

# **AGENDA**

**TOWN OF HUDSON – TOWN COUNCIL  
REGULAR MEETING  
July 6, 2016 - 6:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER AND ROLL CALL**

**ADDITIONS TO AGENDA**

**CITIZEN'S COMMENTS**

**1) CONSENT AGENDA**

(Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member or Citizen so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Regular Agenda.)

- a. Town Council Meeting Minutes – June 15, 2016
- b. Payment of Bills

**2) GENERAL BUSINESS**

- a. **PUBLIC HEARING** - Liquor License for Ben's Brick Oven Pizza
- b. Resolution No. 16-16, A Resolution in Support of the Oil and Gas Industry
- c. Agreement for Bond Counsel services, Butler Snow, LLP
- d. Discussion: Eastridge Drainage Issues
- e. Discussion: Disposition of wastewater lagoon property

**3) STAFF REPORTS**

**4) ADJOURNMENT**

MINUTES  
TOWN OF HUDSON TOWN COUNCIL  
REGULAR MEETING  
June 15, 2016 - 6:00 P.M.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Mayor Patch called the meeting to order at 6:00 p.m.

ROLL CALL

Mayor, Raymond Patch - Present  
Mayor Pro-Tem, Laura Hargis – Absent  
Councilmember, Matt Cole – Present  
Councilmember, Christine Hamilton – Present  
Councilmember, Julia Stell – Present  
Councilmember, Joe Hammock – Present  
Councilmember, Maria Chavez - Present

Town Clerk/Treasurer, Linnette Barker took roll call, and a quorum of (5) Councilmembers were present.

Town Staff Present:

Town Manager – Joe Racine  
Town Attorney – Corey Hoffmann  
Town Clerk/Treasurer– Linnette Barker  
Town Clerk Pro-Tem – Becky Utecht  
Economic Development Director – Dan Hamsmith  
Utility and Public Works Director – Hunter Fobare  
Town Marshal – Brent Flot

ADDITIONS TO AGENDA

None

CITIZEN'S COMMENTS

Cheri Fulton, 320 Holly Street, reported that she would like to know if anything was being planned to correct the drainage issues on Holly Street after the recent neighborhood meeting. She claimed that if something is not done soon, the drainage issues on Holly Street will cause the residents on the east side of Holly Street to lose their septic systems. She requested to get copies of the original drainage plan and plot plan that is with the original subdivision development.

Rick Stell, 360 Holly Street, reported that he would also like a copy of the original drainage and plot plans.

Joe Racine, Town Manager, reported that he would make the original file available for the original drainage and plot plan of the subdivision. Ms. Fulton could contact the Town Hall to obtain the requested documents. He would be happy to have another meeting with the residents of Holly Street to discuss the documents and plan of action.

**1) CONSENT AGENDA**

(Consent Agenda Items are considered routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Councilmember or Citizen so requests, in which case the items may be removed from the Consent Agenda and considered at the end of the Regular Agenda.)

- a. Town Council Minutes, Regular Meeting, June 1, 2016
- b. Payment of Bills

Councilmember Hamilton made a motion, seconded by Councilmember Stell to approve the Consent Agenda.

The vote was as follows:

Aye: Councilmembers Chavez, Stell, Cole, Hamilton, Hammock and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

**2) GENERAL BUSINESS**

- a. Ordinance 16-05, Second Reading, An Ordinance Amending the Hudson Municipal Code by the addition thereto of a new Section 16-49 Entitled Naming of Municipal Streets

Joe Racine, Town Manager, reported that the proposed ordinance provides a process in the municipal code by which the Council can name a public street within the Town by resolution or by plat.

Councilmember Stell made a motion, seconded by Councilmember Cole to approve Ordinance 16-05, Second Reading, An Ordinance Amending the Hudson Municipal Code by the addition thereto of a new Section 16-49 Entitled Naming of Municipal Streets.

The vote was as follows:

Aye: Councilmembers Hammock, Cole, Stell, Chavez, Hamilton and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

- b. Resolution 16-13, An Intergovernmental Agreement for the extension of the WCR 49 Four-Lane Controlled-Access Highway through the Town of Hudson, Colorado

Corey Hoffmann, Town Attorney, reported that the Council had authorized one final push to come to an agreement with Weld County on the proposed widening of County Road 49. A call occurred between County Commissioner Kirkmeyer, the Weld County attorney and himself in an effort to build the framework for the agreement in today's revised IGA. The IGA was consistent with what the Council wanted, plus more. While there have been fundamental differences, Weld County does acknowledge that a portion of County Road 49 is a Town Street. Snow plowing, sweeping and other responsibilities have been retained by the Town. The language of the revised IGA is similar to the original one, with the exception of the termination provision, which has been removed. The IGA specifies that all parties will operate in good faith. He reported that the agreement is not terminable except for a breach and all jurisdictional issues have been resolved.

Joe Racine, Town Manager, reported that the agreement is the best the Town and Council can do. This would allow the road to be built and the Town to retain its jurisdiction.

Councilmember Chavez made a motion, seconded by Councilmember Hamilton to approve Resolution 16-13, An Intergovernmental Agreement for the extension of the WCR 49 Four-Lane Controlled-Access Highway through the Town of Hudson, Colorado

The vote was as follows:

Aye: Councilmembers Hammock, Cole, Stell, Chavez, Hamilton and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

c. Approval Policy 605, Hudson Town Marshal Policy and Procedure Manual

Brent Flot, Town Marshal, reported that the adoption of this procedure is to comply with Senate Bill 15-058 – Eyewitness Identification. The Colorado District Attorneys Council supplied the attached procedures.

Councilmember Cole made a motion, seconded by Councilmember Hamilton to approve Policy 605, Hudson Town Marshal Policy and Procedure Manual

The vote was as follows:

Aye: Councilmembers Hammock, Stell, Cole, Hamilton, Chavez and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

d. Resolution 16-14, Adopt 2016 Weld County Hazard Mitigation Plan

Dan Hamsmith, Economic Development Director, reported that the Weld County 2016 Hazard Mitigation Plan is a multi-jurisdictional plan, and the Town of Hudson's plan. The State of Colorado and FEMA have already adopted this plan. He reported that this is a five-year plan but has the capability of revisions as needed.

Councilmember Cole made a motion, seconded by Councilmember Hamilton to approve Resolution 16-14, Adopt 2016 Weld County Hazard Mitigation Plan

The vote was as follows:

Aye: Councilmembers Hammock, Stell, Cole, Hamilton, Chavez and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

e. Resolution 16-15, Electrician License Contemporaneous Review Guidelines

Joe Racine, Town Manager, reported that the Colorado legislature passed House Bill 1073, requiring continuing education for electricians. The bill also requires that inspectors must ensure that electricians doing work in the Town have met the requirements. The Town is required to adopt and post, including a website posing, the procedures that will be used to ensure compliance. Under the policy the Town will do the following:

- 1.) Ensure that the electrical contractor's license number is listed on permits that include electrical work.
- 2.) Check with the Colorado Department of Regulatory Agencies website to ensure that the license is active.
- 3.) Require notification of the Town if the electrician changes during a project.
- 4.) The Town's inspector "may" ask an electrician overseeing the work to verify compliance.

Corey Hoffmann, Town Attorney, reported that the bill was desired by electrical contractors and requires local government compliance.

Councilmember Cole made a motion, seconded by Councilmember Stell to approve Resolution 16-15, Electrician License Contemporaneous Review Guidelines

The vote was as follows:

Aye: Councilmembers Stell, Cole, Hamilton, Chavez, Hammock and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

f. & g. Agreement with George K Baum & Company, Street Bond Refinancing and Agreement with Butler Snow LLP, Bond Counsel Services

Joe Racine, Town Manager, reported that he had previously discussed looking into the possibility of saving some of the interest on the street bonds by refinancing at a lower rate. An additional option might be to combine the General Obligation Bond and the Sales Tax Revenue Bond. Timing was important due to the call date of the bonds in late 2017; therefore refinancing at this time would be an advance refinance and would require payment of a reoffering premium. There would be fees associated with the bond underwriter and bond counsel. He reported that with the direction of the Council he would like to move forward with the agreement with George K Baum & Company for underwriter services. He reported that this would only approve the contract, not the bond issue. At this time he does not have the agreement returned from Butler Snow LLP.

Mayor Patch made a motion, seconded by Councilmember Cole to approve the Agreement with George K Baum & Company, Street Bond Refinancing

The vote was as follows:

Aye: Councilmembers Stell, Cole, Hamilton, Chavez, Hammock and Mayor Patch

Nay - None

Mayor Patch declared the motion carried.

### 3) STAFF REPORTS

Corey Hoffmann, Town Attorney, reported that a case management conference has been scheduled for Friday, June 17, 2016 regarding the Library Litigation. A trial date for the Library Litigation has been scheduled for October 3, 2016. Weld County and High Plains Library have agreed to meet in mitigation to resolve without going to trial. A possible resolution may be reached by mid-September.

Dan Hamsmith, Economic Development Director, reported that on June 1, 2016 Gator Rubbish was sold to American Disposal. They will take over the contract with the Town. The company website is [www.americandisposal.com](http://www.americandisposal.com).

Brent Flot, Town Marshal, reported that the damaged patrol car is back in service. Lights have been installed on the code enforcement/animal control pick up. Since he has revised the Marshal schedule they have had less significant call-in times.

Hunter Fobare, Utility and Public Works Director, reported that he is very busy with the change and that Public Works is doing a phenomenal job. They have been busy mowing rights-of-way and open spaces. The decorative trashcans have been placed in the downtown area. They have been patching potholes throughout Town and have been working on maintenance and repairs with the irrigation system. He had his annual drinking water inspection with the State. The Utility Department is still installing water meters throughout Town. The re-build of the Shallow Well building is going well.

Chris Hamilton, Councilmember, reported that she would like to see a map with the layout on the original drainage plan on Holly Street. She thinks the NOAA radios work well and that the Habitat Groundbreaking Ceremony was great.

Joe Racine, Town Manager, reported that the original Eastridge Subdivision proposed drainage easements have never been obtained. There are many factors involved in remedying the drainage problem. He reported that a detention pond would need installed that would require an easement. He reported that he has not heard back from Verizon regarding the Cell Tower negotiations. Tim Camarillo conducted the Building Permit Cost Survey Comparison. A chart was distributed prior to the meeting.

**4) EXECUTIVE SESSION**

- a. To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. §24-6-402(4)(e) regarding the Pioneer Communities Development.

Councilmember Hamilton made a motion, seconded by Councilmember Cole to enter into executive session to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. §24-6-402(4)(e) regarding the Weld County Road 49 Intergovernmental Agreement. Motion carried unanimously.

Mayor Patch asked to let the record show that the motion passed. The Council entered into Executive Session at 6:46 p.m.

Mayor Patch reconvened the regular meeting of the Hudson Town Council at 7:29 pm.

**ADJOURNMENT**

The meeting adjourned at approximately 7:30 p.m.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Mayor

ATTEST

\_\_\_\_\_  
Town Clerk Pro-Tem

Report Criteria:

Report type: GL detail  
 Check.Type = {<-} "Adjustment"

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
06/30/2016	51859	27	United States Postal Service	063016	Utility Billing Postage	70-64-6722	69.70
06/30/2016	51859	27	United States Postal Service	063016	Utility Billing Postage	75-64-6722	69.70
Total 51859:							139.40
06/30/2016	51860	1103	Ablao Law LLC	683	Judicial Services - June 2016 Court	10-62-6633	300.00
Total 51860:							300.00
06/30/2016	51861	1330	American Disposal Services of Co	381901	Trash Service - 557 Ash Street	10-64-6633	266.00
Total 51861:							266.00
06/30/2016	51862	1154	A-One Chipseal	9258	Asphalt patching & overlay Road 49	10-68-9100	44,431.22
Total 51862:							44,431.22
06/30/2016	51863	886	At Your Service Electric	15401	Electrical for Office Trailer	10-68-6710	959.31
Total 51863:							959.31
06/30/2016	51864	45	AT&T	062916-0202	Long Distance Service	10-64-6410	50.52
06/30/2016	51864	45	AT&T	062916-0202	Long Distance Service	10-68-6410	25.26
06/30/2016	51864	45	AT&T	062916-0202	Long Distance Service	70-64-6410	25.25
06/30/2016	51864	45	AT&T	062916-0202	Long Distance Service	70-68-6410	25.25
Total 51864:							126.28
06/30/2016	51865	2	Atmos Energy	062816-4001	Natural Gas Utilities - 258 5th Ave.	10-68-6412	87.78
06/30/2016	51865	2	Atmos Energy	062916	Natural Gas Utilities - 509 Cherry Street	10-68-6412	27.15
06/30/2016	51865	2	Atmos Energy	062916-3014	Natural Gas Utility - 557 Ash Street	10-64-6412	20.82
06/30/2016	51865	2	Atmos Energy	062916-3014	Natural Gas Utility - 557 Ash Street	70-64-6412	20.82
Total 51865:							102.27
06/30/2016	51866	1285	Billie Stam	061316	Mileage	10-69-6213	72.26
Total 51866:							72.26
06/30/2016	51867	1104	Bomgaars	58185028	Lawn Sweeper	10-68-7736	349.99
Total 51867:							349.99
06/30/2016	51868	1258	Canon Solutions America	988695540	Repair Plotter	10-64-6633	549.32
Total 51868:							549.32
06/30/2016	51869	52	Cardmember Service	070116-0838	Coffeetime	10-69-6730	24.34
06/30/2016	51869	52	Cardmember Service	070116-0838	Finance Charges	10-64-6415	21.00
Total 51869:							45.34

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
06/30/2016	51870	46	CarQuest Auto Parts Stores	063016	Finance Charge	10-68-6415	3.20
06/30/2016	51870	46	CarQuest Auto Parts Stores	2057-IC-360	Battery Core Return	10-68-6740	173.99-
06/30/2016	51870	46	CarQuest Auto Parts Stores	378098	Truck Lights	10-68-6740	605.84
06/30/2016	51870	46	CarQuest Auto Parts Stores	380068	Truck Lights	10-68-6740	229.98
06/30/2016	51870	46	CarQuest Auto Parts Stores	380756	Truck Lights	10-68-6740	47.02
06/30/2016	51870	46	CarQuest Auto Parts Stores	380792	Returned Truck Lights	10-68-6740	220.11-
06/30/2016	51870	46	CarQuest Auto Parts Stores	44195	Returns	10-68-6710	259.25-
06/30/2016	51870	46	CarQuest Auto Parts Stores	44303	Returns	10-68-6740	15.93-
06/30/2016	51870	46	CarQuest Auto Parts Stores	FC3634496	Finance Charge	10-68-6415	5.80
06/30/2016	51870	46	CarQuest Auto Parts Stores	FC3646859	Finance Charge	10-68-6415	3.20
06/30/2016	51870	46	CarQuest Auto Parts Stores	FC3660006	Finance Charge	10-68-6415	3.20
Total 51870:							228.96
06/30/2016	51871	30	Century Link	060716-303-	Telephone Service - 303-536-4003	75-68-6410	102.22
06/30/2016	51871	30	Century Link	060716-303-	Telephone Service - 303-536-4753	10-64-6410	64.95
06/30/2016	51871	30	Century Link	060716-303-	Telephone Service - 303-536-9311	70-64-6410	89.53
06/30/2016	51871	30	Century Link	060716-303-	Telephone Service - 303-536-9311	75-68-6410	89.53
06/30/2016	51871	30	Century Link	060716-303-	Telephone Service - 303-536-9365	70-68-6410	53.91
Total 51871:							400.14
06/30/2016	51872	36	Colorado Analytical Laboratories I	160119029	Reg 85 Testing	75-68-6633	209.70
06/30/2016	51872	36	Colorado Analytical Laboratories I	160607103	Reg 85 Testing	75-68-6633	214.20
06/30/2016	51872	36	Colorado Analytical Laboratories I	160607106	Water Samples	70-68-6633	39.40
06/30/2016	51872	36	Colorado Analytical Laboratories I	160614077	Wastewater Samples	75-68-6633	113.40
06/30/2016	51872	36	Colorado Analytical Laboratories I	160621079	Wastewater Samples	75-68-6633	113.40
06/30/2016	51872	36	Colorado Analytical Laboratories I	16067106	Water Samples	70-68-6633	39.40
Total 51872:							729.50
06/30/2016	51873	37	Coren Printing Inc.	19663	YOTM signs	10-69-6730	96.00
Total 51873:							96.00
06/30/2016	51874	890	CPS Distributors Inc.	2314037-00	Irrigation Parts	10-69-6710	306.20
06/30/2016	51874	890	CPS Distributors Inc.	2314086-00	Supplies	10-68-6710	58.32
Total 51874:							364.52
06/30/2016	51875	578	Cummins Rocky Mountain	001-60538	Gen Set Service - 5549 WCR 47	70-68-6633	869.60
06/30/2016	51875	578	Cummins Rocky Mountain	001-60545	RO Genset Maintenance	70-68-6633	641.15
06/30/2016	51875	578	Cummins Rocky Mountain	001-60547	Town Hall Gen Set Service	10-68-6633	502.25
06/30/2016	51875	578	Cummins Rocky Mountain	001-60844	WLS Gen Set Service	75-68-6633	641.15
06/30/2016	51875	578	Cummins Rocky Mountain	001-60849	WWTP Gen Set Maintenance	75-68-6633	1,017.80
Total 51875:							3,671.95
06/30/2016	51876	437	Daniel Hamsmith	070116	June 2016 - Mileage	10-64-6213	166.32
Total 51876:							166.32
06/30/2016	51877	1329	Diana Dominguez	2864	2 Bounce Houses	10-69-6730	160.00
Total 51877:							160.00

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
06/30/2016	51878	33	DPC Industries Inc.	737002221-1	WW Chemicals	75-68-6710	916.14
06/30/2016	51878	33	DPC Industries Inc.	737002335-1	Chemicals - Sodium Bisulfite	75-68-6710	435.80
06/30/2016	51878	33	DPC Industries Inc.	737002336-1	Chemicals - Sodium Bisulfite	75-68-6710	475.80
Total 51878:							1,827.74
06/30/2016	51879	504	Eastgate Engraving & Awards LLL	5091	Name Plates - Council	10-61-6415	105.00
06/30/2016	51879	504	Eastgate Engraving & Awards LLL	5099	Name Plate- council	10-61-6415	48.00
06/30/2016	51879	504	Eastgate Engraving & Awards LLL	5099	Name Plate Staff	10-64-6415	54.00
06/30/2016	51879	504	Eastgate Engraving & Awards LLL	5099	Name Plate - Library	25-64-6415	78.00
Total 51879:							285.00
06/30/2016	51880	1271	Fastenal Company	COFTL 1217	Shop Supplies	10-68-6710	18.52
Total 51880:							18.52
06/30/2016	51881	71	Fischer Brown Bartlett & Gunn P.	29318	Legal Services	70-64-6630	823.50
Total 51881:							823.50
06/30/2016	51882	503	Flowmation Inc.	3587	RO Scada Repair	70-68-6652	300.00
Total 51882:							300.00
06/30/2016	51883	54	Fort Lupton City of	FIN2016150	O&M for Joint Water Treatment Facility	70-68-6515	5,485.10
Total 51883:							5,485.10
06/30/2016	51884	1074	Frontier Truck Equipment	35220	Truck Lights	10-66-7734	1,398.00
Total 51884:							1,398.00
06/30/2016	51885	396	Gator Rubbish	324200	Portable Toilet - June 2016	10-69-6415	131.61
Total 51885:							131.61
06/30/2016	51886	19	Grainger	9139648985	Drum Dolly	10-68-6710	167.85
Total 51886:							167.85
06/30/2016	51887	1045	Green Mountain Lawn & Tree Car	155150	Tree Spraying	10-69-6633	288.75
Total 51887:							288.75
06/30/2016	51888	22	Hoffmann Parker Wilson & Carber	408009	Legal Services - Administration	10-64-6630	3,679.50
06/30/2016	51888	22	Hoffmann Parker Wilson & Carber	408009	Legal Services - Municipal Court	10-62-6630	231.00
06/30/2016	51888	22	Hoffmann Parker Wilson & Carber	408009	Legal Services - Library Litigation	25-64-6630	458.50
06/30/2016	51888	22	Hoffmann Parker Wilson & Carber	408009	Legal Services - Litigation	10-64-6630	458.50
Total 51888:							4,827.50
06/30/2016	51889	276	Joe Racine	061616	Mileage	10-64-6213	32.94
06/30/2016	51889	276	Joe Racine	061616	Computer, Camera, Phone	10-64-6633	50.00
06/30/2016	51889	276	Joe Racine	061616	Medicare Reimbursement	10-64-6110	149.90
06/30/2016	51889	276	Joe Racine	070116	Computer, Camera, Phone	10-64-6633	50.00

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
06/30/2016	51889	276	Joe Racine	070116	Medicare Reimbursement	10-64-6110	150.90
06/30/2016	51889	276	Joe Racine	070116	Mileage	10-64-6213	30.24
Total 51889:							463.98
06/30/2016	51890	1105	Keene Auto Supply Inc.	356883	Supplies	10-68-6710	31.98
Total 51890:							31.98
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Town	10-64-6640	337.50
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Hudson Drive	10-68-6640	46.50
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Water	70-68-6640	300.15
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Hudson Hill	10-64-6640	162.75
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering -Well Building re-Design	70-64-6640	139.50
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Town Hall	10-64-6640	626.35
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - Eastridge	10-64-6640	1,124.85
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-001/000	Engineering - State Highway 52	10-64-6640	348.75
06/30/2016	51891	840	Ketterling Butherus & Norton Engi	1131-003-00	Engineering -Burlington No. Railroad Fesibility Study	10-64-6640	162.75
Total 51891:							3,249.10
06/30/2016	51892	1268	Lewis-Goetz and Company	BN030334	Meter Parts	70-68-6710	9.29
Total 51892:							9.29
06/30/2016	51893	1204	Longmont Ford	10033440	Truck Repair Paid twice	75-68-6740	433.66-
06/30/2016	51893	1204	Longmont Ford	6083898	Impala - motormount	10-66-6740	851.93
06/30/2016	51893	1204	Longmont Ford	6083898	Impala -Tranmission & maintenance	10-66-6740	4,877.95
06/30/2016	51893	1204	Longmont Ford	6084621	Charger - new tires, brakes, maintenance	10-66-6740	1,724.20
Total 51893:							7,020.42
06/30/2016	51894	1331	Mater Meter Inc.	153372	Master Meter Support	70-68-6633	1,500.00
Total 51894:							1,500.00
06/30/2016	51895	509	Quill Corporation	5899595	Table for Community Center	10-69-6730	598.80
06/30/2016	51895	509	Quill Corporation	5915238	Chairs for Community Chairs	10-69-6730	435.30
06/30/2016	51895	509	Quill Corporation	6126124	TH Comm Board	10-69-6730	90.69
Total 51895:							1,124.79
06/30/2016	51896	1234	Redman Pothole Service LLC	062416T	Water Line Locate	70-68-6710	1,000.00
Total 51896:							1,000.00
06/30/2016	51897	342	Roggen Farmer's Elevator Associ	517130	Weed Spray	10-69-6710	802.50
06/30/2016	51897	342	Roggen Farmer's Elevator Associ	711214	Weed Killer	10-69-6710	164.00
06/30/2016	51897	342	Roggen Farmer's Elevator Associ	7935	Propane	75-68-6419	442.75
Total 51897:							1,409.25
06/30/2016	51898	49	SAFEbuilt Inc	0025034-IN	Building Permits and Plan Review Services	10-65-6642	5,723.38

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
Total 51898:							5,723.38
06/30/2016	51899	131	Tribune The	4676047	Notice of Public Meeting	10-64-6620	19.80
Total 51899:							19.80
06/30/2016	51900	537	UMB Bank n.a.	396355	Administrative fee	22-64-6940	700.00
06/30/2016	51900	537	UMB Bank n.a.	396356	Administrative fee	23-71-7720	700.00
06/30/2016	51900	537	UMB Bank n.a.	396360	Administrative fee on Bond - Account #134307.1	60-64-6215	500.00
06/30/2016	51900	537	UMB Bank n.a.	396361	Administrative fee on Bond - Account #134308.1	60-64-6215	500.00
Total 51900:							2,400.00
06/30/2016	51901	5	United Power	06072016-15	Electric - 557 Ash Street	10-64-6413	121.18
06/30/2016	51901	5	United Power	06072016-15	Electric - 557 Ash Street	70-64-6413	121.18
06/30/2016	51901	5	United Power	062116	Hudson Street Lighting	10-68-6414	1,313.98
06/30/2016	51901	5	United Power	062116	Ballpark Lights	10-69-6413	24.36
06/30/2016	51901	5	United Power	062116	Big Ball Field Lights	10-69-6413	20.00
06/30/2016	51901	5	United Power	062116	Well - 22900 Service Rd	70-68-6413	30.25
06/30/2016	51901	5	United Power	062116	Lighting - 1100 5th Avenue	70-68-6413	35.59
06/30/2016	51901	5	United Power	062116	Water Pump Station - 800 E WCR 16	70-68-6413	176.96
06/30/2016	51901	5	United Power	062116-1690	Electric21507 Hwy 52	75-68-6413	1,549.60
06/30/2016	51901	5	United Power	062116-8669	Electric - 1175 6th Ave	70-68-6413	1,450.08
06/30/2016	51901	5	United Power	062116-9314	Electric - 5594 WCR 47	70-68-6413	299.04
Total 51901:							5,142.22
06/30/2016	51902	1327	United Site Services	114-4079258	Park Sanolet	10-69-6633	166.01
Total 51902:							166.01
06/30/2016	51903	99	USA BlueBook	975047	WW Supplies	75-68-6710	404.86
06/30/2016	51903	99	USA BlueBook	975047	Water Tools	70-68-6735	117.95
Total 51903:							522.81
06/30/2016	51904	536	Verizon Wireless	9766812001	Cell Phone Service - Mayor Patch	10-61-6411	52.44
06/30/2016	51904	536	Verizon Wireless	9766812001	Cell Phone Service - Admin	10-64-6411	17.20
06/30/2016	51904	536	Verizon Wireless	9766812001	Cell Phone Service- Marshal	10-66-6411	261.13
06/30/2016	51904	536	Verizon Wireless	9766812001	Cell Phone Service - PW	10-68-6411	43.97
06/30/2016	51904	536	Verizon Wireless	9766812001	Cell Phone Service - Rec Director Stam	10-69-6411	52.44
06/30/2016	51904	536	Verizon Wireless	9766812001	Water Cell Phone Service	70-64-6411	43.96
06/30/2016	51904	536	Verizon Wireless	9766812001	Water Ops Cell Phone Service	70-68-6411	43.96
06/30/2016	51904	536	Verizon Wireless	9766812001	Wastewater Cell Phone Service	75-68-6411	43.97
Total 51904:							559.07
06/30/2016	51905	293	Virulent Solutions Inc.	H160621	Computer, Server Updates and Maintenance	10-64-6633	902.50
Total 51905:							902.50
06/30/2016	51906	1288	Whiteside's #2 Inc.	248980	Boots	10-64-6710	80.00

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Invoice GL Account	Check Amount
Total 51906:							80.00
Grand Totals:							100,036.95

Report Criteria:

Report type: GL detail

Check.Type = {<>} "Adjustment"

## MEMORANDUM

**2.a.**

**To:** Town Council  
**From:** Joe Racine, Town Manager  
**Date:** July 6, 2016  
**Subject:** PUBLIC HEARING, Liquor license for Ben's Brick Oven Pizza

### **Attachments**

Attached is background information on the application by MBL, Inc., Mark and Lori Skoglund, for a beer and wine liquor license for Ben's Brick Oven Pizza, the new restaurant next to Love's. This meeting will include a public hearing on the application. For the Council to grant the license there must be a finding of the following:

- The needs and desires of the neighborhood are not currently being met by existing establishments.
- That the applicant is qualified to hold a liquor license.

Corey Hoffmann will be able to answer questions regarding the process at the hearing.

# PUBLIC HEARING

## Liquor License, Ben's Brick Oven Pizza

**CHAIR:** I WOULD LIKE TO OPEN THE PUBLIC HEARING REGARDING THE APPLICATION FOR A LIQUOR LICENSE FOR BEN'S BRICK OVEN PIZZA: (STATE TIME)

WILL THE CLERK PLEASE STATE THE PURPOSE OF THE HEARING?

**TOWN CLERK:**

A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING COMMENT ON THE APPLICATION BY BEN'S BRICK OVEN PIZZA FOR A NEW BEER AND WINE LIQUOR LICENSE FOR BEN'S BRICK OVEN PIZZA, LOCATED AT 101 EAST BISON HIGHWAY, HUDSON, COLORADO.

**CHAIR:** WAS THE NOTICE OF THIS HEARING PUBLISHED IN THE LOCAL NEWSPAPER?

**ADMINISTRATOR:**

THE HEARING NOTICE WAS PUBLISHED IN THE JUNE 14, 2016 EDITION OF THE GREELEY TRIBUNE.

**CHAIR: (ADDRESSES THE AUDIENCE)**

LET THE RECORD SHOW THAT THE REQUIRED PUBLIC NOTIFICATION FOR TONIGHT'S PUBLIC HEARING HAS BEEN MET AS STATED.

I WILL FIRST RECOGNIZE THE TOWN CLERK TO GIVE A PRESENTATION AND RESPOND TO QUESTIONS OF THE TRUSTEES. I WILL THEN RECOGNIZE THE APPLICANT AND MEMBERS OF THE AUDIENCE WHO WISH TO SPEAK TO THE COUNCIL REGARDING THE PROPOSED LIQUOR LICENSE.

**(STAFF PRESENTATION)**

**CHAIR:** IS THERE ANYONE REPRESENTING THE APPLICANT WHO WOULD LIKE TO MAKE A PRESENTATION?

**CHAIR:** IS THERE ANY MEMBER OF THE PUBLIC THAT WISHES TO ADDRESS THE TOWN COUNCIL ON THIS MATTER? IF SO, PLEASE SIGN IN AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

**CHAIR:** THERE BEING NO FURTHER PRESENTATIONS, I DECLARE THE PUBLIC HEARING IS CLOSED.

**CHAIR:** DO ANY OF THE COUNCILMEMBERS HAVE ANY REMAINING QUESTIONS OF STAFF ON THIS MATTER?

(WHEN IT APPEARS TO THE CHAIR THAT THE COUNCILMEMBERS HAVE NO FURTHER QUESTIONS)

**NEXT AGENDA ITEM**

Affidavit of Publication

STATE OF COLORADO

ss.

County of Weld,

I Kelly Ash

of said County of Weld, being duly sworn, say that I am an advertising clerk of

THE GREELEY TRIBUNE,

that the same is a daily newspaper of general circulation and printed and published in the City of Greeley, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper for consecutive (days): that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the first publication of said notice was contained in the Fourteenth day of June A.D. 2016 and the last publication thereof: in the issue of said newspaper bearing the date of the Fourteenth day of June A.D. 2016 that said The Greeley Tribune has been published continuously and uninterruptedly during the period of at least six months next prior to the first issue thereof contained said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

June 14, 2016

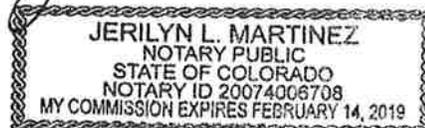
Total Charges: \$19.80

*Kelly Ash*

14th day of June 2016

My Commission Expires 2/14/2019

*Jessie L. Martinez*  
Notary Public



PUBLIC NOTICE

Pursuant to the laws of the State of Colorado and the Town of Hudson, MBL, Inc., dba Ben's Brick Oven Pizza has applied for a new Beer and Wine Liquor License proposed to be operated at 101 East Bison Hwy., Hudson, CO 80642. The Hudson Town Council acting as the Local License Authority will hold a public hearing on said application on Wednesday, July 6, 2016, at 6:00 p.m. at the Hudson Town Hall, 557 Ash Street, Hudson, Colorado, at which time and place any parties in interest may be present and be heard.

Any petitions or remonstrance letters pertaining to this application should be directed to the Hudson Town Clerk, 557 Ash Street, Hudson, CO 80642.

Dated this 2nd day of June, 2016.

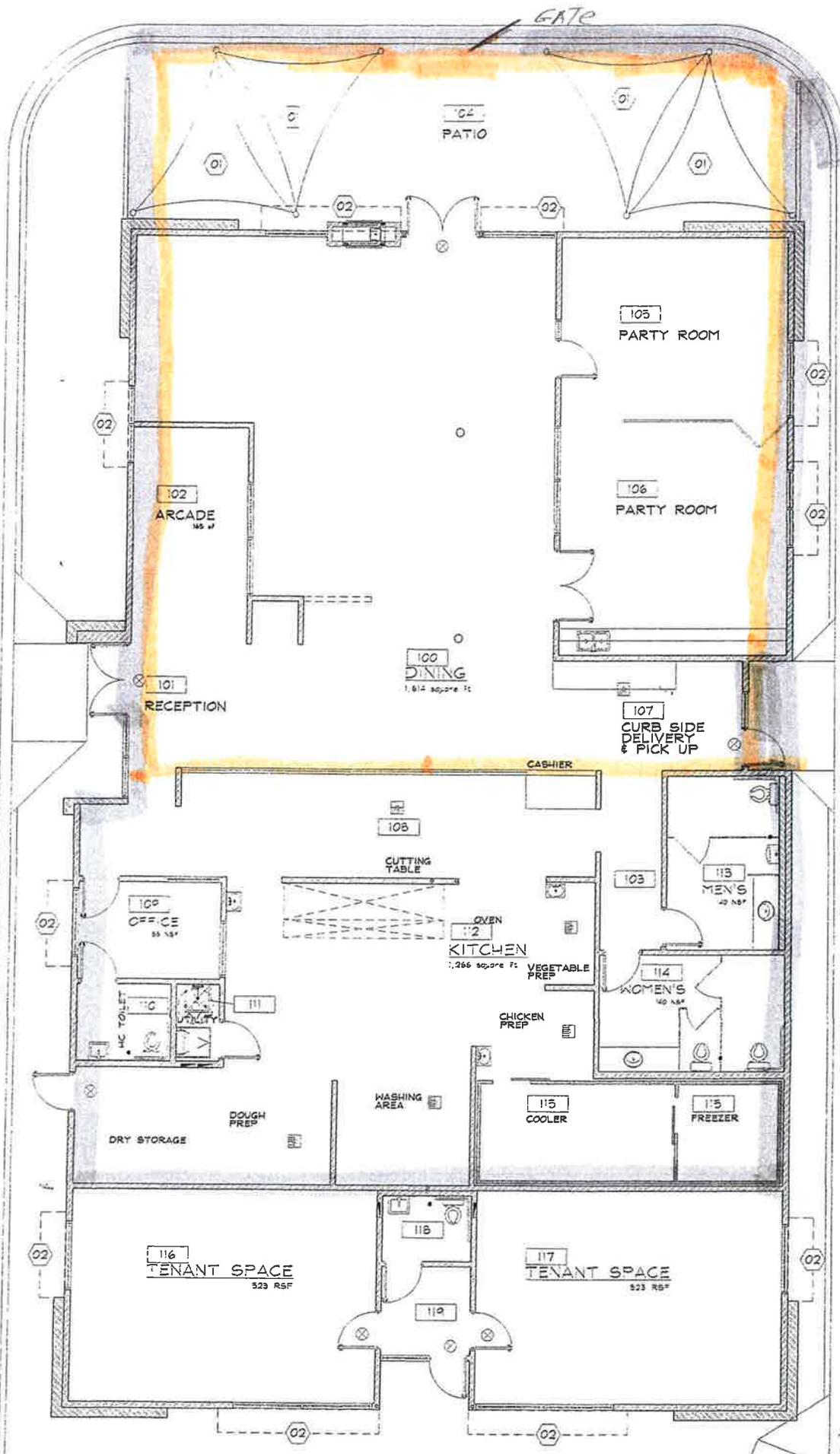
Linnette Barker, Town Clerk

The Tribune  
June 14, 2016

**PETITION TO THE TOWN OF HUDSON LIQUOR LICENSING AUTHORITY**

I, the undersigned, am aware that an application for a BEER AND WINE liquor license has been filed with the Town of Hudson by: MARK SKOGLUND  
 dba BEN'S BREAKFAST PIZZA, and proposed to be located at 101 E BISON HWY. I am at least 21 years of age and am a resident or owner or manager of a business located within the defined neighborhood boundaries of the proposed liquor establishment. I have indicated below whether I consider granting the above mentioned liquor license to be desirable and necessary for the reasonable requirements of the neighborhood:

Signature	Printed Name	Address	Business Owner/Manager or Resident	Date signed	Y	N
					e	o
					s	
	Kristine Bell	7762 CR 71 <sup>Rosper CO 80662</sup>	Valley Bank Manager	5-5-16	X	
	Ashley Ulrich	260 Birch St Hudson <sup>80642</sup>	Resident	5/6	X	
	Dwayne Porta	201 E Bison Hwy	Loups	5/6	X	
	Tom Albano	659 Cedar St	QDE <sup>Hot Rods</sup>	5/6	X	
	Linda Asprey	735 Birch St	Resident	5/6	X	
	Holly Huen	260 Birch St	Resident	5-6	X	
	Brandy Jensen	Box 181 Hudson <sup>CO 80642</sup> Keenesburg	Resident	5-6	X	
	Tim Jackson	P.O. Box Hudson CO 80642	CYCLING MANAGER	5-11	X	
	Jennifer Root	33 Beech <sup>Hudson CO 80642</sup> P.O. Box 522	Resident	5-18	X	
	Jacob Pfeifer	57 Beech St Hudson <sup>CO 80642</sup> P.O. Box 363	Resident	5-20	X	
	Amyl Hug	33 Beech Hudson CO 80642	Resident	5/21	X	
	Brian Greesan	33 Beech St Hudson CO 80642	resident	5-21	X	
	Joe Asprey	701 7th Ave 80642	MBR	5-25	X	
	Maria Retana	630 Cedar St Hudson <sup>CO 80642</sup>	owner	5-25-16	X	
	Randy Swanson	630 Cedar St Hudson <sup>CO 80642</sup>	Manager	5-25-16	X	



licensed area



OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

MBL, Inc.

is a

Corporation

formed or registered on 05/16/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151325376 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/24/2016 that have been posted, and by documents delivered to this office electronically through 05/26/2016 @ 07:39:54 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/26/2016 @ 07:39:54 in accordance with applicable law. This certificate is assigned Confirmation Number 9669096 .



A handwritten signature in cursive script that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF DOCUMENT FILED**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Articles of Incorporation

with Document # 20151325376 of  
MBL, Inc.

Colorado Corporation

(Entity ID # 20151325376 )

consisting of 4 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/24/2016 that have been posted, and by documents delivered to this office electronically through 05/26/2016@ 07:41:42.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/26/2016 @ 07:41:42 in accordance with applicable law. This certificate is assigned Confirmation Number 9669098



A handwritten signature in cursive script that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

STATE CITY  
COLORADO HUDSON

Must collect  
taxes for:  
**SALES TAX  
LICENSE**

USE ACCOUNT NUMBER for all references	LIABILITY INFORMATION					ISSUE DATE			LICENSE VALID TO DECEMBER 31
	county	city	industry	type	liability date	month	day	year	
30350153-0000	03	0070	020	C	070116	Feb	17	16	2017

THIS LICENSE MUST BE POSTED AT THE FOLLOWING LOCATION  
IN A CONSPICUOUS PLACE: BEN'S BRICK OVEN PIZZA  
101 EAST BISON HWY HUDSON CO 80642

**THIS LICENSE IS NOT  
TRANSFERABLE**



MBL INC  
23660 COUNTY ROAD 22  
HUDSON CO 80642-9513

Executive Director  
Department of Revenue

Letter Id: L1711506464



Detach Here

**NOW THAT YOU HAVE YOUR SALES TAX LICENSE..**

Go to [www.Colorado.gov/RevenueOnline](http://www.Colorado.gov/RevenueOnline) and register for access to file, pay and manage your sales tax account.

**Get Access**

To get first time access to Revenue Online, go to [www.Colorado.gov/RevenueOnline](http://www.Colorado.gov/RevenueOnline), click on Create a Login ID under Sign Up and follow the step-by-step instructions. You will need your Letter Id referenced above (right side).

**File**

To file your sales tax return, log in to Revenue Online and access your sales tax account by clicking on the Account ID. Click File Now to file your sales tax return. Select your filing method and follow the step-by-step instructions.

**Pay**

To pay your sales taxes after you have submitted your return, Click Pay to make a payment. You can pay electronically by EFT, E-Check or Credit Card. Select your payment option and follow the step-by-step instructions.

**Manage Your Account**

- Add / Change an EFT Account; View EFT Account Numbers
- Submit Power of Attorney
- File a Site (Branch)
- File a Protest
- Close Account
- Update or Add a mailing address
- Send and view secure messages
- View Filing History and Letters
- Amend a return

**Important:** A return must be filed for each reporting period even if no tax is due. To avoid late penalties and interest, file through Revenue Online on or before the due date.



MEMORANDUM

2.b.

**To:** Town Council  
**From:** Joe Racine, Town Manager  
**Date:** July 6, 2016  
**Subject:** Resolution No. 16-16, Supporting the oil & gas industry

**Attachment**

Greg Brophy is working with a group called the *Energy Council*, promoting the oil and gas industry in the area. On behalf of the *Council* he has requested that the Town Council consider adoption of a resolution in support of the industry. The attached Resolution No. 16-16 was taken from text that he provided. He will be at the meeting to discuss his group and the intent of the resolution.

RESOLUTION NO.

16-16

**TITLE: A RESOLUTION IN SUPPORT OF THE OIL AND GAS INDUSTRY**

WHEREAS, WHEREAS oil and natural gas production and the jobs and economic activity it generates is a proven pillar of the Colorado economy and led the state out of the Great Recession; and

WHEREAS oil and natural gas development in Colorado alone generated \$31.7 billion for the state economy, contributed \$1.2 billion in public tax revenue (equal to \$817/household) and supported more than 100,000 jobs in 2014; and

WHEREAS oil and natural gas development provides over half a billion dollars a year to Colorado school districts, emergency response, water and sanitation, parks and recreation, libraries and other public entities without raising a single tax on Colorado families; and

WHEREAS reasonable access to oil and natural gas fuels Colorado's real estate economy, manufacturing economy, homebuilders economy, and the agriculture economy, as well as other industries through non-direct support to provide overall stability and job growth for all Colorado families; and

WHEREAS, after collaboration with state health officials, environmentalists, local communities and industry, over the past six years, Colorado has enacted some of the nation's most stringent regulations protecting Coloradans' groundwater, air quality, land, communities, and environment; and

WHEREAS Colorado was the first state to require both pre- and post-drilling water sampling, as well as methane emission testing, and the state is a national leader in requiring the disclosure of fracking fluid ingredients in a publicly available Internet database; and

WHEREAS Weld County has over 17,000 active wells producing nearly 90% of the oil in Colorado; and

WHEREAS oil and gas properties are responsible for 66.21% of the assessed valuation of property in Weld County in 2015 at \$7,669,479,580; and

WHEREAS the oil and gas industry provided 10,348 jobs in Weld County in 2014 with combined salaries of \$767,300,000;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF HUDSON, COLORADO, AS FOLLOWS:

Section 1. The Town of Hudson appreciates the contribution of the oil and gas industry to the State of Colorado, Weld County and Hudson. We celebrate the responsible energy production that helps to drive the economy in Weld County.

INTRODUCED, READ and PASSED this 6<sup>th</sup> day of July, 2016.

TOWN OF HUDSON, COLORADO

\_\_\_\_\_  
Raymond Patch, Mayor

ATTEST:

\_\_\_\_\_  
Linnette Barker, Town Clerk

**MEMORANDUM**

**2.c.**

**To:** Town Council  
**From:** Joe Racine, Town Manager  
**Date:** July 6, 2016  
**Subject:** Agreement for services, Butler Snow LLC, bond counsel services

**Attachment**

The Town has used the services of attorney Dee Wisor in the past for bond issues. This item will be for the approval of an agreement for services on the proposed refinancing of the Town's street paving bonds.

As of the date of preparing the packet we did not have the agreement in hand. If we do not have it by July 6<sup>th</sup>, I will suggest that the matter be tabled. The agreement will be reviewed by Corey Hoffmann prior to presentation for adoption.

## MEMORANDUM

**2.d.**

**To:** Town Council  
**From:** Joe Racine, Town Manager  
**Date:** July 6, 2016  
**Subject:** Update, Eastridge Subdivision drainage issues

Staff has continued to research the background on the Eastridge Subdivision drainage issues. The Town's files do not contain any record of why the drainage improvements were not built according to the drainage plan as prepared by Acklam Associates. We are continuing to search for information from other sources in order to better understand the history of the development.

This meeting will be an opportunity to update the Council on the status of the effort, and to see if the Council would like to direct staff to begin incurring costs to resolve the issue. Steps to move forward include the following:

- Receive direction from Council to begin incurring costs for the drainage improvements.
- Solicit donation of 20' drainage easements along the east edge of the development from owners of lots 6 through 12. A copy of an easement dedication form prepared by the Town Attorney is attached.
- Retain the services of an engineer to update the design of the needed ditch(es) and detention pond and prepare construction documents.
- Negotiate purchase of an easement from owner of private property. (Easement location and dimensions would be dependent on the construction plans.)
- Solicit bids from contractors to construct the drainage system.
- Coordinate with land owners for construction of the improvements.

I will report to the Council if there is any progress on uncovering the history of the project.

## DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ having an address at \_\_\_\_\_, ("Grantor") and the Town of Hudson, Colorado ("Grantee") having an address of 557 Ash Street, Hudson, Colorado 80642.

WHEREAS, Grantee desires to acquire an easement for the purpose of the maintenance of drainage facilities on and through the property more particularly described and depicted in **Exhibit A** ("Easement Property"), attached hereto and incorporated herein by this reference; and

WHEREAS, Grantor is willing to grant an easement to Grantee for the aforesaid purposes on the terms and conditions set forth hereinbelow.

NOW, THEREFORE, for and in consideration of the sum of ten dollars (\$10.00) paid by Grantee to Grantor, the covenants of Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee does hereby covenant and agree as follows:

1. Grant of Easement. Grantor does hereby grant and convey unto Grantee, its successors, assigns, lessees, licensees and agents, an easement upon, over and through the Easement Property, for the purpose of providing drainage facilities. Grantee shall also have the specific rights of ingress and egress, consistent with this Easement Agreement, for the construction, reconstruction, operation and as set forth in Section 3 maintenance of drainage facilities, consistent with the easement provided herein. In addition, Grantor, its successors and assigns, agree not to construct any permanent structures or fixtures upon the Easement Property in a manner that will impair the use thereof by the Grantee. Such prohibited structures and fixtures include, without limitation, fences, carports, patios, portable storage buildings, walls, concrete slabs, wells and pits, sod, and trees or shrubs or the overgrowth thereof. Grantor, for itself and for its successors and assigns, covenants and agrees that none of those above-referenced obstructions and interferences with the easement will be placed, erected, or installed on the Easement Property. Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with Grantor so as to minimize any disruption to Grantor's property.

2. Unencumbered Title. Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Operation and Maintenance. The operation and maintenance of the drainage facilities described herein and located within the Easement Property shall be the responsibility of the Grantor; provided, however, that Grantee shall have the right to maintain the Easement Property in the event

Grantee, in its sole discretion, determines to enter the Easement Property for the operation and/or maintenance of the Easement Property

4. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

5. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor, and its successors and assigns, as follows:

a. Grantee shall protect the Easement Property, and the adjacent lands of Grantor over which Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act, and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor.

6. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

7. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

c. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.



## MEMORANDUM

2.e.

**To:** Town Council  
**From:** Joe Racine, Town Manager  
**Date:** July 6, 2016  
**Subject:** Discussion: Wastewater lagoon property

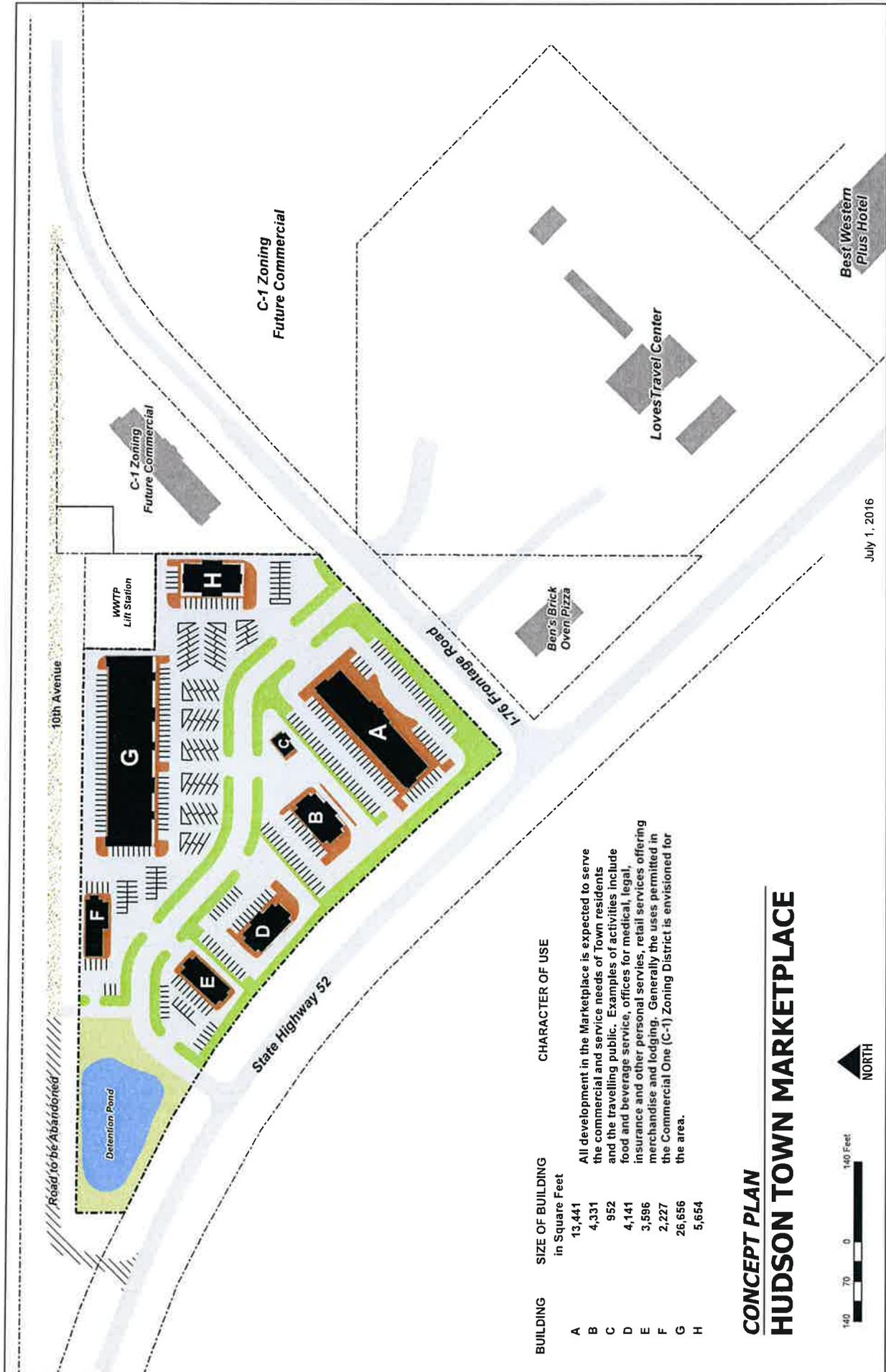
### Attachments

It is timely that we move ahead with the marketing of the Town's ten acre parcel that is the site of the former wastewater lagoons. The property was cleaned up and reclaimed in 2012 after the new lift station was constructed. Several activities are occurring at this time that provide a prime opportunity to market the site:

- Construction of the Best Western motel
- Construction of the pizza restaurant
- CDOT and the Town reviving the highway widening project
- CDOT soliciting engineering proposals for plans to improve the I-76 interchange and highway facilities in the area
- The Planning Commission working on an update to the comprehensive plan, including a sub-area plan for the potential commercial area west of the interchange

The lagoon site is zoned C-1, Commercial, and could accommodate a small cluster of commercial buildings. Any area planning will involve the Planning Commission and work sessions with property owners within the area. This is the time not only to market our property, but to formalize plans for the system of streets that will be serving the area.

This Council meeting will be an opportunity to update the Council on the projects and to see if there is direction for staff to put the property on the market.



BUILDING	SIZE OF BUILDING in Square Feet	CHARACTER OF USE
A	13,441	All development in the Marketplace is expected to serve the commercial and service needs of Town residents and the travelling public. Examples of activities include food and beverage service, offices for medical, legal, insurance and other personal services, retail services offering merchandise and lodging. Generally the uses permitted in the Commercial One (C-1) Zoning District is envisioned for the area.
B	4,331	
C	952	
D	4,141	
E	3,596	
F	2,227	
G	26,656	
H	5,654	

**CONCEPT PLAN**  
**HUDSON TOWN MARKETPLACE**



July 1, 2016

## **HUDSON INTERCHANGE AREA SUB AREA PLAN**

The Town of Hudson is in the process of preparing a sub-area land use and transportation plan for the State Highway 52 and Interstate 76 interchange area. The area under study includes lands within the municipal boundaries north of State Highway 52 and those underutilized lands south of the highway extending West to Weld County Road 43.

The land use focus of the study is on regional commercial activities that can take advantage of the access afforded by the interstate highway interchange. Uses that would serve the traveling public in terms of lodging and services are anticipated. Also service businesses and light industrial activities that consider southeast Weld County and the I-76 corridor trade area and workforce housing are part of the land use mix anticipated for the interchange area.

Internal roadway travels patterns will focus on the access onto SH 52 and the requirements of the State Highway Access Code. The recently relocated frontage road is expected to be extended south of SH 52 and the intersection with the state highway will become the focus of access into the greater interchange area.

There are relatively few landowners in the interchange area and individual contact will be made with each. The resulting plan will reviewed by the Town of Hudson Planning Commission and the adoption process will be advertised as a public hearing before the Planning Commission and Hudson Town Council. It is expected that the plan development will be completed in August and Adoption will take place in September.

# Alternative B HUDSON INTERCHANGE AREA FLEX PLAN

- Legend**
- K Krause Property
  - L Hudson Interchange Property
  - L Town of Hudson Legion Property
  - SIBE South SH 52 Properties
  - X-00 Lot Numbers
  - 0.000 Size of Lot in Acres

