 404 Comanche Street, Kiowa, Colorado 80117, or at a place otherwise specified by the Town Clerk. Further information is available by calling (303) 621-2366.

ALL INTERESTED PERSONS MAY ATTEND

Exhibit A:

Part of the NW Quarter of Section: 20, Township: 8 S, Range: 63 W, 6th P.M. County of Elbert, State of Colorado; Block 5, Lot 5.



Town of Kiowa

404 Comanche Street
Kiowa, CO 80117

Phone: (303) 621-2366

Fax: (303) 621-2595

November 9th, 2025

NOTICE OF PUBLIC HEARING

Dear Resident or Owner,

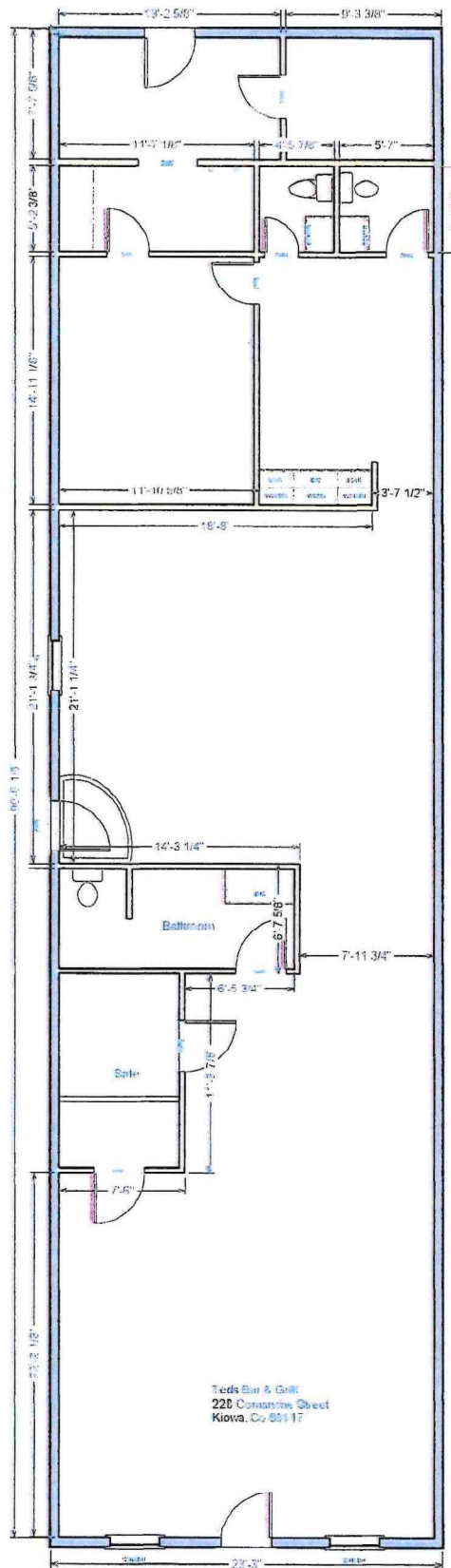
Please be advised that a request for a **special use permit** has been submitted for the location listed below. As an owner of adjacent property within the required notification area, notice is hereby given that a public hearing shall be held before the **Planning & Zoning Commission** on **November 19th, 2025 at the hour of 6:00 p.m.**, and the **Board of Trustees** on **December 9th, 2025 at the hour of 7:00 p.m.**, to consider the application. Additional information regarding the request is available at the Kiowa Town Hall, located at 404 Comanche Street, Kiowa, Colorado 80117 or by calling (303) 621-2366.

Applicant: Corey Basquez

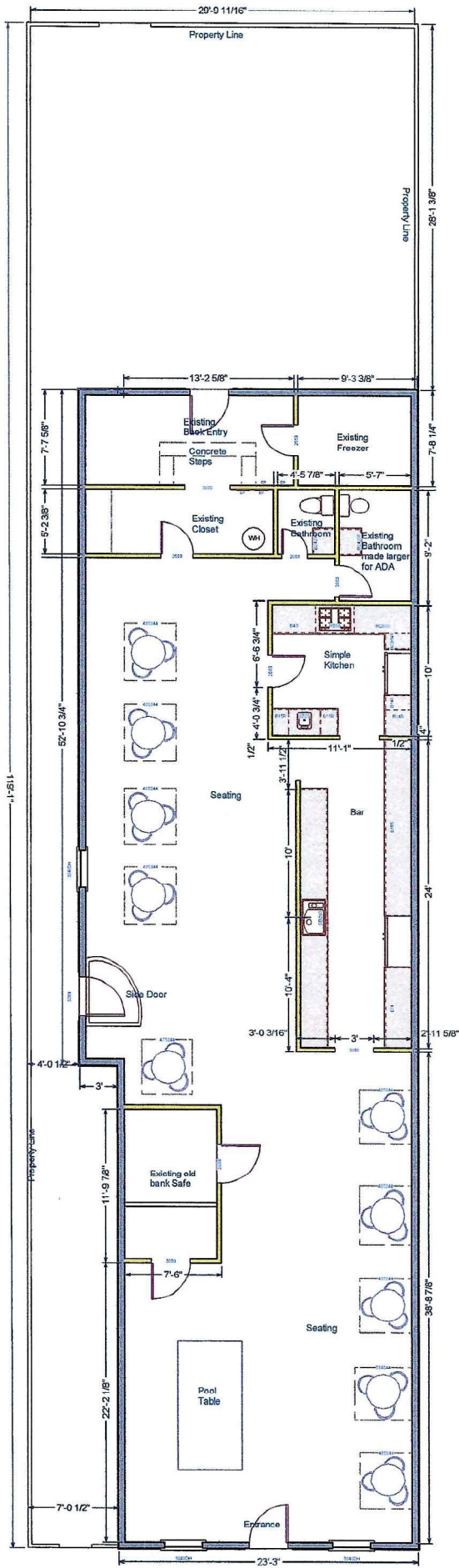
Location: 228 Comanche Street

Nature of the Request: To operate the property as a Bar/Tavern

Please note that all interested persons are invited to attend. Alternatively, comments may be submitted to the Town Administrator at the address above or through email to Town Clerk, Sasha Davidson at the email provided below. All comments must be submitted by 5 p.m. on **Monday, November 17th, 2025**. If you have any questions about the application, please contact Town Clerk, Sasha Davidson at (303) 621.2366 or at sdavidson@townofkiowa.com.



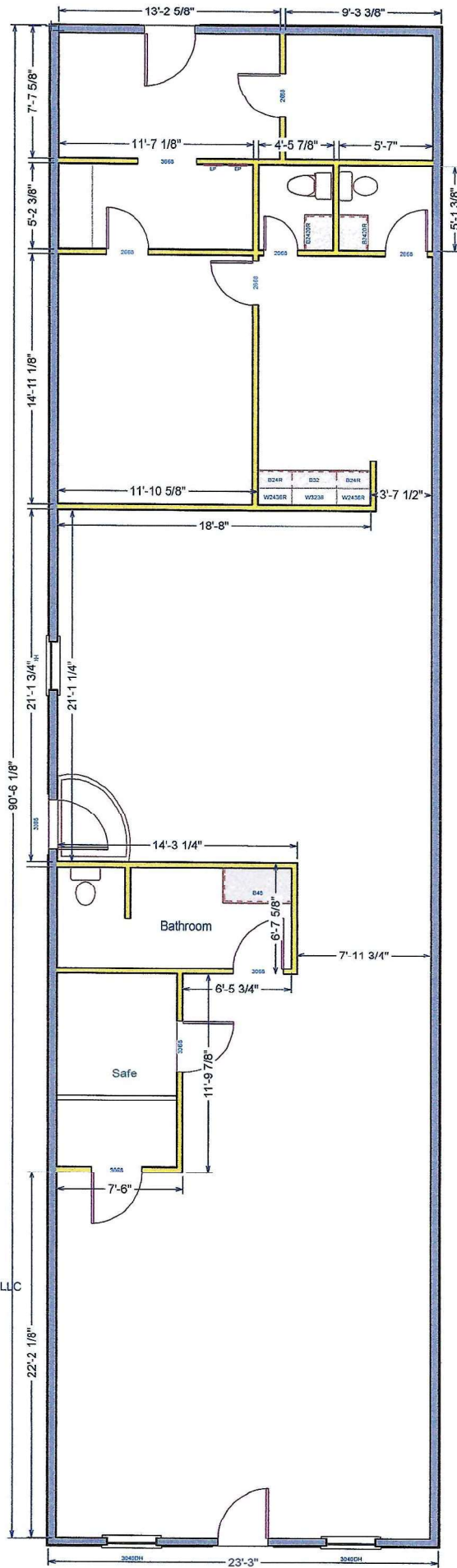
LIVING AREA
2029 sq. ft.



Quality Home Builders, LLC
 35076 Cimarron Trail
 Elizabeth, Co 80107

Kiowa Bar
 228 Comanche Street
 Kiowa, Co 80117

LIVING AREA
 2186 sq ft

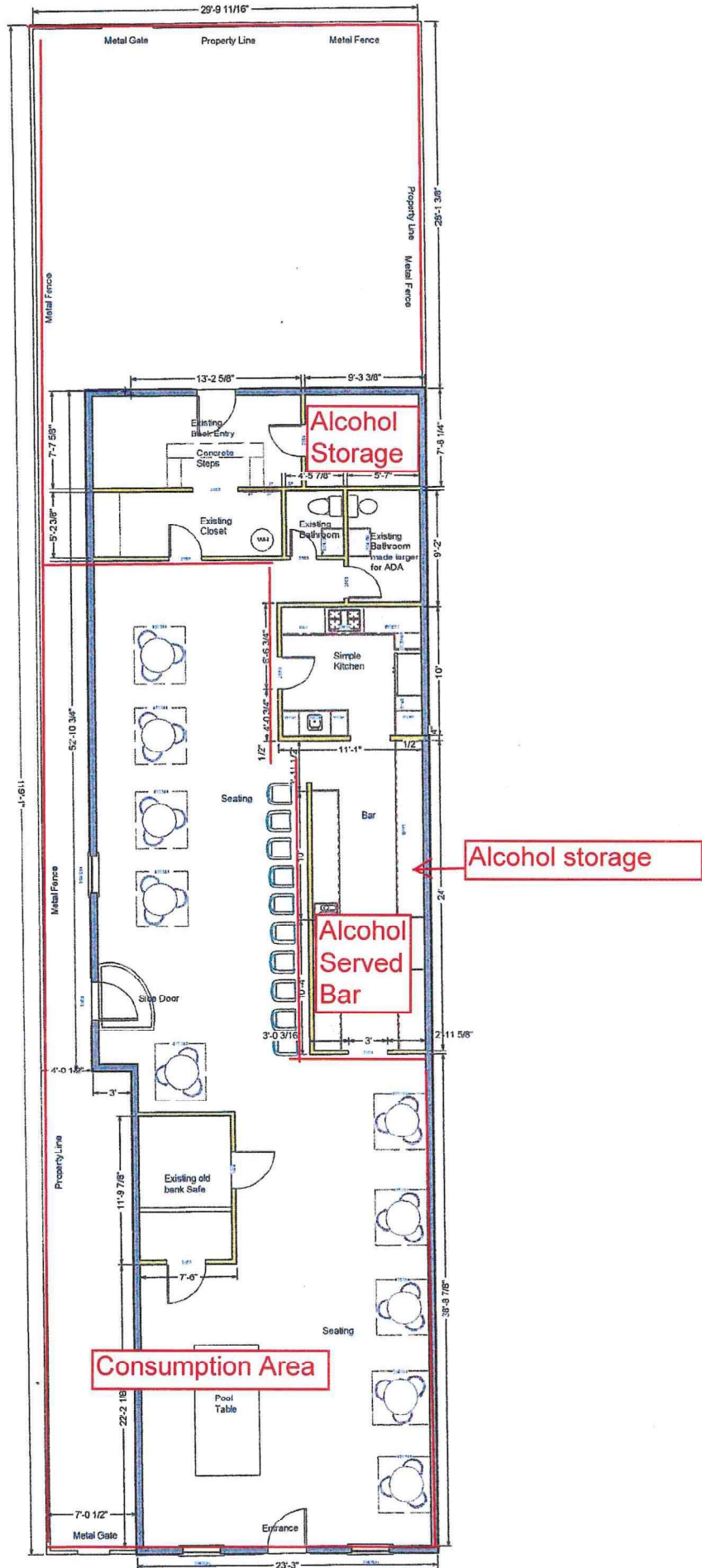


Quality Home Builders, LLC
 35076 Cimarron Trail
 Elizabeth, Co 80107

Existing Building

Kiowa Bar
 228 Comanche Street
 Kiowa, Co 80117

LIVING AREA
 2026 sq ft



Quality Home Builders, LLC
 35075 Cimarron Trail
 Elizabeth, Co 80107

Kiowa Bar
 228 Comanche Street
 Kiowa, Co 80117

LIVING AREA
 2188 sq ft

Special Use Permit for 228 Comanche Street

Applicant	Corey Basquez and Ted Finley
Owner	Deb Ullum
Location	228 Comanche Street, Kiowa, CO 80117
Master Plan	Commercial
Zoning	Community/Professional

Applicant’s Request

The Applicant(s), Corey Basquez and Ted Finley, are requesting approval of a Special Use Permit to operate a bar/tavern along with a coffee shop (a permitted use) on the property located at 228 Comanche Street. The Applicant's business plan is to relocate their existing establishment, Kiowa Bar, to the proposed location of 228 Comanche St. There will be an expansion of the building footprint of approximately 160 square feet from 2,026 square feet to 2,186 square feet, along with minor modifications to the interior of the building to facilitate the bar/tavern and coffee shop amenities. (see the existing and proposed floor plans on pages 3 and 4). The hours of operation will be as follows:

Mon-Fri = Coffee shop is 6 am to 11 am. **Bar/tavern** is 3 pm to 10 pm

Sat-Sun = Coffee shop is 7 am to 11 am. **Bar/tavern** is 11 am to 10 pm

The bar/tavern is open till midnight on Fridays and Saturdays

The subject is designated in the Master Plan as Commercial and is zoned Commercial/Professional within what is referred to as the Town Center District.

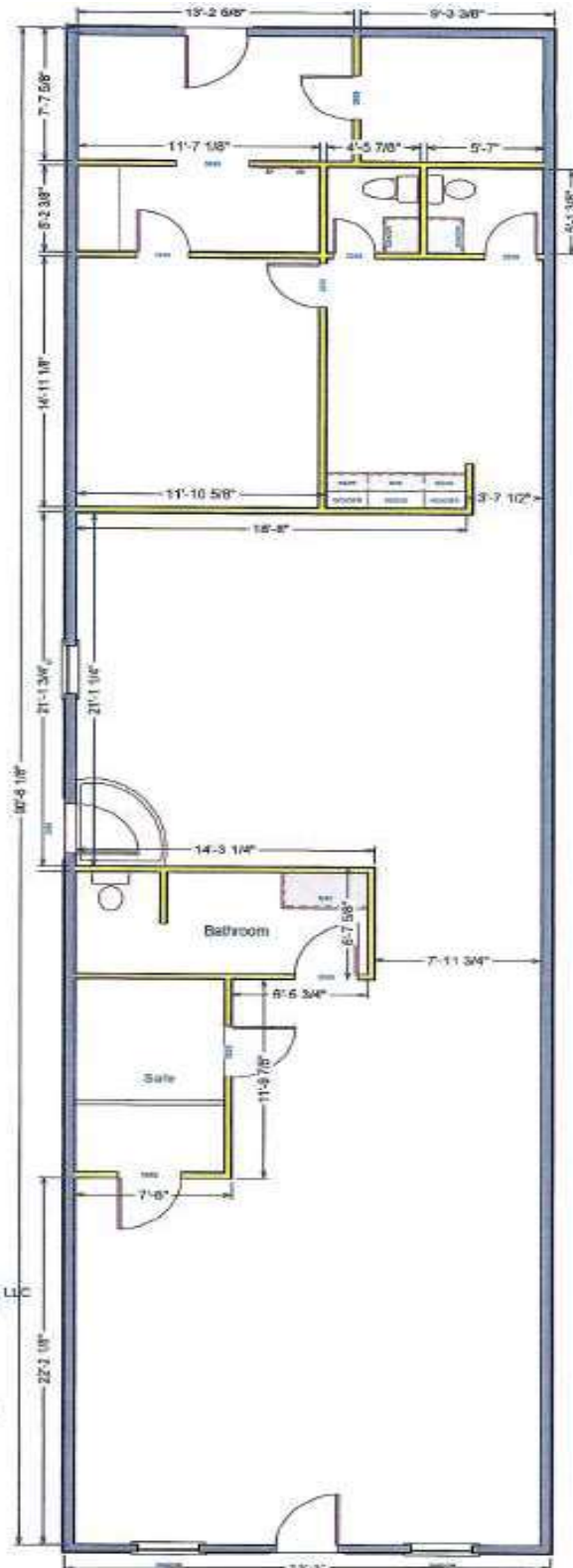
Subject Property Location/Site Image – 228 Comanche



Building Elevation- Main Entrance



Floor Plan (existing 2056 Square feet)



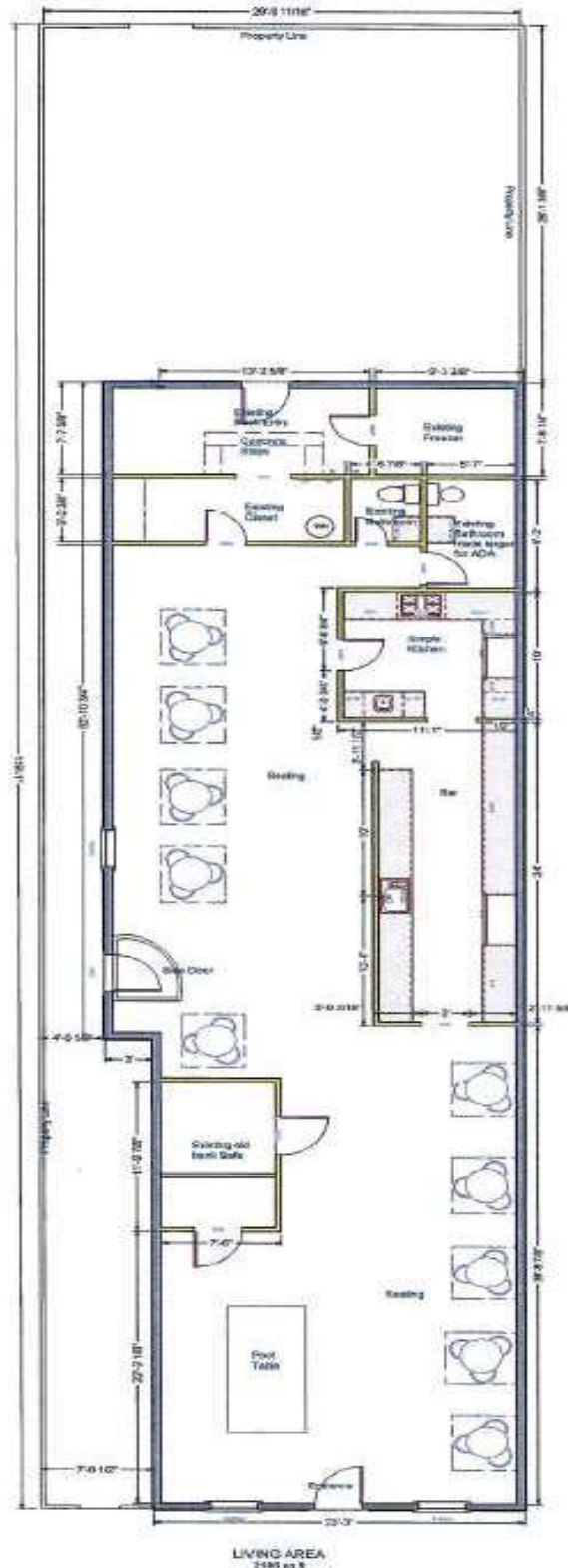
Quality Home Builders, LLC
35076 Cimarron Trail
Elizabeth, Co 60107

Existing Building

Kiowa Bar
228 Comanche Street
Kiowa, Co 60117

LIVING AREA
2026 sq ft

Floor Plan (Proposed 2,186 square feet – expansion by 160 +/- square feet)



Quality Home Builders, LLC
35070 Cimarron Trail
Essex, Co 80117

Kiowa Bar
228 Commercial Street
Kiowa, Co 80117

Special Use Permit Analysis

The applicant is requesting to operate the coffee shop portion of the use, which is allowed by right in the Town Center district. The bar portion of the use is considered through a Special Use process. The applicants have provided a narrative of their operation for the Commission to better understand their business plan. I've highlighted the bar/tavern hours of operation to stand out compared to the coffee shop hours because it is the bar/tavern that is before the Planning Commission for review.

"The coffee shop equipment, i.e., coffee and espresso machines, would be housed behind the bar and served from 6 am to noon. All liquor is taken down during coffee shop hours. All food for both the coffee shop and bar hours is available frozen or ready-made. Our food license allows for all pre-made food that is heated in Turbo Chef microwave ovens, which you see, for example, in a Starbucks establishment.

Parking will be street parking for all customers. Parking in the rear will only be available for deliveries."

An iron fence will be installed on the left entrance of the building that will go into a future patio area. This will allow for permitted alcohol delivery to be kept from public areas or other establishments. Entry shall only be made from the front of the building during both coffee shop and tavern hours. The front entry of the building is ADA accessible, and one of the existing bathroom walls will be enlarged for ADA as noted on the drawing plan.

*Mon-Fri = Coffee shop is 6 am to 11 am. **Bar/tavern is 3 pm to 10 pm***

*Sat-Sun = Coffee shop is 7 am to 11 am. **Bar/tavern is 11 am to 10 pm***

The bar/tavern is open till midnight on Fridays and Saturdays."

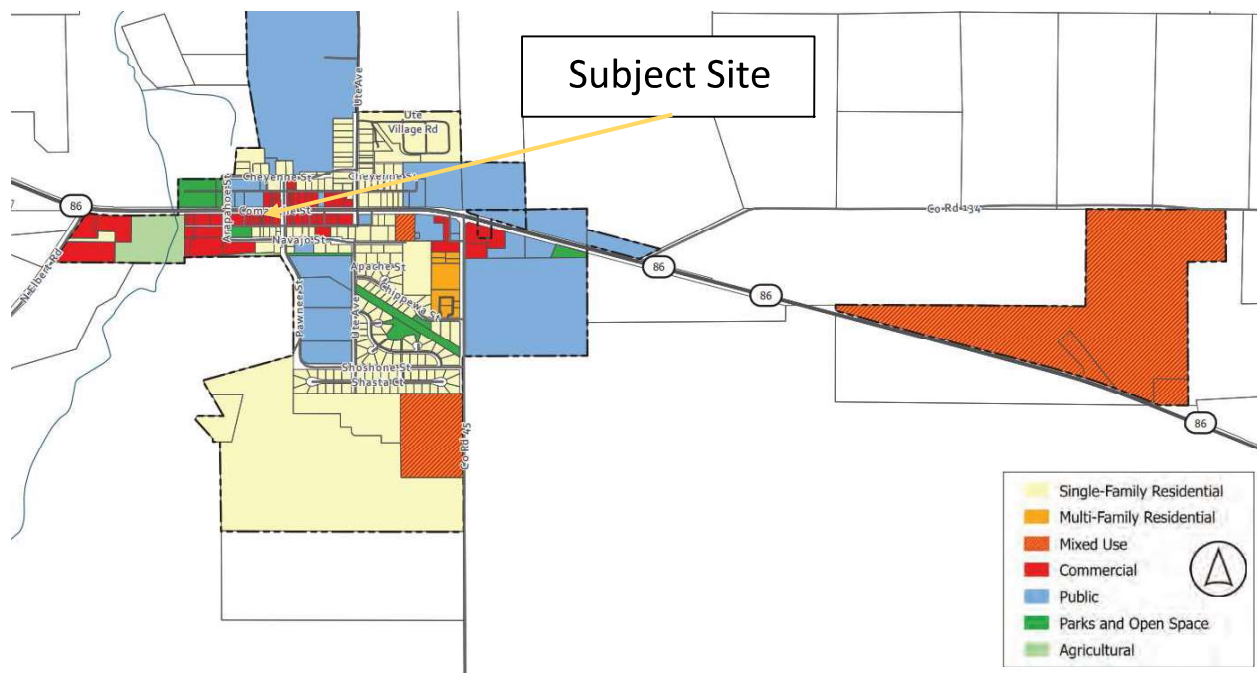
The State is also a key regulator when it comes to licensing beer and wine, liquor, and bar/tavern establishments. The purpose of the Alcohol Control Board in Colorado is to regulate the sale, distribution, and consumption of alcoholic beverages within the state. Some key responsibilities of Alcohol Control Boards in Colorado include issuing and monitoring liquor licenses, ensuring compliance with alcohol laws and regulations, conducting investigations into violations, and taking enforcement actions when necessary to maintain a safe and orderly marketplace for alcohol sales

In Colorado, the alcohol licensing process is overseen by the Colorado Department of Revenue's Liquor Enforcement Division. Staff have included a condition that the occupancy of building they must confirm

that they have the proper licensing from the Department of Revenue’s Liquor Enforcement Division and this must be confirmed by the Town Manager.

- **Master Plan**

- At the time of the creation of the Master Plan in 2024, the Town created a future land use map in which the subject property is designated as Commercial. (Figure 1)



- The Master Plan outlines goals that are intended to serve as a guide to direct decisions made by the Town to move towards a desired result. The following are goals that align with the proposed development:
 - **Growth:** New development should provide a net positive fiscal impact to the Town of Kiowa.
 - **Image and Design:** Promote new commercial and residential development within the current town limits of Kiowa.
 - **Economic Development:** Encourage the development and expansion of existing businesses. Doing so would encourage more retail opportunities to increase convenience, maintain consumer dollars, and provide employment opportunities for residents of Kiowa.
- The subject property, zoned *Commercial/Professional (CP)*, does not explicitly list the proposed use as a use permitted by right in the CP district (*Sec. 16-23*), so it must be reviewed as a SUP. The proposed use is in line with the district’s intent, which seeks to “provide a wide range of general retail goods and services for residents of the local community and region...”.

Analysis of Proposed Use

- **Anticipated Neighborhood Impacts**

- No significant harm to the neighborhood’s character is anticipated because of the development of this project.
- The proposed use will involve the development of only a minor modification of the existing footprint, which is designed as only a slight intensification of the building, and the modification will be by the Town of Kiowa’s Municipal Code and current building regulations in use are not anticipated to pose harm to the adjacent properties, retail properties.
- The adjacent properties are zoned as follows:

Direction	Zoning District	Land Use
North	County Bldg. and Car lot	Public and Retail
East	Retail Business	Commercial
South	Single-Family Residences	Residential
West	Retail Business	Commercial

No impact to adjacent properties is anticipated currently.

Infrastructure Services

- This proposal is not expected to adversely impact the Town’s existing infrastructure services, financially or otherwise. No physical infrastructure is planned to be extended to the existing structure. Existing infrastructure services include, but are not limited to, water, sewer, streets, and emergency services.

Special Use Permit Review Criteria

Article XIII outlines the process used to determine the eligibility of an SUP request. The following criteria are used to guide the Planning and Zoning Commission in determining the appropriateness of the proposed use:

SUP Review Criteria	Staff Findings
1. Relation to and effect upon the master plan generally;	The master plan’s Land Use Map designates the subject property as <i>Commercial</i> , and the proposed use as conditioned is compatible with adjacent commercial uses adjacent to the proposed use.
2. Effect upon light and air, distribution of population, transportation, water, sewage, schools, parks, and other	Staff received a comment letter from the Kiowa Fire Protection District, and those comments will be incorporated as Conditions of Approval for the proposed Special Use Permit. The existing building,

<p>public improvements and requirements;</p>	<p>along with the minor footprint expansion, does not create an adverse effect on light, air, transportation, public utilities, and other public improvements.</p>
<p>3. Effect upon traffic in the streets, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, including control and flow of traffic entering public streets from private property, access and maneuverability, and removal of snow from the streets under circumstances of heavy accumulation;</p>	<p>No existing public access will be altered by the project, nor are public encroachment permits required or needed for the proposed project.</p>
<p>4. Effect upon the character of a particular zoning district, including the effect upon characteristic use within such district, and the characteristic physical attractiveness of such district, its architecture and landscaping;</p>	<p>This development is not expected to have an adverse effect on the character of the CP district. This SUP would grant a slight intensification of use and is in line with the general intent of the district, which is to “provide a wide range of general retail goods and services for residents of the local community and region...”.</p>
<p>5. Effect upon the value of existing buildings and improvements;</p>	<p>There is no anticipated adverse impact on the value of adjacent properties.</p>
<p>6. The appropriateness of the proposed use in relation to the land uses generally throughout the town;</p>	<p>Given that the proposed use (bar/tavern), are typical use in a retail established area, and with special licensing granting an SUP in this scenario is deemed appropriate.</p>
<p>7. Complete list of the names and mailing addresses of adjacent property owners within 300 feet of the subject property required to be notified of the hearing on the application for special use permit;</p>	<p>The applicant notified all property owners within 300 feet and satisfied this requirement.</p>
<p>8. Whether the granting of the application would amount to granting to the applicant a special favor not available to other persons;</p>	<p>Granting a SUP for this application would not amount to the applicant receiving a special favor not available to other people.</p>
<p>9. The possible adverse effect of approval or denial as a precedent in future cases.</p>	<p>Neither approval nor denial of this SUP would create adverse effects or set a negative precedent for future cases.</p>

Findings & Staff Recommendation

Based on the analysis of the proposed commercial development within the context of both the Town of Kiowa Municipal Code and Master Plan, the SAFEbuilt team recommends approval, as conditioned by the Planning Commission, to the Board of Trustees for the approval of the bar/tavern on the property located at 228 Comanche Street.

Staff recommends the following, with conditions for approval:

Comments / Conditions for approval

Fire:

1. **Change of Occupancy (IFC 102.3 & 3401.2):**

The proposed change constitutes a new occupancy classification. A building permit and subsequent inspection by both the Building Department and the Fire District are required prior to construction or occupancy.
2. **Occupant Load and Means of Egress (IFC Chapter 10):**
 - The occupant load must be recalculated based on the intended use per Table 1004.5.
 - Exit quantity, width, and configuration shall comply with the revised occupant load and Group A-2 requirements.
 - Exit signage and emergency lighting must be provided per Sections 1013 and 1008.
3. **Fire Protection Systems (IFC Chapter 9):**
 - An **automatic sprinkler system** is required where the fire area exceeds thresholds outlined in Section 903.2.1.2 for Group A-2 occupancies.
 - A **fire alarm system** with manual and automatic initiation may be required per Section 907.2.1.1.
 - All existing and new systems shall be tested, inspected, and certified prior to occupancy.
4. **Interior Finishes and Decorative Materials (IFC Chapter 8):**
 - Interior finishes shall meet the flame spread and smoke development limits of Table 803.11.
 - Decorative materials must comply with Section 805 for flame resistance.
5. **Kitchen and Cooking Operations (IFC 609 / NFPA 96):**
 - If food preparation includes grease-laden vapors, a **Type I hood** and automatic **fire suppression system** are required.
 - Systems must be installed, tested, and maintained per NFPA 96.

6. Portable Fire Extinguishers (IFC 906):

- Provide approved fire extinguishers per Section 906 and NFPA 10.
- Units must be visible, accessible, and appropriately mounted.

7. Electrical and Emergency Systems (IFC 604 & 1008):

- Emergency power shall be provided for exit signs and egress illumination.
- Electrical systems must comply with NFPA 70 (National Electrical Code).

8. Hazardous and Combustible Storage (IFC Chapter 3 & 57):

- Cleaning chemicals and alcoholic beverages must be stored in accordance with Section 5704.3.
- Quantities shall not exceed exempt amounts in Table 5003.1.1(1).

9. Fire Department Access and Addressing (IFC 503 & 505):

- Fire apparatus access roads must remain unobstructed.
- The building address must be clearly visible from the street (Section 505.1).
- Any outdoor seating must not interfere with access or hydrants.

10. Final Inspection:

- A final inspection by the Kiowa Fire Protection District is required before occupancy.
- All fire protection systems must be fully operational and approved.

Building:

1. The bathroom(s) will need to be brought up to American Disabilities Act (ADA) compliance standards.

Planning:

1. Any future expansion of the building footprint, the tenant/owner will need to provide the required onsite parking standards, as well as landscape improvements.
2. Any expansion of the bar/tavern will require a Special Use Amendment hearing.
3. The applicant will need to confirm with the Town Administrator before occupancy of the building that the bar/tavern establishment has its license from the Colorado Department of Revenue's Liquor Enforcement Division.

PRE APPLICATION MEETING REQUEST FORM

The pre-application review is the preliminary review of a land use or building permit proposal the town offers all applicants. **Meetings are scheduled upon request.** Pre-application reviews are a service provided by the Town prior to beginning the application process; **however, this review is not an application.** Pre-application "meeting form requests" must be submitted to the town at least **one week** prior to the actual meeting.

- If no site is currently selected the pre-application meeting can be a useful tool to identify potential areas for development or re-development.
- The property information required below can be found on the Elbert County Assessor website at www.elbert.co.us/assessor/. Please print a copy of the Assessor's page and submit it with your pre-application review request.
- Mail, email, fax or drop off the request prior to the pre-application meeting.

For Town Hall Use Only	
Project Title:	
Description:	
Review Date:	Review Time:

Contact Information:

Name	Tabitha King		
Phone	7204361877	Fax:	
Email	tabitha.king@stc@gmail.com		
Address	222 Comanche St Kiowa CO 80117		
Project Description:	Po Box 871 - Kiowa		
	purchase building open bar		
Please indicate which is applicable to the property:			
Own	_____	Rent	_____
Purchase	_____	Investment	_____

Oct/Nov.

Property Information:

Section-Township - Range	20 - 8 - 63	Zoning	C-1
State Parcel Number	8320104006	Acreage	
General Location	222 Comanche St.	Water Source	KuwaA
Legal Description	Block 5, Lot 7-8- B510 P600	Sewer	KuwaA
Owner Name	Joey Khun		
Current Use	Bar		
Proposed Use	Bar		
<p>If available, please provide a simple detail drawing of the existing floor plan. Please attach to this application.</p>			



TOWN OF KIOWA
404 Comanche Street
Kiowa, CO 80117
Phone: (303) 621-2366
Fax: (303) 621-2595

LAND USE APPLICATION

DATE: October 1, 2025
NAME OF PROJECT: 1891 Exchange + Saloon
NAME OF APPLICANT: Tabitha King
ADDRESS & LEGAL DESCRIPTION OF PROJECT: 202 Comanche
Operate as a bar/taavern at the current
bar location - new owner -

PLEASE CHECK THE APPROPRIATE ITEM(S):

- | | |
|---|--|
| <input type="checkbox"/> REZONING | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> PLAT | <input type="checkbox"/> SUBDIVISION |
| <input checked="" type="checkbox"/> USE BY SPECIAL REVIEW | <input type="checkbox"/> MINOR SUBDIVISION |
| <input type="checkbox"/> MINOR PLAT/REVIEW | <input type="checkbox"/> SITE PLAN |
| <input type="checkbox"/> ANNEXATION | <input type="checkbox"/> OTHER _____ |

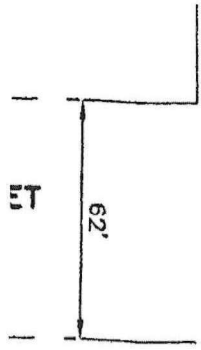
Present Zoning: TC Area In Acres: _____

Proposed Zoning: TC Present Use: Bar/Tavern

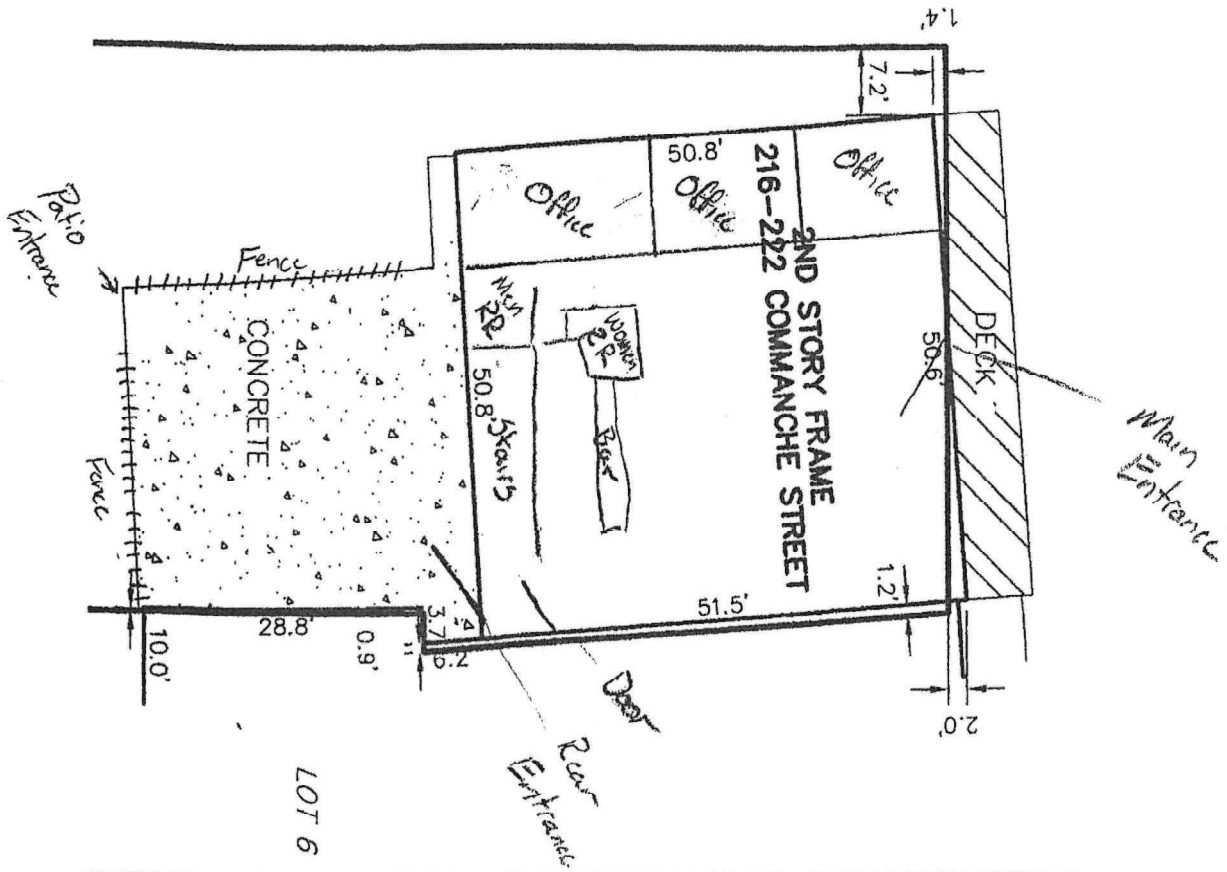
Proposed # of Lots (If Applicable) _____ Proposed Gross Floor Area (If Applicable) _____

Provide a narrative description of the proposal:

Previous Bar is moving locations.
would like to open a bar/taavern in
the current location.
There will be no structural changes.
There is a lease to own contract.
Liquor license application has been
submitted to town clerk.



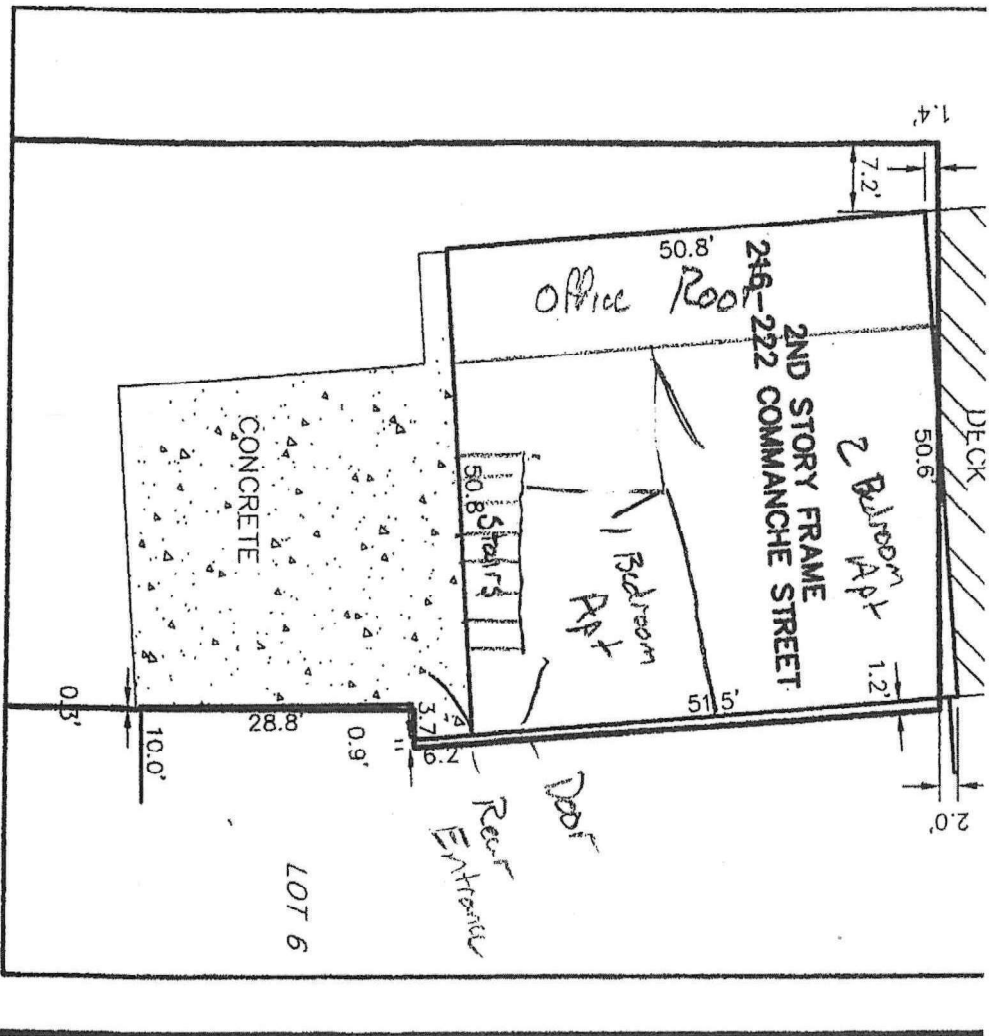
Liquor Storage in Basement



Appts.
2nd Floor

STREET
(I.O.W)

62'





Town of Kiowa

404 Comanche Street
Kiowa, CO 80117

Phone: (303) 621-2366

Fax: (303) 621-2595

November 9th, 2025

NOTICE OF PUBLIC HEARING

Dear Resident or Owner,

Please be advised that a request for a **special use permit** has been submitted for the location listed below. As an owner of adjacent property within the required notification area, notice is hereby given that a public hearing shall be held before the **Planning & Zoning Commission** on **November 19th, 2025 at the hour of 6:00 p.m.**, and the **Board of Trustees** on **December 9th, 2025 at the hour of 7:00 p.m.**, to consider the application. Additional information regarding the request is available at the Kiowa Town Hall, located at 404 Comanche Street, Kiowa, Colorado 80117 or by calling (303) 621-2366.

Applicant: Tabitha King

Location: 222 Comanche Street

Nature of the Request: To operate the property as a Bar/Tavern

Please note that all interested persons are invited to attend. Alternatively, comments may be submitted to the Town Administrator at the address above or through email to Town Clerk, Sasha Davidson at the email provided below. All comments must be submitted by 5 p.m. on **Monday, November 17th, 2025**. If you have any questions about the application, please contact Town Clerk, Sasha Davidson at (303) 621.2366 or at sdavidson@townofkiowa.com.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town of Kiowa Planning and Zoning Commission and the Board of Trustees shall hold a public hearings concerning a Special Use Permit to allow the property described in Exhibit A, and generally located at 222 Comanche Street, Kiowa, CO- to operate as a bar or tavern pursuant to the Town of Kiowa Zoning Regulations.

The Planning & Zoning Commission public hearing will be held on November 19th , 2025 at the hour of 6:00 p.m. or as soon as possible thereafter as the agenda of the Planning and Zoning Commission permits.

As required, a second public hearing shall be held before the Town Board of Trustees on December 9th , 2025 at the hour of 7:00 p.m. or as soon as possible thereafter as the agenda for the Town Board of Trustees permits.

The public hearings will be held at the Kiowa Town Hall, 404 Comanche Street, Kiowa, Colorado 80117, or at a place otherwise specified by the Town Clerk. Further information is available by calling (303) 621-2366.

ALL INTERESTED PERSONS MAY ATTEND

Exhibit A:

Part of the NW Quarter of Section: 20, Township: 8 S, Range: 63 W, 6th P.M. County of Elbert, State of Colorado; Block 5, Lot 7-8.

Commercial Building Lease Agreement

This Commercial Building Lease Agreement ("Lease") is made and effective , by and between **William and Joey Kuhn** ("Landlord") and **Tabitha King** ("Tenant").

Landlord is the owner of land and improvements commonly known and numbered as **216 - 222 Comanche St, Kiowa CO 80117**

and described as follows (the "Building"):

appx. 3750 SF Commercial Space with Basement, 3 attached offices and 2 Apartments

Landlord makes available for lease the Building designated as

216 - 222 Comanche St, Kiowa CO 80117

Landlord desires to lease the Leased Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed:

1. Term. **Term= 12 Months**

A. Landlord hereby leases the Leased Premises to Tenant, and Tenant hereby leases the same from Landlord, for an "Term" beginning **11/01/2025** and Ending on **10/31/2026**

Landlord shall use its best efforts to give Tenant

possession as nearly as possible at the beginning of the Lease term. If Landlord is unable to timely provide the Leased Premises, rent shall abate for the period of delay. Tenant shall make no other claim against Landlord for any such delay.

Rest of information deleted for privacy.

Started: 3/24/2025

Completed:

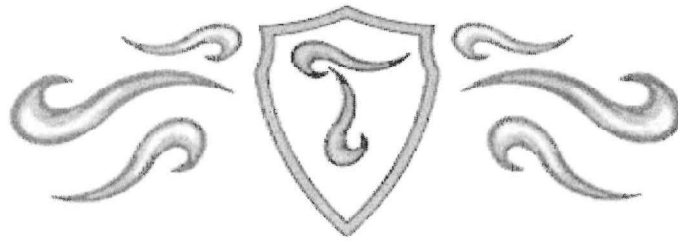
3/24/2025

Time:

After 3PM

Technician:

PT CN



TFP

TURNER FIRE PROTECTION, LLC

Annual

Kitchen Suppression Inspection

Job Site Information

Delicious Conviction Food Trailer
18950 County Road 150
Kiowa Colorado 80117
Tabitha 720-436-1877

Billing Information


Delicious Conviction Food Trailer
18950 County Road 150
Kiowa Colorado 80117
Tabitha 720-436-1877

Phone Number (719)-529-9056

Email: Turner.Fire@outlook.com

FIRE SYSTEM SUPPRESSION

Every 6 months the facility inspects any automatic fire extinguishing systems in the kitchen. The completion of the inspections is documented. Inspections are performed in accordance with NFPA 96, NFPA 17A & NFPA 17 and manufacturers specifications

3/24/2025				Site Contact		Tabitha
Job #	J1253054			Site Phone		720-436-1877
License #	11128			Property Name		Delicious Conviction Food Trailer
Tested by	PT CN			Address		18950 County Road 150
Service Type:		Annual <input type="checkbox"/>	Semi-Annual <input checked="" type="checkbox"/>	System Type:		Wet <input checked="" type="checkbox"/> Dry <input type="checkbox"/>
		Install <input type="checkbox"/> Final <input type="checkbox"/>	Repair <input type="checkbox"/>	Chemical Type:		
UL 300 Compliant:		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Other:		
# of Cylinders:		1		# of Hoods:		1
Manufacturer:		Ansul		Model:		R-102
Cyl 1 Size:		3 Gallon		Cyl 2 Size:		
Location:		Side Wall		Protected Hazard:		2-burner,Char,Griddle,Fryer X2

Yes	No	NA	Check List	Comments
	<input checked="" type="checkbox"/>		1. Is the building connected to a fire alarm system? Location?	
		<input checked="" type="checkbox"/>	2. Has the fire alarm system and monitoring been bypassed?	
<input checked="" type="checkbox"/>			3. Do all appliances properly fit under hood as required?	
<input checked="" type="checkbox"/>			4. Are all hazards properly protected?	
<input checked="" type="checkbox"/>			5. Are all system components properly installed and secured?	
<input checked="" type="checkbox"/>			6. Is activation cartridge ok? Weight, date, model#	Lt-30-R Cartridge 2023
<input checked="" type="checkbox"/>			7. Check cylinder weight, charge and mounting	3 gallon 2012 39.4# Hydro In 2024
<input checked="" type="checkbox"/>			8. Ansul tanks Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Red <input checked="" type="checkbox"/> Stainless <input type="checkbox"/>	
<input checked="" type="checkbox"/>			9. Check cylinder(s) for next service due date / type?	Hydro Due 2036
<input checked="" type="checkbox"/>			10. Gas valve present and inspected? Location? Mech <input checked="" type="checkbox"/> Elec <input type="checkbox"/>	under by driver tire
<input checked="" type="checkbox"/>			11. Remote pull station legally existing? Operates as designed?	ATOI
<input checked="" type="checkbox"/>			12. Did all fuel sources and electric shut down as required?	
<input checked="" type="checkbox"/>			13. Does makeup/exhaust air operate as designed? Meet standards?	
		<input checked="" type="checkbox"/>	14. Did the fire alarm panel/monitoring agency receive signal?	
		<input checked="" type="checkbox"/>	15. Did the audible and visual notification devices activate?	
<input checked="" type="checkbox"/>			16. System reset properly?	
<input checked="" type="checkbox"/>			17. Does automatic trip test operate as required?	ATOI
<input checked="" type="checkbox"/>			18. Fusible links replaced? Style? Date 3/24/25	360 450 500 3K
		<input checked="" type="checkbox"/>	19. Nozzle(s) and/or caps replaced? Quantity and type?	
<input checked="" type="checkbox"/>			20. Chrome sleeving present?	
<input checked="" type="checkbox"/>			21. Are hood and duct penetrations properly sealed?	
<input checked="" type="checkbox"/>			22. Debris accumulation present? Heavy <input type="checkbox"/> Normal <input checked="" type="checkbox"/> Light <input type="checkbox"/>	
<input checked="" type="checkbox"/>			23. Filters properly installed? Of approved proper Materials?	
<input checked="" type="checkbox"/>			24. System blowdown Completed?	
<input checked="" type="checkbox"/>			25. Nozzle cleaning?	
<input checked="" type="checkbox"/>			26. System has been reset and is operational as required? Pictures? Tamper Sealed?	
<input checked="" type="checkbox"/>			27. Pilot lights and shunt trips reset? Location?	
<input checked="" type="checkbox"/>			28. Is proper portable fire extinguisher installed? Inspected?	Hydro due 2028
<input checked="" type="checkbox"/>			29. Current Inspection tags installed?	
	<input checked="" type="checkbox"/>		30. Any additional services, repairs, or comments?	PASS

I state that the information on this form is correct at the time and place of my inspection; and that all equipment tested at this time was left in operational condition upon completion of the inspection except as noted above.

Inspector: _____ PT CN Date: _____ 3/24/25
 Accepted by: _____ Tabitha Date: _____ 3/24/25

**ORDINANCE NO. 2025-12
TOWN OF KIOWA, COLORADO**

**AN ORDINANCE OF THE TOWN OF KIOWA, COLORADO,
AMENDING ARTICLE V OF CHAPTER 18 OF THE KIOWA MUNICIPAL CODE TO
ADD A NEW SECTION 18-60 PROHIBITING THE USE OF GRAYWATER
AND THE INSTALLATION OF GRAYWATER TREATMENT WORKS
WITHIN THE TOWN OF KIOWA**

WHEREAS, pursuant to C.R.S. § 31-15-401 and the Town of Kiowa Home Rule Charter, the Town of Kiowa (the “Town”) has broad authority to exercise its police powers to promote and protect the health, safety, and welfare of the community and its residents; and

WHEREAS, “graywater” is the portion of wastewater collected from bathroom and laundry room sinks, bathtubs, showers, and laundry machines (but excluding wastewater from toilets, urinals, kitchen sinks, dishwashers, or nonlaundry utility sinks) in residential, commercial or industrial buildings or institutional facilities before treatment or combination with other wastewater to be put to beneficial uses, as defined by Regulation 86 of the Colorado Water Quality Control Commission, Colorado Department of Public Health and Environment (5 CCR 1002-86, June 30, 2015) (“Regulation 86”); and

WHEREAS, in 2013, the Colorado General Assembly enacted House Bill 13-1044 to authorize the use of graywater systems in municipalities only when authorized locally by ordinance; and

WHEREAS, pursuant to House Bill 24-1362, effective January 1, 2026, the Colorado General Assembly reversed the “opt-in” approach of allowing graywater systems and adopted an “opt-out” approach whereby municipalities must allow for the collection, treatment, and use of graywater, except where expressly prohibited by local ordinance; and

WHEREAS, Regulation 86 establishes a complex graywater control scheme which would require the Town to develop an extensive and costly oversight program including permitting and design, inspection, and enforcement; and

WHEREAS, the Town does not presently have, nor does the Town anticipate having the resources to develop and implement a graywater oversight program; and

WHEREAS, the Town Board of Trustees desires to amend Article V of Chapter 18 of the Town of Kiowa Municipal Code (the “Municipal Code”), the Town’s Plumbing Code, as previously adopted by Town Ordinance No. 2022-01, to add a new Section 18-60 prohibiting the installation of graywater treatment works and the use of graywater within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KIOWA, COLORADO:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. Chapter 18, Article V of the Municipal Code, as adopted by Town Ordinance No. 2022-01, is hereby amended with the addition of a new Section 18-60 entitled *Prohibition on the Installation and Use of Graywater Treatment Works* to read in full as follows:

Sec. 18-60. Prohibition on the Installation and Use of Graywater Treatment Works.

- (a) **Prohibition.** No person shall install graywater treatment works or use graywater within the Town of Kiowa.
- (b) **Definitions.** As used in this Section, the following words shall have the following meanings:
 - 1. “Graywater” means that portion of wastewater collected from bathroom and laundry room sinks, bathtubs, showers, and laundry machines (but excluding wastewater from toilets, urinals, kitchen sinks, dishwashers, or nonlaundry utility sinks) in residential, commercial, or industrial buildings or institutional facilities before treatment or combination with other wastewater to be put to beneficial uses, as defined by Regulation 86 of the Colorado Water Quality Control Commission, Colorado Department of Public Health and Environment (5 CCR 1002-86, June 30, 2015).
 - 2. “Graywater treatment works” means an arrangement of devices and structures used to collect graywater from within a building or a facility and to treat, neutralize, or stabilize graywater within the same building or facility to the level necessary for its authorized uses.

Section 3. Notice of Ordinance. The Town Clerk is hereby directed to send written notice of this Ordinance, if adopted, to the Division of Administration, Department of Public Health and Environment pursuant to C.R.S. § 31-15-601(1)(m)(I)(B).

Section 4. Severability. If any part, section, subsection, sentence, clause or phrase of this Ordinance is held to be void, ineffective, or invalid, for any reason, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect, in accordance with Section 6.02 of the Town of Kiowa Home Rule Charter.

Section 5. No Existing Violation Affected. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6. Repealer. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not

affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 7. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Kiowa, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative objective sought to be obtained.

Section 8. Publication and Effective Date. The Town Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.03(5) of the Charter. This Ordinance shall be effective on the tenth (10) day after publication following final passage.

Section 9. Codification. The codifier of the Town’s Municipal Code is hereby directed to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance into the Town’s Municipal Code.

INTRODUCED, READ, AND ADOPTED FOR FINAL PASSAGE ON DECEMBER 09, 2025.

TOWN OF KIOWA, COLORADO:

Theresa Howard, Mayor

ATTEST:

Sasha Davidson, Town Clerk

CERTIFICATION OF PUBLICATION

I hereby attest and certify that on _____, the foregoing Ordinance was published by title in the Ranchland News, a newspaper of general circulation in the Town of Kiowa, together with a statement that the full text of the Ordinance is available for public inspection and acquisition in the office of the Town Clerk for the Town of Kiowa.

By: _____
Sasha Davidson, Town Clerk

**ORDINANCE NO. 2025-13
TOWN OF KIOWA, COLORADO**

**AN ORDINANCE OF THE TOWN OF KIOWA, COLORADO, APPROVING
A GIFT OF \$30,000 TO THE KIOWA MAIN STREET PROGRAM**

WHEREAS, the Town of Kiowa (“Town”) is a home rule municipality, and the Town’s Board of Trustees (“Board”) is authorized by Section 14.05 of the Town’s Home Rule Charter (“Charter”) to budget for the amount of money the Board may have available to donate for public purposes; and

WHEREAS, the Board, by Resolution 2025-13, adopted the Town’s budget for the 2026 fiscal year (“Budget”) and authorized the appropriation of funds for the amounts specified in the Budget, including \$30,000.00 for the Kiowa Main Street Program; and

WHEREAS, the Kiowa Main Street Program (“Kiowa Main Street”) is a community led organization created in close partnership with the Town, but it is not an official public body created by the Town; and

WHEREAS, by Town Resolution 2025-08, the Town Board of Trustees supported Kiowa Main Street’s application to become a candidate community in the Colorado Main Street Program (“Colorado Program”) for the purpose of revitalizing the Town’s main street corridor and committed to the revitalization of the Town’s main street corridor through the implementation of the principles of the Colorado Program in cooperation with Kiowa Main Street; and

WHEREAS, the Board finds that gifting Kiowa Main Street \$30,000.00 shall assist the public program with its initial funding so that it may begin working towards revitalizing the Town’s main street corridor; and

WHEREAS, the Board finds that revitalizing the Town’s main street corridor is in the best interest of the public health, safety and welfare; and

WHEREAS, Charter Section 14.05(3) requires all gifts and donations to be made by ordinance of the Town; and

WHEREAS, the Board desires to gift Kiowa Main Street \$30,000.00 for the purposes stated in these recitals.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF KIOWA, COLORADO:**

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. The Board of Trustees hereby authorizes and directs the Town Administrator to take all actions necessary and required to make a donation of \$30,000.00 to the Kiowa Main Street Program during the Town’s fiscal year of 2026 as approved in the Town’s 2026 Budget and appropriated by the Board.

Section 3. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Kiowa, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative objective sought to be obtained.

Section 4. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.03(5) of the Charter. This Ordinance shall be effective on the tenth (10) day after publication following final passage.

INTRODUCED, READ, AND ADOPTED FOR FINAL PASSAGE ON DECEMBER 09, 2025.

TOWN OF KIOWA, COLORADO:

Theresa Howard, Mayor

ATTEST:

Sasha Davidson, Town Clerk

CERTIFICATION OF PUBLICATION

I hereby attest and certify that on the date set forth below the foregoing Ordinance was published by title in the Ranchland News, a newspaper of general circulation in the Town of Kiowa, together with a statement that the full text of the Ordinance is available for public inspection and acquisition in the office of the Town Clerk for the Town of Kiowa.

Date of Publication: _____

By: _____
Sasha Davidson, Town Clerk

**ORDINANCE NO. 2025-14
TOWN OF KIOWA, COLORADO**

**AN ORDINANCE OF THE TOWN OF KIOWA, COLORADO, AMENDING SECTION
10-155 OF THE KIOWA MUNICIPAL CODE REGARDING ALCOHOL IN TOWN
PARKS UNDER A VALID SPECIAL EVENT LIQUOR PERMIT**

WHEREAS, C.R.S. § 31-15-101, *et seq.*, authorizes a municipality to enact regulations that promote health, safety, and welfare, and improve order, comfort, and convenience of the municipality and the inhabitants thereof; and

WHEREAS, under C.R.S. § 44-3-901(1)(i)(VII), a municipality may allow by ordinance the consumption of alcoholic beverages in any public place, such as a park, by adult persons twenty-one years of age or older; and

WHEREAS, currently under Section 10-155 of the Kiowa Municipal Code, alcoholic beverages may not be possessed or permitted within any Town park; and

WHEREAS, the Board of Trustees recognizes that there are Town-sponsored events held in Town parks where the sale and consumption of alcoholic beverages is desired; and

WHEREAS, the Board of Trustees therefore desires to amend Section 10-155 to allow for consumption and possession of alcohol in public parks during such events, when done pursuant to a valid Special Event Liquor Permit under C.R.S. § 44-5-101, *et seq.*

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF KIOWA, COLORADO:**

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. The Board of Trustees hereby amends Section 10-155 of the Kiowa Municipal Code as follows, with additions appearing in underline and deletions shown in strikethrough:

Section 10-155. Alcohol in Parks.

No alcoholic beverage of any type or description shall be possessed or permitted within any public park within the Town except where such possession is allowed under a valid Special Events Liquor Permit.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this Ordinance is held to be void, ineffective, or invalid, for any reason, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect, in accordance with Section 6.02 of the Town of Kiowa Home Rule Charter.

Section 4. No Existing Violation Affected. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, any rights acquired or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 5. Repealer. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Kiowa, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative objective sought to be obtained.

Section 7. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.03(5) of the Charter. This Ordinance shall be effective on the tenth (10) day after publication following final passage.

Section 8. Codification. The codifier of the Town’s Municipal Code is hereby directed to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance into the Town’s Municipal Code.

INTRODUCED, READ, AND ADOPTED FOR FINAL PASSAGE ON DECEMBER 8, 2025

TOWN OF KIOWA, COLORADO:

Theresa Howard, Mayor

ATTEST:

Sasha Davidson, Town Clerk

CERTIFICATION OF PUBLICATION

I hereby attest and certify that on the date set forth below the foregoing Ordinance was published by title in the Ranchland News, a newspaper of general circulation in the Town of Kiowa, together with a statement that the full text of the Ordinance is available for public inspection and acquisition in the office of the Town Clerk for the Town of Kiowa.

Date of Publication: _____

By: _____
Sasha Davidson, Town Clerk

**RESOLUTION NO. 2025-16
TOWN OF KIOWA, COLORADO**

**A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR
A RURAL ECONOMIC DEVELOPMENT INITIATIVE GRANT TO
THE COLORADO DEPARTMENT OF LOCAL AFFAIRS IN SUPPORT OF FUNDING
THE KIOWA MAIN STREET FAÇADE & SIGN IMPROVEMENT GRANT PROGRAM**

WHEREAS, the Town of Kiowa (“Town”) is committed to supporting economic development, community vitality, and downtown revitalization within the boundaries of the Town; and

WHEREAS, the Town’s main street corridor, running between Elbert Road to the west and CR-134 to the east along Comanche Street, serves as the historic, commercial, and civic center of the community, and reinvestment in the buildings along the Town’s main street corridor is essential to strengthening local businesses, improving visual appeal, and enhancing overall economic resilience of the Town; and

WHEREAS, many businesses and property owners along the Town’s main street corridor lack access to the capital necessary to complete significant exterior improvements, such as façade rehabilitation, signage upgrades, lighting improvements, accessibility enhancements, and other eligible exterior upgrades; and

WHEREAS, the Kiowa Main Street Program (“Kiowa Main Street”) is a community-led organization created in partnership with the Town, but it is not an official public body created by the Town; and

WHEREAS, by Town Resolution 2025-08, the Town Board of Trustees supported Kiowa Main Street’s application to become a candidate community in the Colorado Main Street Program (“Colorado Program”) for the purpose of revitalizing the Town’s main street corridor and committed to the revitalization of the Town’s main street corridor through the implementation of the principles of the Colorado Program in cooperation with Kiowa Main Street; and

WHEREAS, the Kiowa Main Street Board of Directors adopted its 2025-2028 Strategic Plan (“Strategic Plan”) that includes strategic priorities focused on enhancing the vitality of the Town’s main street corridor by completing certain types of projects, as set forth in the Strategic Plan; and

WHEREAS, Kiowa Main Street has developed the Kiowa Main Street Façade & Sign Improvement Grant Program (“Grant Program”), a copy thereof being attached hereto as **Exhibit 1**; and

WHEREAS, the Grant Program is an approved form of revitalization project under the Strategic Plan; and

WHEREAS, the Kiowa Main Street Board of Directors has requested funding assistance for the Grant Program from the Town; and

WHEREAS, the Town may support Kiowa Main Street and the Grant Program by pursuing Rural Economic Development Initiative (REDI) grant funding (“REDI Grant”) from the

Colorado Department of Local Affairs (DOLA) in the amount of \$50,000 that shall be passed through to Kiowa Main Street for the Grant Program; and

WHEREAS, the REDI Grant requires a 50% match of the funds awarded, and said match amount shall be met by and be the obligation of Kiowa Main Street and not the Town; and

WHEREAS, it is the desire of the Board of Trustees to authorize the submittal of an application for the REDI Grant; and

WHEREAS, the Board further desires to authorize the Town Administrator to finalize and submit an application for a REDI Grant for the benefit of Kiowa Main Street.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KIOWA, COLORADO, THAT:

Section 1. The above recitals are hereby adopted as the findings and determinations of the Board of Trustees for all purposes herein.

Section 2. The Board of Trustees hereby: (1) authorizes the Town Administrator to finalize and submit an application for a REDI Grant with DOLA for the benefit of Kiowa Main Street’s Grant Program; (2) directs the Town Administrator to provide such information as may be required or requested by DOLA with respect to the application; and (3) only upon the Town’s receipt of REDI Grant funds, authorizes and directs the Town Administrator to take all actions necessary to transfer the REDI Grant funds received by the Town to the Kiowa Main Street Program for the funding of the Grant Program.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED, ADOPTED, AND APPROVED this ___ day of December 2025, by the Board of Trustees of the Town of Kiowa, Colorado.

TOWN OF KIOWA, COLORADO

By: _____
Theresa Howard, Mayor

ATTEST:

By: _____
Sasha Davidson, Town Clerk

Attachments:

- Exhibit 1 - Kiowa Main Street Façade & Sign Improvement Grant Program

**RESOLUTION NO. 2025-16
TOWN OF KIOWA, COLORADO**

**A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR
A RURAL ECONOMIC DEVELOPMENT INITIATIVE GRANT TO
THE COLORADO DEPARTMENT OF LOCAL AFFAIRS IN SUPPORT OF FUNDING
THE KIOWA MAIN STREET FAÇADE & SIGN IMPROVEMENT GRANT PROGRAM**

WHEREAS, the Town of Kiowa (“Town”) is committed to supporting economic development, community vitality, and downtown revitalization within the boundaries of the Town; and

WHEREAS, the Town’s main street corridor, running between Elbert Road to the west and CR-134 to the east along Comanche Street, serves as the historic, commercial, and civic center of the community, and reinvestment in the buildings along the Town’s main street corridor is essential to strengthening local businesses, improving visual appeal, and enhancing overall economic resilience of the Town; and

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WHEREAS, the Kiowa Main Street Program (“Kiowa Main Street”) is a community-led organization created in partnership with the Town, but it is not an official public body created by the Town; and

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WHEREAS, the Kiowa Main Street Board of Directors adopted its 2025-2028 Strategic Plan (“Strategic Plan”) that includes strategic priorities focused on enhancing the vitality of the Town’s main street corridor by completing certain types of projects, as set forth in the Strategic Plan; and

WHEREAS, Kiowa Main Street has developed the Kiowa Main Street Façade & Sign Improvement Grant Program (“Grant Program”), a copy thereof being attached hereto as **Exhibit 1**; and

WHEREAS, the Grant Program is an approved form of revitalization project under the Strategic Plan; and

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WHEREAS, the Town may support Kiowa Main Street and the Grant Program by pursuing Rural Economic Development Initiative (REDI) grant funding (“REDI Grant”) from the

Colorado Department of Local Affairs (DOLA) in the amount of \$50,000 that shall be passed through to Kiowa Main Street for the Grant Program; and

WHEREAS, the REDI Grant requires a 50% match of the funds awarded, and said match amount shall be met by and be the obligation of Kiowa Main Street and not the Town; and

WHEREAS, it is the desire of the Board of Trustees to authorize the submittal of an application for the REDI Grant; and

WHEREAS, the Board further desires to authorize the Town Administrator to finalize and submit an application for a REDI Grant for the benefit of Kiowa Main Street.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KIOWA, COLORADO, THAT:

Section 1. The above recitals are hereby adopted as the findings and determinations of the Board of Trustees for all purposes herein.

Section 2. The Board of Trustees hereby: (1) authorizes the Town Administrator to finalize and submit an application for a REDI Grant with DOLA for the benefit of Kiowa Main Street's Grant Program; (2) directs the Town Administrator to provide such information as may be required or requested by DOLA with respect to the application; and (3) only upon the Town's receipt of REDI Grant funds, authorizes and directs the Town Administrator to take all actions necessary to transfer the REDI Grant funds received by the Town to the Kiowa Main Street Program for the funding of the Grant Program.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED, ADOPTED, AND APPROVED this ___ day of December 2025, by the Board of Trustees of the Town of Kiowa, Colorado.

TOWN OF KIOWA, COLORADO

By: _____
Theresa Howard, Mayor

ATTEST:

By: _____
Sasha Davidson, Town Clerk

Attachments:

- Exhibit 1 - Kiowa Main Street Façade & Sign Improvement Grant Program



INVOCATION/PLEDGE OF ALLEGIANCE

Trustee Shafer gave the invocation, and Mayor Howard led the Board in the Pledge of Allegiance.

CALL TO ORDER/ ROLL CALL

Mayor Howard called the special monthly meeting of the Board of Trustees to order on November 12, 2025, at 7:03 PM.

Present: Mayor Howard, Mayor Pro Tem Hart, Trustee Shafer, Trustee Wineland, Trustee Smith, and Trustee Schantz. The Town of Kiowa had a quorum to conduct business.

Trustee Stahl was absent.

Also present:

Kim Boyd, Town Administrator

Sasha Davidson, Town Clerk

Joshua Myers, Michow Guckenberger & McAskin, LLP

AGENDA CONSENT

Trustee Wineland motioned to approve the agenda with a revision to remove the first public hearing, and Mayor Pro Tem Hart seconded, and the motion was carried 6-0 with no discussion.

PUBLIC COMMENT

1. Tabitha King, 222 Comanche Street, Kiowa
2. Joey Kuhn, 222 Comanche Street, Kiowa

PUBLIC HEARING

3. Mayor Howard opened the public hearing at 7:08 pm regarding the second reading of the 2026 Proposed Budget.

Mayor Howard closed the public hearing with no public comment being made from anyone present or online—discussion by Trustee Smith.

NEW BUSINESS

4. Trustee Wineland made the motion to approve the 2026 Proposed Budget, and Mayor Pro Tem Hart seconded. Motion carried 6-0 with no further discussion.
5. Trustee Wineland made the motion to approve Resolution 14, Series 2025, a Resolution of the Town of Kiowa, Elbert County, Colorado, Supporting the Application to the Colorado Department of Affairs for the Main Street Candidate Program, and Trustee Shafer seconded the motion. Motion carried 6-0 with no discussion.

6. Trustee Smith made the motion to approve Resolution 15, Series 2025 — a Resolution of the Board of Trustees of the Town of Kiowa, Colorado, Adopting an Expedited Review ("Fast Track") Process for Qualifying Affordable Housing Development Projects, Pursuant to Proposition 123 and C.R.S. § 29-32-105 et seq., and Trustee Shafer seconded the motion. Motion carried 6-0 with no discussion.

STAFF REPORTS

7. Mayor

Mayor Howard gave positive feedback to the Main Street Board's first public event, Drive-in Movie Night on Saturday, November 1st.

8. Board of Trustees

Mayor Pro Tem Hart reported a manhole cover off in the sidewalk between ECCO and the hair salon next door. As well, reported that the seniors are looking for some assistance with kitchen improvements at the senior center.

9. Town Attorney

Spoke to the memorandum distributed to the board via email a couple of weeks prior regarding Mayfield's request to disconnect their property from the town. The board gave informal approval to draft an application seeking to disconnect from the Town.

10. Town Administrator

a) Town Parks Improvement Project

The first survey received 116 responses, reflecting a wide range of community input. Among the most common requests were for a splash pad and a jump pad. We are also evaluating the feasibility and cost of adding a splash pad in Nordman Park.

b) Kiowa Main Streets

Attendance was modest, but feedback was overwhelmingly positive, with strong community interest in continuing the event in the drive-in format. The final application will be submitted by the end of the month for consideration at the December meeting of Main Streets Colorado, with final consideration for the program.

c) Upcoming Town Events

The Kiowa Christmas Event, featuring the annual ECCO's Christmas for Kids Kick-Off, will be held on November 29th, starting at 11:00 a.m.

11. Public Works

None.

12. Code Enforcement

The report for the 3rd quarter is included in the November meeting packet; no discussion.

CONSENT ITEMS

13. Mayor Pro Tem Hart moved to approve the minutes of October 14, 2025, and Trustee Wineland seconded the motion. Motion carried 6-0 with no discussion.

Trustee Wineland moved to approve the YTD expenditures from November 2025, and Trustee Smith seconded the motion. Motion carried 6-0 with no discussion.

BOARD TRAINING

Josh Myers conducted ethics training with the Board.

Mayor Howard made the motion to move into Executive Session, and Trustee Shafer seconded the motion. Motion carried 6-0 with no discussion.

EXECUTIVE SESSION

Executive Session pursuant to C.R.S. Sections 24-6-402(4)(a) and (b) for the purposes of considering the Town’s purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests, and receiving legal advice on specific legal questions related to the Town’s purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests; and under Town Charter Sections 3.12(1)(b) and (c), for the purposes of considering the acquisition or disposal of property, the public disclosure of which, at this time, may give other parties an unfair competitive or bargaining advantage, and receiving legal advice from the Town Attorney on such matters.

NEW BUSINESS

Trustee Shafer moved to direct the Town Administrator and Town Attorney to proceed with the next steps in conformance with the information discussed during the executive session, and Trustee Wineland seconded the motion. Motion carried 6-0 with no discussion.

DISCUSSION/COMMUNICATIONS

None.

ADJOURN

Trustee Wineland moved to adjourn at 10:17 p.m. Trustee Shafer seconded, and the motion passed 6-0 with no discussion.

Approved:

Theresa Howard, Mayor

Kimberly Boyd, Town Administrator

Statement of Financial Position

Town of Kiowa
As of December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
Assets	
Current Assets	
Bank Accounts	
1010 TOK Primary Checking (6476)	125,032.98
1020 TOK Money Market Account (6484)	788,981.25
1050 Petty Cash	120.41
Total for Bank Accounts	\$914,134.64
Accounts Receivable	
1100 Accounts Receivable (A/R)	65,276.07
1101 Property Tax Receivable	186,050.00
Total for Accounts Receivable	\$251,326.07
Other Current Assets	
1493 Investment in Fixed Assets	0.00
Total for Other Current Assets	\$0.00
Total for Current Assets	\$1,165,460.71
Fixed Assets	
1492 Buildings	0.00
1540 Furniture & fixtures	0.00
1600 Accumulated depreciation	0.00
6750 Equipment & Furniture	0.00
Total for Fixed Assets	\$0.00
Total for Assets	\$1,165,460.71
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable (A/P)	127,997.11
Total for Accounts Payable	\$127,997.11
Credit Cards	
2040 VISA (5418)	44.85
Total for Credit Cards	\$44.85
Other Current Liabilities	
2104 Deferred Revenue	\$0.16
2114 Committed Fund Balance Conservation Trust	13,085.00
2124 Committed Fund Balance Road and Bridge	247,177.00

Statement of Financial Position

Town of Kiowa
As of December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
Total for 2104 Deferred Revenue	\$260,262.16
2105 Deferred Property Tax	186,050.00
2109 Adjustment for TABOR	-15,054.00
2210 Payroll tax to pay	\$0.00
2211 FICA- Payroll Taxes	-7,848.17
2212 FIT	7,313.07
2213 Colorado SIT	544.00
2214 Retirement benefits to pay 457	-60.00
2215 FUTA	-130.94
2216 CO FLI - Family leave	4.50
2217 Colorado SUI	-66.27
2501 ICMA 401(a)	-3,395.49
Total for 2210 Payroll tax to pay	-\$3,639.30
2510 Impact Fees Collected	6,271.43
Fund Balance--Res'd for Emergency	14,554.00
Total for Other Current Liabilities	\$448,444.29
Total for Current Liabilities	\$576,486.25
Total for Liabilities	\$576,486.25
Equity	
3150 Opening balance equity	-0.06
3300 Retained Earnings	644,566.70
Net Income	-55,592.18
Total for Equity	\$588,974.46
Total for Liabilities and Equity	\$1,165,460.71

Statement of Activity

Town of Kiowa

January 1-December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
Income	
4000 Tax Revenue	
4010 Roads & Streets	\$377.97
4011 Road & Bridge Distribution	68,049.82
4012 Highway Users Tax Fund (HUTF)	25,893.19
Total for 4010 Roads & Streets	\$94,320.98
4015 Cigarette Distribution	1,761.80
4020 Current Interest	106.15
4050 Personal Property Exemption	601.00
4051 Property Tax	159,029.97
4060 Sales Tax - DOR	260,796.49
4061 Senior/Vet Exemption	1,658.14
4062 Severance & Mineral Tax Distribution	81.00
4063 Specific Ownership Taxes (SOT)	21,636.54
4065 Use tax	16,187.33
4067 Conservation Trust Fund (CTF)	6,188.20
Total for 4000 Tax Revenue	\$562,367.60
4200 Contributed Income	
4210 Government Grants & Contracts	
4215 DOLA - EIAF 9734 Grant	303,194.23
4216 CDOT - TAP Grant	243,277.87
Total for 4210 Government Grants & Contracts	\$546,472.10
4220 Sponsorships & Donations	
4221 Annual Town Events	15,800.00
4222 Town Parks Improvement Project - Donations	3,216.84
4224 Main Street Fundraising & Event Sponsorships	165.00
Total for 4220 Sponsorships & Donations	\$19,181.84
Total for 4200 Contributed Income	\$565,653.94
4250 Sales	
4251 Business License Fees	3,675.84
4252 Building Permit and Plan Review Fees	61,005.90
4254 Dog License Fee	31.50
4256 Liquor License Renewal Fee	100.00
4257 Special Event Liquor License Fee	500.00
4258 Solicitor Permit	110.00
4259 Records Request Fees	10.00
4261 Court Fines	350.00
Total for 4250 Sales	\$65,783.24
4280 Franchise Tax	
4281 Black Hills	9,851.99

Statement of Activity

Town of Kiowa

January 1-December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
4282 Comcast	200.00
4283 CORE	15,467.44
Total for 4280 Franchise Tax	\$25,519.43
4400 KWWA Operating Contract	76,867.43
Total for Income	\$1,296,191.64
Gross Profit	\$1,296,191.64
Expenses	
6000 Payroll expenses	
6010 Salary & Wages	
6030 Salary & Wages- Public Works-Streets	21,026.33
6040 Salary & Wages - Admin Staff	114,820.74
Total for 6010 Salary & Wages	\$135,847.07
6020 Board Monthly Stipend	7,800.00
6100 Payroll Taxes (Employer)	12,129.01
6210 Deferred Health Care	18,493.75
6212 ToK Benefit Expense	3,022.17
6250 Reimbursements - Employee	1,619.73
6270 MyPay Solutions Contractual Fees	1,786.71
Total for 6000 Payroll expenses	\$180,698.44
6281 Team Building	582.66
6290 Professional Training & Conference	\$6,660.52
6240 Boards & Commissions	90.00
Total for 6290 Professional Training & Conference	\$6,750.52
6300 Advertising & Public Notices	\$510.75
6310 Display Ads	1,517.00
6320 Public Notices	1,903.65
6330 Town Sponsored Events	5,813.94
Total for 6300 Advertising & Public Notices	\$9,745.34
6400 Subcontractor	
6401 Snowplowing	5,411.25
6402 Christmas Tree Lights	4,600.00
6403 Event Coordinator	1,250.00
Total for 6400 Subcontractor	\$11,261.25
6500 Insurance	
6510 CIRSA Insurance (PC & Liability)	22,105.64
6512 CIRSA (Workers Compensation)	-325.05
6530 STD & LTD Insurance	76.52
Total for 6500 Insurance	\$21,857.11
6601 Donations & Sponsorships to Others	10,634.56
6605 Licenses & Permits	10.00

Statement of Activity

Town of Kiowa

January 1-December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
6620 Meals & Entertainment	\$661.84
6621 Community Engagement	924.44
Total for 6620 Meals & Entertainment	\$1,586.28
6630 Dues & Subscriptions	
6631 Newspaper & Publication Subscription	1,050.50
6632 Website/Apps	\$1,333.26
6632.1 Accounting Software - Intuit QuickBooks	1,218.87
6632.2 Adobe Subscription	479.80
6632.4 Indeed	506.46
6632.7 Town website	72.13
6632.9 Zoom	590.14
Total for 6632 Website/Apps	\$4,200.66
6633 Professional Memberships	5,217.33
Total for 6630 Dues & Subscriptions	\$10,468.49
6710 Repairs & maintenance	
6711 Trash and Janitorial	1,818.34
6712 Repairs & Maintenance - Streets	12,374.57
6713 Repair & Maintenance - Town Hall	3,855.11
6714 Repairs & Maintenance - Parks & Rec	8,904.18
Total for 6710 Repairs & maintenance	\$26,952.20
6760 Rent & Lease Equipment	
6761 Parks & Rec - Parker Port-a Potty	9,749.62
6762 Equipment Purchase/Lease	24,356.71
Total for 6760 Rent & Lease Equipment	\$34,106.33
6770 Facility rental	95.55
6771 Town Event Entertainment	20,644.38
6800 General Office Expenses	\$13,860.85
6805 Shipping & Postage	384.48
6820 Office supplies	\$3,486.83
6822 Supplies for Events/Specialty	\$14,218.33
6826 Town apparel	1,590.57
Total for 6822 Supplies for Events/Specialty	\$15,808.90
6823 Specific Use Supplies & Materials for Parks	485.69
6824 Specific Use Supplies for R & B	11,961.13
Total for 6820 Office supplies	\$31,742.55
6821 Specific Use Supplies for Office	2,546.41
6830 Copier Lease	3,323.38
6850 Computer Supplies/Software & apps	8,911.18
6860 Printing & Photocopying	4,410.21
Total for 6800 General Office Expenses	\$65,179.06

Statement of Activity

Town of Kiowa

January 1-December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
6900 Utilities	\$762.47
6905 Utilities- Power - CORE	2,714.96
6906 Utilities- Power- Street Lights - CORE	11,423.43
6910 Utilities- Heat - Black Hills	2,994.36
6920 Utilities - Water and Sewer - KWWA	5,215.76
6940 Utilities Telephone/Internet	5,592.49
6970 Security/Alarm Monitoring	4,076.43
Total for 6900 Utilities	\$32,779.90
7000 Professional Services	
7016 Legal Services	
7012 Legal Services - General Counsel	34,806.50
7013 Legal Services - Special Counsel	280.50
7014 Professional Services - Municipal Court	12,358.68
Total for 7016 Legal Services	\$47,445.68
7020 IT Services	\$1,319.32
7021 Professional - IT - Phoenix Technologies	10,685.61
7022 Professional - Web Design	2,180.00
Total for 7020 IT Services	\$14,184.93
7030 Financial Services	
7031 Professional Services - Accountant	1,021.71
7032 Professional Services - Auditor	16,500.00
Total for 7030 Financial Services	\$17,521.71
7040 Consulting Services	
7041 Professional - Consulting - SafeBuilt	38,773.23
7042 Professional - Consulting - Kimley-Horn	721,428.69
7043 Professional - Consulting - CORE Engineering	2,200.00
Total for 7040 Consulting Services	\$762,401.92
7070 IGA with ECSO	60,996.00
7090 Professional Services- Other	\$200.00
7091 Professional - Code Enforcement	12,677.85
7092 Professional - Fischer Project Mgmt	10,000.00
7094 Professional Services - Security	735.00
Total for 7090 Professional Services- Other	\$23,612.85
Total for 7000 Professional Services	\$926,163.09
7100 Bank Charges & Fees	566.79
7200 Vehicle Expenses	
7210 Vehicle Gas & Fuel	3,294.25
7220 Licenses/Registrations	22.47
7230 Vehicle - Repairs Maintenance	4,963.62
Total for 7200 Vehicle Expenses	\$8,280.34

Statement of Activity

Town of Kiowa

January 1-December 5, 2025

DISTRIBUTION ACCOUNT	TOTAL
7400 Road and Streets Repair	1,500.00
7500 Other Miscellaneous Expense	\$500.00
7503 Elbert County Clerk & Recorder	1,079.25
7504 Elbert CO Treasurer Fee	3,234.34
Total for 7500 Other Miscellaneous Expense	\$4,813.59
Total for Expenses	\$1,374,675.88
Net Operating Income	-\$78,484.24
Other Income	
8000 Interest Income	23,337.44
Total for Other Income	\$23,337.44
Other Expenses	
7505 Miscellaneous Receipts	445.38
Total for Other Expenses	\$445.38
Net Other Income	\$22,892.06
Net Income	-\$55,592.18