

MINUTES
TOWN OF HUDSON TOWN COUNCIL
REGULAR MEETING
September 19, 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 – Present
Councilmember, Maria Chavez – Present
Councilmember, Sarah Stadler – Present

Acting Town Clerk, Charity Young took roll call and (7) 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
Assistant to the Town Manager – Matt Hirschinger

EXECUTIVE SESSION

For Matters of Attorney-Client Privilege, to receive legal advice from an attorney representing the Town, and for matters required by law to be kept confidential.

Councilmember Hargis made a motion, seconded by Councilmember Stadler to enter into an Executive session pursuant to Section 3.12(1)(c) of the Town of Hudson Home Rule Charter for matters of attorney-client privilege, to receive legal advice from an attorney representing the Town, for matters required by law to be kept confidential.

Motion carried unanimously.

Mayor Haynes asked to let the record show that the motion passed. The Council entered into Executive Session at 6:05 pm.

Mayor Haynes reconvened the regular meeting of the Town Council at 6:15 pm.

ADDITIONS TO AGENDA

Resolution 18-23: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY

CITIZEN'S COMMENTS

Deandrea Art, from Erie Colorado, reported that Hudson is a lovely place. She reported that she is here on behalf of the oil and gas industry and against proposition 112. She reported it is a ballot initiative designed to shut down the industry and will affect the health and safety of the public. She reported that this measure would not have prevented the devastation in 2017 in Western Weld County. It is the most stringent rulemaking in the country. She reported that the oil and gas industry have regulations by 4 state agencies, and this industry is ranked in the top 10 ten for safety. Proposition 112 is designed to stop development and the economic impacts if it passes ensure to kill jobs and cuts revenue to schools and special districts. Fire chiefs in weld county report that 89% of their revenue comes from oil and gas. There would not be a fire district anymore. She reported that 39,000 jobs would be cut this year and 47,000 will be cut in the next year. More than 70,000 jobs will be cut outside of the oil and gas industry. She reported that oil and gas make up 10% of the state's economy. He urged council to formally oppose proposition 112.

Tami Botelho, 442 Birch, reported that she noticed some new signs up in town that are in the tree lines. She was asking who is responsible, and what do we do with that. She reported that a street sign does no good if its hidden by trees. There are Several in Town that have trees covering them. She reported that she didn't recall seeing the sign at 5th and Birch before. She reported that the homeowner would trim his tree if he had been notified.

Guy Patterson, Town Manager, reported that he would investigate it.

Celinda Haynes, 733 Ash St, reported that she was "told not to say anything", but she was going to anyway. She stated that she has an issue with a person on the council. She reported that there were three issues. She stressed that this needs to be solved between parents or that there would be things would take place. The Council member has told her daughter to go smoke her weed. She reported that her daughter is in excruciating pain, so she smokes pot at night without taking any prescription pain medications. This council member has screamed at her grandson. She reported that her grandson was attacked by this council member and they have told her daughter to "go smoke weed" when they start drinking first thing in the day. She stated that there better be no more issues, and this is who you are all voting for.

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, September 5, 2018
- b. Payment of Bills

Councilmember Chavez made a motion, seconded by Councilmember Hammock to approve the Consent Agenda.

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion carried.

2) GENERAL BUSINESS

a. RESOLUTION 18-22: A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION AND ESTABLISHING NOVEMBER 7, 2018 AS THE DATE OF PUBLIC HEARING ON THE REQUESTED ANNEXATION OF A PARCEL OF UNINCORPORATED TERRITORY LOCATED IN THE COUNTY OF WELD (ROCKY MOUNTAIN ENERGY CENTER ANNEXATION).

Guy Patterson, Town Manager, reported that the title pretty much says it all. This is the annexation of the Excel Power Plant. He reported that it should be a simple annexation. He reported that he went over the revenue in his budget presentation.

Councilmember Cole made a motion, seconded by Councilmember Chavez to approve Resolution 18-22 A resolution accepting the petition for annexation and establishing November 7, 2018 as the date of public hearing on the requested annexation of a parcel of unincorporated territory located in the County of Weld (Rocky Mountain Energy Center Annexation).

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

b.1. RESOLUTION 18-23: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY

Corey Hoffmann, Town Attorney, reported that this is an addition as part of the land use and entitlements with the BNSF developments. One of the components is conveyance. The property is going directly from DPC to the Town. Closing is set to occur tomorrow. Town signatures are needed on the conveyance documents this evening.

Councilmember Cole made a motion, seconded by Councilmember Hammock to approve Resolution 18-23 A resolution accepting conveyance of real property.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

- b.2. **ORDINANCE NO. 18-07: AN ORDINANCE AMENDING SECTIONS OF ARTICLE 4 AND 5 OF CHAPTER 6 AND SECTIONS OR ARTICLE 5 OF CHAPTER 10 OF THE HUDSON MUNICIPAL CODE TO BRING THE CODE UP TO DATE WITH STATE LAW. SECOND READING. PUBLIC COMMENT.**

Guy Patterson, Town Manager, reported that this is the second reading and public comment on Ordinance 18-07, it relates to the changes on alcohol and marijuana laws that has been forth by the state legislature.

Corey Hoffmann, Town Attorney, reported that there is no longer any alcohol or marijuana laws in title 12, is now in title 44.

Councilmember Hargis made a motion, seconded by Councilmember Hammock to approve Ordinance 18-07 an Ordinance amending sections of article 4 and 5 if chapter 6 and sections or article 5 of chapter 10 of the Hudson Municipal Code to bring the code up to date with state law.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

- c. **ORDINANCE NO. 18-08: AN ORDINANCE AMENDING CHAPTER 4 OF THE HUDSON MUNICIPAL CODE TO IMPOSE A LODGING TAX. SECOND READING. PUBLIC COMMENT.**

Guy Patterson reported that this was approved on the first reading two weeks ago, if the lodging tax is passed this allows you to collect it.

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

The vote was as follows:

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

Nay -Councilmember Cole

Mayor Haynes declared the motion passed.

- d. **ORDINANCE NO. 18-09: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TOWN-OWNED PROPERTY LOCATED IN WELD COUNTY. FIRST READING.**

Corey Hoffmann, Town Attorney, reported that this is the ordinance to annex the property Council just accepted the conveyance of. If the property is Town owned and exclusively used for streets and right of way it is done by an ordinance.

Councilmember Cole made a motion, seconded by Councilmember Hargis to approve Ordinance 18-09, an ordinance approving and accomplishing the annexation of contiguous unincorporated Town-owned property located in Weld County. First reading.

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion passed.

- e. **ORDINANCE NO. 18-10 – AN ORDINANCE ZONING THE NEWLY ANNEXED TOWN-OWNED PROPERTY. FIRST READING.**

Corey Hoffmann reported that under state law the Town needs to zone property that is annexed. This is the first reading of the zoning of the property the Town accepted the conveyance of.

Councilmember Hamilton asked what it is currently zoned as.

Corey Hoffmann reported that it is part of the logistics center.

Councilmember Hamilton made a motion, seconded by Councilmember Chavez and Councilmember Cole to approve Ordinance No. 18-10, an ordinance zoning the newly annexed Town-owned property. First reading.

The vote was as follows:

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

Nay –None

Mayor Haynes declared the motion carried.

- f. **ORDINANCE NO. 18-11, AN ORDINANCE VACATING INTERNET AVENUE, DACOTAH COURT, TECHNOLOGY PARKWAY AND CHEM-TECH AVENUE AS SET FORTH ON THE FINAL PLAT OF HUDSON INDUSTRIAL PARK FILING NO. 1, TOWN OF HUDSON, COUNTY OF WELD, STATE OF COLORADO. FIRST READING.**

Corey Hoffmann reported that council was given a revised version of Ordinance 18-11. The most important part of it is vacating a portion of Chem-Tech Ave. He reported that on October 3rd council will have more information on it. He reported that when Town's vacate roads under state law they have to do so as an ordinance. The roads will be part of the new logistics center in Hudson.

After some discussion Council decided to wait until the October 3rd meeting to hear the presentation from BNSF.

Councilmember Hamilton made a motion, seconded by Councilmember Cole to approve Ordinance No. 18-11, An Ordinance vacating Internet Avenue, Dacotah Court, Technology Parkway and Chem-Tech Avenue as set forth on the final plat of Hudson Industrial Park Filing No. 1, Town of Hudson, County of Weld, State of Colorado. First reading.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

3) STAFF REPORTS

Guy Patterson reported that he wanted to introduce the new Assistant to the Town Manager Matt Hirschinger.

Matt Hirschinger reported that he was the new Assistant to the Town Manager. His first official day was the 10th and he already has a few projects. He reported that he has a Master's in Public Administration from UC Denver and has experience with the City of Delta.

Guy Patterson reported that Matt is taking the lead on the GOCO grant he has already met with GOCO. He will have the grant into them by November 1. He reported that he will be out next week at the ICMA national conference. Perry bell will be moderator for the candidate forum. He reported that he has reached out to the stakeholders for the light out by the high school and will be meeting with them when he gets back.

Hunter Fobare, Public Works and Utilities Director, reported that they wrapped up fall Clean-up days. He said it was spectacularly dead and they didn't take in 100 vehicles in two days. He reported that the numbers just aren't there in the fall. He asked Council to address if we need to do it twice a year. The brush

pile is pretty much gone, and it is fenced off at this time. He reported that he will investigate the street signs.

Brent Flot, Town Marshal, reported that last night a pursuit that came out of Brighton down 76 involved a vehicle registered out of Hudson. A juvenile ran out of the house and had possession of the key. Deputy Ordway is back on duty. He reported that the administrative position started off to a slow start, but he has a lot of stuff for her to do. The new Marshal cars will be here around the 3rd of October. It will take another month to set them up. Deputy Ordway was up on a call with a woman and her dog bit him. The decals have arrived, and they will be putting them on the two cars that they have.

Charity Young, Acting Town Clerk, reported that the High Plains Library Board is in need for an elected official to sit on their board selection committee.

It was decided that Maria Chavez would sit on the board selection committee.

Sayre Brennan, Town Planner, reported that he was hoping the Mayor would forget about him, but since he is 6'6" and in a pink shirt he was hard to miss. He also reported that the food truck requirements are staying the same and they are required to have state, county and Town licenses.

Matt Hirschinger reported that he is working on the GOCO grant, and he has met with a couple of the engineers. They believe it is a viable project. Some of the other things he is working on are the website and broadband.

Guy Patterson reported that once he gets back they will line out a good 6 months' worth of work for him. 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 was researching three years of Town minutes and there are missing minutes on the website. The last meeting with County and CDOT revealed that they are pretty well set with what they are going to do. The Town has \$200,000 budgeted for that project. He reported that he would like to see that money earmarked for other building projects that the Town is going to do or looking at doing.

Councilmember Hamilton reported that she is resigning from the Council effective October 17, 2018.

Councilmember Chavez reported that the Trunk or Treat is coming together for October 31st. They have fliers and donations already coming in. The next Rec & Events meeting is scheduled for the 24th.

Councilmember Hargis reported that since Roy is retiring she would like the Town to be able to do something nice for him. She also reported that on October 19th is the next CML legislative committee meeting and she would need someone to cover for her.

Guy Patterson reported that he would probably cover.

Councilmember Hargis also reported that the Mayor of Ft Lupton has been meeting with her about Pell studies along Highway 52. With the studies in place the Town could receive up to 85,000 a mile for improvements on the highway. If the Town has a Pell study in place it is more likely to get the money when it becomes available. She asked what the Town can do to get improvements along our stretch. She reported that she would also like to see a resolution in place opposing 112.

Corey Hoffman reported that the opponents of 112 put together the form resolution we can just put it on the agenda for the October 3rd meeting.

4) CITIZEN'S COMMENTS

Deandrea Art, from Erie Colorado, reported that she has spoken with both Governor candidates, and they both have opposed 112.

ADJOURNMENT

The meeting adjourned at approximately 7:04 pm.

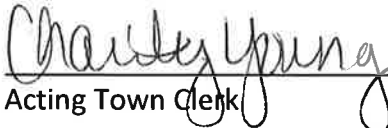


TOWN OF HUDSON, COLORADO



Mayor

ATTEST



Acting Town Clerk