



**CALL TO ORDER/ ROLL CALL**

Mayor Howard called the special meeting of the Board of Trustees to order on July 22, 2025, at 7:03 PM.

Present: Mayor Howard, Mayor Pro Tem Hart via Zoom, Trustee Stahl, Trustee Wineland, Trustee Shafer, and Trustee Smith were present in person. The Town of Kiowa had a quorum to conduct business.

Trustee Shafer joined late at 7:04 pm.

Also present:

Kim Boyd, Town Administrator  
Sasha Davidson, Town Clerk  
Ruth Borne, general counsel for the Town of Kiowa  
Mona Schantz, local business owner and resident  
Chris Schantz, local property owner  
Debbie Ullom, local business and property owner  
Nikki Ullom, local property owner  
Annette Burmaster, local business owner  
Jay Vier, Main Street and Kiowa Lions Club board member  
Joey Kuhn, local business owner and Main Street board member  
Dean McAllister, local resident  
Dave Elbert, local business owner  
Keith Westfall, local business owner  
Rick Pettit, local resident and business owner  
Scott Kellogg, local business owner  
Jesie McElroy, local business owner  
David Summers, local property owner  
Karen Neveling, lives in Ramah and is employed by local business  
Scott Stillman, local business owner  
David Lindauer, owner of Maverix Broadband  
Theresa Lowry, resident and KWWA board member via Zoom  
Richard Croisant, resident via Zoom  
Laura B via Zoom  
Danielle Ullom, resident via Zoom  
K Anderson via Zoom  
Ashley via Zoom  
Tom via Zoom

## **AGENDA CONSENT**

Trustee Stahl motioned to approve the agenda, and Trustee Wineland seconded, and the motion was carried 6-0 with no discussion.

## **PUBLIC COMMENT**

1. *Annette Burmaster – Owner of Patty Ann’s Café at 230 Comanche Street, Kiowa.* Spoke to the moratorium and the proposed ordinance.
2. *Debbie Ullom – local property owner at 228 Comanche Street, Kiowa.* Spoke to the moratorium.
3. *Nikki Ullom – local property owner, Kiowa.* Spoke to the moratorium.
4. *Joey Kuhn - Owner of Just Peachy Day Spa at 320 Comanche Street, Kiowa.* Spoke to the moratorium, the feasibility of businesses, and suggested a class action lawsuit.
5. *Dave Elbert, local business owner at Elbert Tax Services, Kiowa.* Spoke to the moratorium.
6. *Keith Westfall, local business owner of High Plains Survey, Kiowa.* Spoke to the moratorium.
7. *Rick Pettit, local resident and business owner of Elbert County Title & Abstract, Kiowa.* Spoke to the finances of the town and previous issues with Tim Craft.
8. *Scott Kellogg, local business owner of Kellogg Contracting.* Spoke to the moratorium.
9. *Karen Neveling, lives in Ramah and is an employee of a local business.* Spoke to the moratorium.
10. *Scott Stillman, local business owner of Prism Build, Kiowa.* Spoke to the moratorium and what he had done for Kiowa, to date. Advised that he called the State Attorney General's Office to inquire about a class action lawsuit.
11. *David Lindauer, owner of Maverix Broadband.* Spoke to his previous issue in obtaining a right-of-way permit from the town, his inability to locate minutes and agendas on the town website, and the moratorium.
12. *David Summers, local property owner, Kiowa.* Spoke to the moratorium and the possibility of creating incentives for current property owners along SH-86 to help expand the town center.
13. *Annette Burmaster – Owner of Patty Ann’s Café at 230 Comanche Street, Kiowa.* Spoke to the moratorium, Main Streets, and the regulatory issues also under the moratorium.

14. *Joey Kuhn - Owner of Just Peachy Day Spa at 320 Comanche Street, Kiowa.* Spoke to the moratorium and the feasibility of businesses.
15. *Jesi McElroy – Partner at Unbridled Contractors.* Spoke to the moratorium and asked if the Board would consider changing the Town Charter to allow local business owners the ability to also vote in the Town’s general and special elections. Voiced an interest in serving on town boards, commissions, or committees.

**NEW BUSINESS**

16. Ms. Schantz answered questions from the board about her application and her desire to serve on the board. Trustee Smith made a motion to accept Ms. Shantz's application, and Trustee Stahl seconded it. The motion passed 6-0 with no further discussion. Clerk Davidson administered Ms. Shantz's oath of office, and Trustee Schantz took her seat at the table, filling the remaining spot on the board.

**POLL VOTE**

Trustee Wineland	AYE
Mayor Howard	AYE
Mayor Pro Tem Hart	AYE
Trustee Schafer	AYE
Trustee Stahl	AYE
Trustee Smith	AYE

17. Trustee Smith made a motion to approve RESOLUTION NO. 9, SERIES 2025, TOWN OF KIOWA, ELECTION RESOLUTION FOR 2025 ELECTION BALLOT, and Trustee Wineland seconded the motion. The motion carried 6- with no further discussion.

**PUBLIC HEARINGS**

18. ORDINANCE 5, SERIES 2025, AN AMENDMENT OF THE EMERGENCY ORDINANCE NO. 4, SERIES 2025 ESTABLISHING A TEMPORARY MORATORIUM IN TOWN CENTER FOR ANY ADDITIONAL BUSINESSES, OFFICES OR OTHER NON-REVENUE PRODUCING ACTIVITIES; AND DECLARING AN EMERGENCY FOR THE TOWN OF KIOWA, COLORADO

Trustee Schantz made motion to repeal ORDINANCE NO. 4, SERIES 2025 and Trustee Wineland seconded. No vote was taken.

**PUBLIC COMMENT ON ORDINANCE 5, SERIES 2025**

19. *Annette Burmaster – Owner of Patty Ann’s Café at 230 Comanche Street, Kiowa.* Spoke to the moratorium and the proposed exceptions of this ordinance.
20. *Dean McCallister, local property owner, Kiowa.* Spoke to the moratorium and how it came into existence.

21. *Debbie Ullom – local property owner at 228 Comanche Street, Kiowa.* Spoke to the suggested exceptions and asserted that no false information has been disseminated.
22. Trustee Shafer made a motion to table the motion on the table to repeal ORDINANCE 4, SERIES 2025, to hear the substantive content of ORDINANCE 5, SERIES 2025 first. Trustee Stahl seconded the motion. Motion passed 6-1 with Trustee Schantz opposing.
23. *Joey Kuhn - Owner of Just Peachy Day Spa at 320 Comanche Street, Kiowa.* Spoke to the moratorium and the feasibility of businesses.
24. *Kelly Wojetch, local property owner, Kiowa.* Spoke to the moratorium and her concerns with the discussion on the proposed rezoning of the Town Center.
25. *Jesi McElroy – Partner at Unbridled Contractors.* Spoke to the moratorium and proposed striking it.
26. Trustee Wineland made a motion to un-table the motion to repeal ORDINANCE 4, SERIES 2025, and Trustee Schantz seconded the motion. Motion passed 5-2 with Trustee Schantz opposing.
27. Trustee Schantz’s motion to repeal ORDINANCE 4, SERIES 2025, is back on the table, and Trustee Wineland has already seconded it. Motion passed 4-3 with Mayor Howard, Maro Pro Tem Hart, and Trustee Shafer opposing.

POLL VOTE

Trustee Wineland	AYE
Mayor Howard	NAY
Mayor Pro Tem Hart	NAY
Trustee Schafer	NAY
Trustee Stahl	AYE
Trustee Smith	AYE
Trustee Schantz	AYE

Administrator Boyd asked Ms. Borne to clarify her previous information regarding a requirement to have a unanimous vote to repeal. Ms. Borne, after a cursory review of the Town Charter, advised that it would pass with a majority. Ms. Borne advised that a motion needs to be made to fail ORDINANCE 5, SERIES 2025, for the record since it is now not applicable.

Trustee Smith made a motion to strike down ORDINANCE 5, SERIES 2025, and Trustee Shafer seconded. The motion passed 7-0 with no further discussion.

POLL VOTE

Trustee Wineland	AYE
Mayor Howard	AYE
Mayor Pro Tem Hart	AYE
Trustee Schafer	AYE
Trustee Stahl	AYE
Trustee Smith	AYE
Trustee Schantz	AYE

Mayor Howard closed the public hearings at 8:54 pm

**DISCUSSION/COMMUNICATIONS**


None.

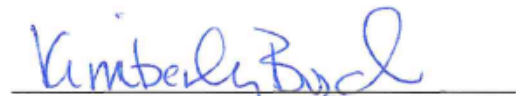
**ADJOURN**

Trustee Wineland moved to adjourn at 8:55 p.m. Trustee Shafer seconded, and the motion carried 7-0 with no discussion.

The next monthly meeting will be held on August 12, 2025.

**Approved:**

  
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Theresa Howard, Mayor

  
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Kimberly Boyd, Town Administrator