

MINUTES
TOWN OF HUDSON TOWN COUNCIL
REGULAR MEETING
January 3, 2018 - 6:00 P.M.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

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

ROLL CALL

Mayor, Dwayne Haynes – Present
Mayor Pro-Tem, Laura Hargis – Present
Councilmember, Matt Cole – Present
Councilmember, Christine Hamilton – Present
Councilmember, Joe Hammock – Present
Councilmember, Maria Chavez – Present
Councilmember, Jack Riggs – Present

Town Clerk, Rebecca Utecht took roll call and (7) Councilmembers were present.

Town Staff Present:

Town Manager – Joe Racine
Town Attorney – Corey Hoffmann
Town Clerk – Rebecca Utecht
Town Marshal – Brent Flot
Public Works and Utility Director – Hunter Fobare
Dan Hamsmith – Economic Development Director
James Kaye – Recreation/Events Coordinator

ADDITIONS TO AGENDA

Joe Racine, Town Manager, reported that Rebecca Utecht, Town Clerk would be administering the Oath of Office for the newly hired Deputy Marshal, Aaron Ordway. This item would go before General Business item 1.a.

CITIZEN'S COMMENTS

Tami Botelho, 442 Birch Street, reported that she was misunderstood in what she meant to say in the December 6, 2017 Town Council minutes. She also asked if she had crossed the line as a Planning Commission member. She stated that she cares about the Town and that is why she comes with questions, she is willing to help with anything and she helps other residents. She has defended the Council who she has heard people call puppets. She stated that her relationship with Dan Hamsmith, Economic Development Director, is strictly professional. Dan is whom she deals with for building permits and Chamber of Commerce business. She also noted that she did not state that the Town was unwilling to work with a plumbing contractor but rather she just wanted a matter of policy.

She said that she has good intentions and she does not want to overstep her bounds. She said that she receives quality customer service through Dan Hamsmith, Becky Utecht, Kim Bohrman and Judy McGill. She also reported that her comment about the Town Manager not having to have an education was misrepresented. Her point was that Town staff should be able to interact with residents. Hudson has left a bad taste in the mouth of surrounding communities. Education is relevant but personal attention to residents is just as, or more important. The new Town Manager will be key to how we grow. She would like this person to have a personal aspect and appreciate the small-town feel. She would also like this person to listen to the residents. She apologized for miscommunicating this information in the last Town Council minutes on December 6, 2017.

Lina Sena, 490 Holly Street, reported that she has been a resident in Hudson since 1990. She love this small-town and the small community. She received a call from her son's girlfriend in the middle of the night over the holiday break that would scare any mother to death. She and the rest of her family were New Mexico visiting other family members. Her son and his girlfriend rent a house from her parents in Hudson. The call was to let them know that the neighbor next door who is on drugs shot a gun at them. She asked as a community member and a mother what the Town could do to get 24/7 coverage in Town. She asked if she could circulate a petition to get this done. She was unhappy with the response time it took the Marshal's Office to arrive and that she reported that they had to get a Victim's Advocate themselves. She reported that he cops got the grandmother of the shooter but not the shooter. She reported that her son and his girlfriend haven't been back home since the incident occurred because they are so scared. She reported that he police could not find the ammunition and that her son's girlfriend found it by their home. She again asked what could be done and she said I don't mean tomorrow, I mean yesterday. She also reported that the shooter's father has been on the run for over 1 ½ years and that this doesn't give her much hope.

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.)

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- a. Town Council Minutes, Regular Meeting, January 3, 2018
 - b. Payment of Bills

Councilmember Hargis made a motion, seconded by Councilmember Cole to approve the Consent Agenda.

The vote was as follows:

Aye: Councilmembers Hargis, Cole, Hamilton, Riggs, Chavez, Hammock and Mayor Haynes.

Nay - None

Mayor Haynes declared the motion carried.

2) GENERAL BUSINESS

aa. Deputy Aaron Ordway – Oath of Office

Town Clerk, Rebecca Utecht, administered the oath of office to Deputy Aaron Ordway.

a. Interview for Planning Commission: Zachary Reyes

The Town Council interviewed Zachary Reyes for the Planning Commission.

Mr. Reyes said he was the first owner of the Town's first Habitat for Humanity Veteran's build. He is a member of the Broadband Committee Advisory Board. He believes by joining the Planning Commission this will be his first step into making some changes in Town. He sees a lot of problems that he would like to address. He plans on running for one of the five open Town Council seats at the next election. He had a code enforcement issue so he spent time reading the Town codes and is very familiar with them.

b. Resolution 18-04, Appointing Zachary Reyes to the Planning Commission

Councilmember Hargis made a motion, seconded by Councilmember Cole to approve Resolution 18-04, Appointing Zachary Reyes to the Planning Commission

The vote was as follows:

Aye: Councilmembers Hargis, Cole, Hammock, Chavez, Hamilton, Riggs and Mayor Haynes.

Nay – None

Mayor Haynes declared the motion carried.

c. Public Meeting, Case No. 17-07 SP, Ziggi's Coffee Site Plan

Joe Racine, Town Manager, reported this is the advertised Public Meeting for the Ziggi's Coffee site plan. The proposed drive-thru business is to be located on a parcel of Town-owned land that is the subject of a lease-purchase agreement between the Town and Kevin and Heather Willard, the business owners. The approximately 15,000 square foot triangular parcel presented some difficult design challenges. Staff is satisfied that the applicant has done the best possible job of addressing those challenges and has proposed a workable, if not ideal design solution. Concerns include the need for additional utility easement to cover the existing sewer main that is apparently outside of the offset Hickory Street right-of-way and less than ideal location of the exit driveway from the coffee drive-thru. Staff recommends approval of the site plan with the following conditions:

1. That the concerns of the Town Planner and the Town Engineer be addressed.

2. That the lease-purchase agreement for the property be amended to include retention by the Town of an additional 10' wide utility easement, being the east 10' of Lot 2, Bison Highway Minor Subdivision, to accommodate the location of the existing 12" sewer main.

Joe Racine reported that Heather Willard and her architect were present and available to speak and/or answer questions.

Michael Hunsinger, MH Architectural, reported that he worked with the Town's engineer to get the layout completed. The drive-thru traffic area was the biggest issue to work through. They changed the design to flatten the curb to provide for the additional needed room. He presented the Council with a photo of the design and layout. He reported that the building would be that of a contemporary look and feel and that he thought it was an eye-catching look.

Councilmember Cole made a motion, seconded by Councilmember Hargis to approve Case No. 17-07 SP, Ziggi's Coffee Site Plan with the conditions of the Town Planner and Town Engineer

The vote was as follows:

Aye: Councilmembers Cole, Hargis, Hammock, Chavez, Hamilton, Riggs and Mayor Haynes.

Nay – None

Mayor Haynes declared the motion carried.

d. Resolution No. 18-01 – Waste Management Rates

After a brief discussion by Council about several issues relating to Waste Management this item was tabled per the direction of Corey Hoffmann, Town Attorney who stated that one the resolution was not included in tonight's meeting packet and two rates are not the core issue, there are many performance issues that need resolved.

e. Resolution No. 18-02 – A RESOLUTION ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW

Corey Hoffmann reported that every municipality is required by statute to annually designate the official place to post public notices. The attached Resolution No. 18-02 designates the billboard of Town Hall as the place for posting of official notices, and designates the Town Clerk as the official who is responsible for posting meeting notices and agendas 24 hours in advance of meetings.

Councilmember Hargis made a motion, seconded by Councilmember Riggs to approve Resolution No. 18-02 – A RESOLUTION ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW

The vote was as follows:

Aye: Councilmembers Hargis, Riggs, Cole, Chavez, Hammock, Hamilton and Mayor Haynes.

Nay – None

Mayor Haynes declared the motion carried.

f. Resolution No. 18-05 - NINTH AMENDMENT TO EMPLOYMENT AGREEMENT AND TEMPORARY EMPLOYMENT AGREEMENT UPON RETIREMENT

Joe Racine reported that Council is currently in the process of recruiting a new Town Manager. In light of the anticipated schedule for a new manager to begin work and to facilitate a smooth transition the attached amendment to the current employment agreement accomplishes the following: amends his date of retirement from full-time employment as Town Manager to January 31st; provides for continuation as Town Manager beyond that date, if necessary, on a part-time basis until the new manager begins work; and provides for additional part-time work for the Town beyond the new manager's start date as needed and requested.

Tami Botelho, 442 Birch Street, stated that she is concerned about the dates on this. She asked what the overlapping time would be. She reported that this contract is vague. Corey Hoffmann reported that the contract is set up as an at-will employment and can be terminated on fourteen days' notice. He said that the new manager will want to decide how much time they will need for the transition.

Mayor Haynes reported that he would like to use Mr. Racine until everyone feels comfortable with the transition.

Matt Cole, Councilmember, reported that there is no way to know what the time line will be until the new manager is hired.

Councilmember Cole made a motion, seconded by Councilmember Hargis to approve Resolution No. 18-05 - NINTH AMENDMENT TO EMPLOYMENT AGREEMENT AND TEMPORARY EMPLOYMENT AGREEMENT UPON RETIREMENT

The vote was as follows:

Aye: Councilmembers Cole, Hargis, Chavez, Hammock, Hamilton, Riggs, and Mayor Haynes.

Nay – None

Mayor Haynes declared the motion carried.

g. Discussion: Office Trailer

Dan Hamsmith, Economic Development Director, reported that following on the guidance provided by Town Council at the December 6th meeting, Roy Fronczyk (Town Planner) and he communicated with Pastor Bell by email, phone and in a meeting with an eye towards identifying a workable solution that creates a "win-win-win" for the town, Destination Ministries and the people that would need access to an emergency food pantry. Based on these discussions everyone feels that the best use would be to allow this trailer to be a temporary use. Corey Hoffmann reported that Council would like direction on cost now and the land use would be addressed later. He recommended against the Town donating this to a religious organization, as this could be perceived as an entanglement between a governmental agency and a religious agency.

Perry Bell, Founder of Destination Ministries and Agent of the Weld County Food Bank, reported that he would like to put the trailer at 617 Birch Street parallel to the alley, on the B&G Financial and the Chamber office property. All parties have agreed to allow him to use this location. He reported that this would not generate a high amount of traffic. This would be an emergency food pantry. The food would be stored in the trailer and brought out to the recipient's vehicle(s).

After a brief discussion, the direction of Council was for the Town to donate the trailer to the Weld County Food Bank to be used by Destination Ministries at 617 Birch Street.

3) STAFF REPORTS

Joe Racine reported that he would be out of the office for two weeks. He will be leaving Becky in charge in his absence, with Hunter overseeing all public works and utility operations.

Brent Flot, Town Marshal, reported that he would be looking into tonight's information provided by Ms. Sena.

Mayor Haynes asked if we could get a stop light by Love's sooner rather than later. Joe Racine reported that CDOT had intentions of breaking out the stop light from the main project not scheduled until next year. He will contact them about the urgency in this.

4) EXECUTIVE SESSION

Executive session pursuant to Section 3.12(1)(g) of the Town of Hudson Home Rule Charter to consider Town Manager candidates who are not "finalists", and therefore not subject to public disclosure.

Councilmember Hargis made a motion, seconded by Councilmember Chavez to enter into an Executive session pursuant to Section 3.12(1)(g) of the Town of Hudson Home Rule Charter to consider Town Manager candidates who are not "finalists", and therefore not subject to public disclosure.

Motion carried unanimously.

Mayor Haynes asked to let the record show that the motion passed. The Council entered into Executive Session at 7:15 pm.

Mayor Haynes reconvened the regular meeting of the Town Council at 8:30 pm.

ADJOURNMENT

The meeting adjourned at approximately 8:30 pm.



TOWN OF HUDSON, COLORADO



Mayor

ATTEST



Town Clerk