

MINUTES
TOWN OF HUDSON TOWN COUNCIL
REGULAR MEETING
September 5, 2018 - 6:00 P.M.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Mayor Haynes called the meeting to order at 6:01 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 – Absent
Councilmember, Maria Chavez – Present
Councilmember, Sarah Stadler – Present

Acting Town Clerk, Charity Young took roll call and (6) Councilmembers were present.

Town Staff Present:

Town Manager – Guy Patterson
Acting Town Clerk – Charity Young
Town Marshal – Brent Flot
Public Works & Utilities Director – Hunter Fobare
Town Planner – Sayre Brennan

ADDITIONS TO AGENDA

None

CITIZEN'S COMMENTS

Jacob McIntosh, South Platte Operations, reported that it is a gun store, but he also does a whole lot of things like elk outfitting and private security. The interactions with the Town have hit some roadblocks for some reason and the chain of events have continually gone downhill. He reported that in the short timeline it has gotten a little bit out of hand. On February 27th he started the process of getting a property in Hudson. He closed on the property on March 20th. He reported the next week he received a business license. He reported that he has been interacting with the Town since the 27th of February. He reported that he does things by the book, and he deals with federal paperwork daily. He reported that he has owned a federally licensed business for the last three years now. In between March 20th and June 1st, he has worked with the fire department. He reported that the building was previously a Mexican restaurant and full of mold. During the last week of May had the fire department come in for an inspection. He reported that they had signed off on everything. He reported that for the last 2 ½ years he ran a store in Brighton. He reported that he needs to get ahold of SAFEbuilt. Jacob reported that on June 26th Russ Weber with

SAFEbuilt came in and did his inspection on the property. Russ Weber reported that he found six minor things to change. On the next day an inspector shows up at 9 am checks off on things. He reported that Eric Bee, building official, needed a handicap picture on the handicap accessible door. He reported that Sayre Brennan sent him an email on the 21st stating that once the Town has SAFEbuilt's OK the Town will send you a certificate of occupancy. Jacob McIntosh reported that he is still pursuing a certificate of occupancy that he has been asking for since May with inspections of the fire department and SAFEbuilt. He reported that Sayre Brennan told him he was not going to get a certificate of occupancy without a floor plan. He reported that he has submitted the floor plan to Russ Weber and Eric Bee. He reported that he still doesn't have a certificate of occupancy for the store and he has been dealing with this for months now. He reported that in between the headache and frustration, it is difficult for me to function as a member of the community. It's annoying and it's a bunch of bureaucracy.

Sayre Brennan, Town Planner, reported that he did not believe the goal here is to make things bureaucratic. He reported that he was hired on midway through all of this. He reported that Jacob was under the assumption that since he pulled a demolition permit he would get a certificate of occupancy. He moved into a building that was a restaurant. He reported that a group assembly a-2 building was converted into a mercantile. Unfortunately, he was issued a business license, which the Town that should have given him after receiving his certificate of occupancy. He reported that there is a living quarter and a business. Going forward the goal is to sit down with his design professionals and get everything going.

Mayor Haynes reported that this needs to be taken care of since it's been quite a while.

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 Meeting Minutes, August 15, 2018
- b. Payment of Bills

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

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion carried.

2) PRESENTATION

a. INTRODUCTION OF DR. MATTHEW HORTT, EXECUTIVE DIRECTOR HIGH PLAINS LIBRARY DISTRICT

Dr. Matthew Hortt reported that he has been the director for five months now maybe around 6. He reported that he received a warm welcome out in Hudson. He reported that Terri and her staff are wonderful and it's a beautiful building. He stated that whatever the district can do to support Terri and her team they will work on. He thanked the council for giving him the opportunity in this position.

b. PRESENTATION – DRAFT FISCAL YEAR 2019 BUDGET.

Guy Patterson, Town Manager, reported that he wanted to thank council for attending the 5-hour work session on the budget. He reported that this is a draft of what the budget is going to look like. He is looking for feedback and encouraging feedback from the community and this council. This budget does not reflect any potential revenues from lodging and marijuana taxes. There is an increase in the payroll, and this includes the new stipends for council and planning commission. The new full-time employee is the new police officer to be added next year. He reported that staff spoke to council about looking at the current waste water rates. There will be a recommendation to be made to the council sometime next year. More notable expenditures for 2019 include the completion of old Town Hall demolition, updating the transportation master plan, increased funding for Town events, renovation of the Town park, increased training, The Eastridge drainage improvements, contribution to Highway 52 and Interstate 76 CDOT project, renovation of Ash Street sidewalks, continuation of the four year meter pit project, the sunrise trail to school, fire rated file cabinets, broadband initiative study, Marshal's office evidence locker, the lease purchase of Marshals vehicles, development of bulk a water station, upgrades to the Town accounting software, Arch View planning software, and an additional snowplow for public works. The entire budget will increase 1% from 2018 to 2019. On October 15 the draft budget will presented to the Council.

3) GENERAL BUSINESS

a. APPOINTMENT OF BARBARA BAKER TO THE HUDSON LIBRARY BOARD.

Barbara Baker reported that she is here to answer any questions you may have of her.

Councilmember Hamilton asked if she has ever served on the board

Barbara Baker reported that she has not served on the Library board, but she loves this Town and the Library.

Councilmember Cole made a motion, seconded by Mayor Haynes to appoint Barbara Baker to the Hudson Library Board.

The vote was as follows:

Aye: Councilmembers Hamilton, Cole, Hargis, Stadler, and Mayor Haynes.

Nay - None

Mayor Haynes declared the motion passed.

b. APPOINTMENT OF BRANDI BOND TO THE HUDSON PLANNING COMMISSION

Brandi Bond reported that she lives at 225 Wyatt Drive. She reported that she is new to Hudson and Hudson Hills. She is a paralegal and has been researching resolutions, ordinances, rules and regulations. She moved in at the end of October. She reported that she did foresee any conflicts of interest or any issues with one night a month for the meetings.

Councilmember Chavez made a motion, seconded by Councilmember Stadler to appoint Brandi Bond to the Hudson Planning Commission.

The vote was as follows:

Aye: Councilmembers Hamilton, Cole, Hargis, Stadler, and Mayor Haynes.

Nay - None

Mayor Haynes declared the motion passed.

c. RESOLUTION NO. 18-21 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HUDSON COLORADO, APPROVING THE SERVICE PLAN FOR ANDREWS FARM METROPOLITAN DISTRICT Nos 1 & 2.

Matt Ruhland, with Collins, Cockrel & Cole reported that they have been working on resolving the issues we had from Hudson Hills. Especially the common theme of where the disconnect came from. He reported that they are trying their best to make sure there isn't an issue going forward. Homeowners will have the best chance to know they are in a district and what that means for them. The site is roughly 37 acres. This will include 2 districts within the Andrews Farm filing 1 & 2 and Hudson Hills 2. They are asking for the same flexibility from the first presentation. This is a multiple district structure property within the district area. This structure provides flexibility to share the debt. It allows power to borrow money and finance public improvements. The debt limit is set at 55 mills. This is slightly less than what is at Hudson Hills. There will be a cap on the operation mill levy to provide certainty to the homeowners. There will be 12 mills which can fund the operations and maintenance going forward. To increase the mill amount it must be brought back to Council. They are hoping to have something in the hands of buyers when they are in contract providing information about the district.

Councilmember Hamilton asked if supposing 2 new districts why they are not starting one.

Matt Ruhland reported that some of the inclusion property that is not ready to build right away. If development turns, we can divide it up as development is going on and build roads in one district while there are no houses going in.

Councilmember Hamilton asked if they would end with three separate districts.

Matt Ruhland reported they would.

Corey Hoffmann reported that to make the record clear, so Council knows the difference is the Hudson Hills property that has been developed is excluded from these service plans.

Councilmember Cole asked on the mill levy on this would go from 12 to 55?

Matt Ruhland reported that Hudson Hills was set up at 50 mills in 2004 and they are currently at 55.277 and continue to rise. We are proposing 55 mills. Hudson Hills can go as high as they want to there is no cap. Here there is a cap on the mill and the operations. It is capped at 12 mills and if we need to go higher than that we must come in and ask Council.

Public Comment

None

Councilmember Stadler made a motion, seconded by Councilmember Chavez to approve Resolution 18-21 A resolution approving the service plan for Andrews Farm metropolitan district numbers 1 & 2.

The vote was as follows:

Aye: Councilmembers Hamilton, Stadler, Hargis and Chavez.

Nay – Councilmember Cole and Mayor Haynes

Mayor Haynes declared the motion carried.

d. **ORDINANCE NO. 18-06, AN ORDINANCE APPROVING THE SALE OF TOWN-OWNED PROPERTY LOCATED AT 405 BIRCH STREET.**

Guy Patterson, Town Manager, reported that this is to sell the Town owned property. It has already gone through the first reading, and the requirements are to have a stick-built home on it. Hunter Fobare, Public Works Director, is finding the taps and Guy Patterson reported that he has allowed the potential buyer to do soil samples on it.

Councilmember Hargis made a motion, seconded by Councilmember Hamilton to approve Ordinance No. 18-06 An Ordinance approving the sale of 405 Birch Street

The vote was as follows:

Aye: Councilmembers Hamilton, Stadler, Hargis, Chavez, Cole and Mayor Haynes

Nay – None

Mayor Haynes declared the motion passed.

- e. **ORDINANCE NO. 18-07** AN ORDINANCE AMENDING SECTIONS OF ARTICLE 4 AND 5 OF CHAPTER 6 AND SECTIONS OF ARTICLE 5 OF CHAPTER 10 OF THE HUDSON MUNICIPAL CODE TO BRING THE CODE UP TO DATE WITH STATE LAW.

Corey Hoffmann, Town Attorney, reported that in the 2018 leg session the state took all the code provisions to alcohol and marijuana from title 12 to title 44. The building code requirements relating to home grows went from title 12 to title 44. There were other changes that did not require changes to the code. Jan 1, 2019 there will no longer be 3.2% beer in Colorado and it takes effect October 1.

Councilmember Hargis made a motion, seconded by Councilmember Hamilton to approve Ordinance No. 18-07 an Ordinance amending sections of article 4 and 5 of chapter 6 and sections of Article 5 of chapter 10 of the Hudson Municipal Code to bring the Code up to date with state law first reading.

The vote was as follows:

Aye: Councilmembers Hamilton, Stadler, Hargis, Chavez, Cole and Mayor Haynes

Nay – None

Mayor Haynes declared the motion passed.

- f. **ORDINANCE 18-08** AN ORDINANCE AMENDING CHAPTER 4 OF THE HUDSON MUNICIPAL CODE TO IMPOSE A LODGING TAX.

Guy Patterson reported that this in preparation of the vote coming up in the November on the Lodging Tax. This all depends on this being taxed. He reported that this was approved a year ago for the same reason, the dates just changed.

Councilmember Stadler made a motion, seconded by Councilmember Chavez to approve Ordinance 18-08 an ordinance amending chapter 4 of the Hudson Municipal Code to impose a lodging tax first reading.

The vote was as follows:

Aye: Councilmembers Hamilton, Stadler, Hargis, Chavez, Cole and Mayor Haynes

Nay – None

Mayor Haynes declared the motion passed.

g. APPROVAL OF SPECIAL SERVICES AGREEMENT WITH KELLER ROHRBACK L.L.P.

Corey Hoffmann reported that the Town was fortunate enough to piggy back on an initiative started by the City and County of Denver. We are retaining this Washington Law Firm to represent the Town. The only way the Law firm gets paid is if the Town recovers. This is for the potential liability to manufacturers and distributors who sell prescription opioids.

Councilmember Hamilton made a motion, seconded by Councilmember Stadler to approve the Special services agreement with Keller Rohrback L.L.P.

The vote was as follows:

Aye: Councilmembers Hamilton, Stadler, Hargis, Chavez, Cole and Mayor Haynes

Nay – None

Mayor Haynes declared the motion passed.

3) STAFF REPORTS

Guy Patterson, Town Manager, reported he had nothing to add. The CDOT meeting on the Highway 52 and Interstate 76 project is important to this community. He also reported that the Assistant to Town Manager will be starting next Monday. He did have meeting with BNSF and is still working through things.

Hunter Fobare, Public Works and Utilities Director, reported that clean up days are next weekend on the 14th and 15th, same time as last year but he will be holding it at the Public Works Shop. He reported that the tree limb dump after clean up days is going to locked that off.

Guy Patterson reported that the reason we made the decision to add the second employee was after weeks of ads we ended up with two good candidates, and next year he would ask for another employee. Staff went ahead and got get them both on the staff.

Charity Young, Acting Town Clerk, reported that the Clerk's office received a completed Petition for Annexation on Thursday August 30, 2018 from James M Hanson for the Rocky Mountain Energy Center (aka Xcel Energy site).

Corey Hoffmann reported that per statute the Town Clerk is required to bring any petition for annexation to you. He reported that this is a voluntary petition for annexation.

Sayre Brennan, Town Planner, reported that he has a quick memo in the packet about food trucks. The Town has no rules or regulations in our land development code. Staff wants to see input from Council to see how they want to see food trucks to operate. One location in Town to go to, run free, restaurants with unfair competition. Staff wants to bring something to Council and get direction on it. Should it be use by special review, approved by staff, or draft an ordinance.

Councilmember Hamilton asked if it will go to Planning Commission.

Corey Hoffmann reported that if the Town had an ordinance it would go to Planning Commission.

Mayor Haynes reported that he would like to take it to the Planning Commission.

Councilmember Cole reported that he doesn't want to outlaw them, and competition is good. He wants them to have a business license and sales tax license and call it good.

Guy Patterson reported that the direction is to take it to Planning Commission.

Councilmember Cole reported that he would like the town to reach out to BNSF about fixing the tracks. He also reported that the intersection on HWY 52 and CR 59 needs a traffic signal. He would like for Hudson to contact Keenesburg, Lochbuie and the school district to pitch in and get a traffic light put in at the intersection.

Corey Hoffmann reported that if the other communities and school district get on board my hunch would be CDOT would be part of this in that case.

Councilmember Chavez reported that recreation committee meeting will be on Monday and they are planning the following year and upcoming events. They will also be working on the Trunk or Treat and Haunted house.

Councilmember Hargis reported that she needs to work on getting an informational packet out for the lodging tax. She also asked about whether there is a contact in the Town for Waste Management issues

Guy Patterson reported that the newsletter is going out soon and it will put on the website. He reported that he reached out to all candidates and offered them to give us 200 words and photo to go along with the ballot language. He also reported that the regional manager for Waste Management from Albuquerque came out. We have his number and we are forwarding his information on.

Councilmember Stadler reported that she would like to know who we talk to about kids who walk from Holly to school along Highway 52. There is no sidewalk for these kids.

4) CITIZEN'S COMMENTS

None

ADJOURNMENT


The meeting adjourned at approximately 7:13 pm.

TOWN OF HUDSON, COLORADO



Mayor

ATTEST



Acting Town Clerk



