

MINUTES
TOWN OF HUDSON TOWN COUNCIL
REGULAR MEETING
December 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 – Arrived at 6:11 pm
Councilmember, Matt Cole – Present
Councilmember, Joe Hammock – Absent
Councilmember, Maria Chavez – Present
Councilmember, Sarah Stadler – Present

Charity Young, Town Clerk, took roll call and (4) Councilmembers were present with one arriving late.

Town Staff Present:

Town Manager – Guy Patterson
Town Clerk – Charity Young
Town Marshal – Brent Flot
Town Planner – Sayre Brennan

ADDITIONS TO AGENDA

None

CITIZEN'S COMMENTS

None

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, November 7, 2018
- b. Payment of Bills
- c. Liquor License Renewal - End of the Trail
- d. Liquor License Renewal – Pit Stop

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

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion carried.

2) GENERAL BUSINESS

- a. **RESOLUTION 18-33:** A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF PARCELS OF LAND TO THE TOWN OF HUDSON, COLORADO, KNOWN AS THE ROCKY MOUNTAIN ENERGY CENTER ANNEXATION.
- b. **ORDINANCE 18-13:** AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY IN WELD COUNTY (ROCKY MOUNTAIN ENERGY CENTER ANNEXATION). SECOND READING. PUBLIC HEARING.
- c. **ORDINANCE 18-14:** AN ORDINANCE REZONING CERTAIN PROPERTY TO INDUSTRIAL THREE DISTRICT (I-3) AND APPROVING THE TRANSFER OF THE OBLIGATIONS OF THE USE BY SPECIAL REVIEW PERMIT NUMBER USR-1339 FROM WELD COUNTY TO THE TOWN OF HUDSON. SECOND READING. PUBLIC HEARING

Mayor Haynes opened the public hearing at 6:03 pm

Corey Hoffmann, Town Attorney, reported that items 2a, 2b, and 2c are combined. Corey Hoffmann reported that this is the second reading on the annexation and zoning ordinance and findings of fact on the Rocky Mountain Energy Center. Xcel has been surrounded by the Town for three years. This is a voluntary request to be annexed. The USR was approved by the County when the energy center was first approved and has been continued. All the conditions on the USR are the same. There is a buffer area and at this point Xcel is not looking to have the property be served with municipal potable water. They have agreed at the time to dedicate land for the future overpass at I76.

Michael Diehl, with Xcel Energy, reported that he was here to answer any questions. He reported that Xcel is not getting any tax deals by annexing into the Town. He reported that the Town will be 2.2 million dollars richer next year and they are glad to be part of the Town now.

Julie Grimes, 6022 CR 51, reported that she lives east of the power plant. She reported that the original thought process on this said there was nothing about the USR that is going to change.

Corey Hoffmann reported that the annexation is not part of the USR either it is part of the annexation agreement to expand to the south.

Mike Diehl reported small area to the south of the plant and it will include one or two more steam generators.

Julie Grimes reported that she is concerned about the expansion, and if that does happen people would like to be notified and be allowed to speak.

Corey Hoffmann reported that there are no plans at all contemplated at this point.

Julie Grimes stated that the original USR and all the land around that plant was intended to be a conservancy easement and not to be developed. She reported that Mr. Land's land is now industrial. She stressed that she doesn't want such things in our neighborhood.

Mike Diehl reported that there was a conservancy easement purchased to buffer the property and plan to do no development on that land at this point.

Councilmember Stadler made a motion, seconded by Councilmember Chavez to approve Resolution 18-33: A resolution making certain findings of fact regarding the proposed annexation of parcels of land to the Town of Hudson, Colorado, known as the Rocky Mountain Energy Center annexation.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

Councilmember Cole made a motion, seconded by Councilmember Stadler to approve Ordinance 18-13: an ordinance approving and accomplishing the annexation of contiguous unincorporated territory in Weld County (Rocky Mountain Energy Center Annexation).

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

Councilmember Chavez made a motion, seconded by Councilmember Stadler to approve Ordinance 18-14: an ordinance rezoning certain property to industrial three district (I-3), and approving the transfer of the obligations of the use by special review permit number USR-1339 from Weld County to the Town of Hudson.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion carried.

- d. **ORDINANCE 18-15: AN ORDINANCE AMENDING THE HUDSON MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW ARTICLE 18 OF CHAPTER 2 ENTITLED HUDSON RECREATION COMMITTEE. FIRST READING.**

Guy Patterson, Town Manager, reported that this is an ordinance that grew out of a couple of conversations with the council for a permanent standing committee. The ordinance was reviewed at the ad hoc recreation committee meeting.

After further discussion, there was a consensus on wording changes for Ordinance 18-15.

Councilmember Stadler made a motion, seconded by Councilmember Cole to approve Ordinance 18-15, an ordinance amending the Hudson Municipal Code by the addition thereto of a new article 18 of chapter 2 entitled Hudson Recreation Committee.

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion passed.

- e. **RESOLUTION 18-34: A RESOLUTION APPROVING THE SITE PLAN FOR MOTHERLOAD PROVISIONS, LLC LOCATED AT 560 DAHLIA STREET.**

Sayre Brennan, Town Planner, we have a resolution for the site plan for Motherlode Provisions located at 560 Dahlia went to Planning Commission on November 14, 2018 and received unanimous recommendation of approval. They have closed on the building and are currently doing demolition work on the interior.

Councilmember Hargis made a motion, seconded by Councilmember Cole to approve Resolution 18-34, a resolution approving the site plan for Motherload Provisions, LLC located at 560 Dahlia Street.

The vote was as follows:

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

Nay - None

Mayor Haynes declared the motion passed. (After the meeting administration change the Resolution number to 18-40).

- f. **ORDINANCE 18-16:** AN ORDINANCE REZONING CERTAIN PROPERTY FROM COMMERCIAL ONE (C-1) TO RESIDENTIAL TWO (R-2). FIRST READING.

Sayre Brennan reported that this is a request to rezone 3 parcels from C-1 to R-2. The purpose of the rezoning requests allows for residential uses by right and to allow for less complicated real estate transactions for the current homeowners Mr. & Mrs. Gaines. The future land use would allow for mixed use which allows for residential uses. On the three subject parcels there are pre-existing residential uses one of them that has been there since the late 1800's. He reported that the Planning Commission recommended approval on the November 14, 2018 meeting.

Councilmember Cole made a motion, seconded by Councilmember Stadler to approve Ordinance 18-16: an ordinance rezoning certain property from commercial one (C-1) to residential two (R-2). First reading.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

- g. **RESOLUTION 18-35:** A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION AND ESTABLISHING JANUARY 16, 2019 AS THE DATE OF PUBLIC HEARING ON THE REQUESTED ANNEXATION OF A PARCEL OF UNINCORPORATED TERRITORY LOCATED IN THE COUNTY OF WELD (MEADOW RIDGE HOLDINGS, LLC)
- h. **RESOLUTION 18-36:** A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION AND ESTABLISHING JANUARY 16, 2019 AS THE DATE OF PUBLIC HEARING ON THE REQUESTED ANNEXATION OF A PARCEL OF UNINCORPORATED TERRITORY LOCATED IN THE COUNTY OF WELD (MEADOW RIDGE HOLDINGS, LLC)

Sayre Brennan reported that g and h are resolutions for substantial compliance. This does not approve the annexation it just recognizes he has met the requirements for annexation under state and Town code. There will be two readings but because it is one parcel of land it must be broken up into two annexations.

Corey Hoffmann reported that the State law requires that the property be 1/6 contiguous property to the Town so for the annexation to meet those requirements it must be two annexations.

Councilmember Stadler made a motion, seconded by Councilmember Chavez to approve Resolution 18-35, a resolution accepting the petition for annexation and establishing January 16, 2019 as the date of public hearing on the requested annexation of a parcel of unincorporated territory located in the County of Weld (Meadow Ridge Holdings, LLC)

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

Councilmember Stadler made a motion, seconded by Councilmember Chavez to approve Resolution 18-35, a resolution accepting the petition for annexation and establishing January 16, 2019 as the date of public hearing on the requested annexation of a parcel of unincorporated territory located in the County of Weld (Meadow Ridge Holdings, LLC)

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

- i. **RESOLUTION 18-37: A RESOLUTION ADOPTING THE 2019 BUDGET FOR THE TOWN OF HUDSON, COLORADO, AND APPROPRIATING MONIES FOR IMPLEMENTATION OF BUDGET FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY JANUARY 2019, AND ENDING ON THE LAST DAY OF DECEMBER 2019**

Guy Patterson reported that this is the first of two resolutions this evening for your consideration. This one is adopting the budget and appropriating the budget. There is a memo with everything that has been discussed since the August work session. The other one is appropriating the Property taxes.

Councilmember Hargis made a motion, seconded by Councilmember Stadler to approve Resolution 18-37: a resolution adopting the 2019 budget for the Town of Hudson, Colorado, and appropriating monies for implementation of budget for the calendar year beginning on the first day of January 2019, and ending on the last day of December 2019.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

- j. **RESOLUTION 18-38:** A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2018, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF HUDSON, COLORADO, FOR THE 2019 BUDGET YEAR.

Guy Patterson reported that this is the resolution levying the property taxes. The annexation on the Rocky Mountain Energy Center is not calculated in this resolution since the Town will not see the revenues until 2020.

Councilmember Chavez made a motion, seconded by Councilmember Cole to approve Resolution 18-38: a resolution levying general property taxes for the year 2018, to help defray the costs of government for the Town of Hudson, Colorado, for the 2019 budget year.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

- k. **RESOLUTION 18-39:** A RESOLUTION SUPPORTING THE INSTALLATION OF A STOP LIGHT AT COLORADO STATE HIGHWAY 52 AND WELD COUNTY ROAD 59

Guy Patterson reported that the resolution is as it states, this is supporting a stoplight out by the school.

Councilmember Cole asked if the Town sent a copy to Lochbuie, Keenesburg, and the School and have they voted on it yet.

Guy Patterson reported that he did not, but Keenesburg has set aside \$100,000 for it.

Councilmember Cole made a motion, seconded by Mayor Haynes to approve Resolution 18-39: A resolution supporting the installation of a stop light at Colorado State Highway 52 and Weld County Road 59.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

I. **APPOINTMENT:** Sheri Haffner to Hudson Housing Authority

Councilmember Stadler made a motion, seconded by Councilmember Chavez to appoint Sheri Haffner to the Hudson Housing Authority.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

m. **PETITION:** Exclusion from Hudson Hill Metro District/Inclusion into Andrews Farm Metro District No. 1.

Corey Hoffmann reported that several months ago there was an initial attempt to include additional property into an existing district. The developer has created a new metro district. They are wanting to take the property out of the Hudson Hills Metro District and into the Andrews Farm Metro District where the improvements are going to be built for the benefit of the Town. He reported that it is more accountable for them to be building the improvements within the district.

Councilmember Hargis asked if all we are changing is the Town property.

Corey Hoffmann reported that is correct and that is why the Town must sign the petition.

Councilmember Hargis made a motion, seconded by Councilmember Chavez to approve the petition of exclusion for Hudson Hill Metro District/Inclusion into Andrews Farm Metro District No. 1.

The vote was as follows:

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

Nay – None

Mayor Haynes declared the motion passed.

3) STAFF REPORTS

Guy Patterson, Town Manager, reported that he included a staff report and if there are any questions please let him know. The one point he wanted to touch on is the employee handbook. He reported that the Town has found some clunky things in the handbook. The Town has reached out to CIRSA to help us with it.

Councilmember Cole asked if Council needs to make a motion to approve the funds for the light to match Keenesburg.

Guy Patterson reported that the Town has it set aside. He also reported that he is ending his first calendar year with the Town, and thanked Council for annexing in Xcel.

Hunter Fobare, Public Works and Utilities Director was unable to attend the meeting.

Brent Flot, Town Marshal, had to leave on a call.

Sayre Brennan, Town Planner, reported that the Town has Barry Fehr and Hudson lockers replat site plan on the planning commission agenda for review. He also reported that RE3J will be coming in for a replat on the parcel and a site plan for the new administration building. He stated that the Planning Commission is losing 2 Ex-Officio members and if anyone wants to lose another Wednesday night, they could use one more planning commissioner.

Councilmember Chavez reported that the Town will be having the Town Hall lighting on Friday December 7, 2018 at 6 pm. She also reported that the next recreation committee meeting will be in January. They are planning on having an all-day meeting to discuss 2019 events.

Councilmember Hargis reported that she received an email from Andrew Campanelle from National School Choice week considering recognizing Jan 20-26 for a school choice week in Hudson. It is supposed to show that we are open to all forms of schooling. Personally, she felt that the Town should forgo it this year. The

Town just got a new elementary school and it is going great.

Councilmember Stadler reported that the potholes on Cherry Street and Date Street need fixed.

Mayor Haynes reported that he had a blast being Mayor and Laura is going to do a great job and needs Council's support.

5) CITIZEN'S COMMENTS

None

ADJOURNMENT

The meeting adjourned at approximately 6:41 pm.

TOWN OF HUDSON, COLORADO



Mayor

ATTEST



Town Clerk

