

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.

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