

MINUTES
TOWN OF HUDSON TOWN COUNCIL
REGULAR MEETING
August 18, 2021 - 6:00 P.M.

CALL TO ORDER AND ROLL CALL

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

ROLL CALL

Mayor, Laura Hargis – Present
Councilmember, Maria Chavez – Present
Councilmember, Candace Nolf – Present
Councilmember, Joe Hammock – Absent
Councilmember, Sarah Stadler – Present
Councilmember, Daniel Warren – Present
Councilmember, Michael Maestas - Present

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

Town Staff Present:

Guy Patterson -- Town Manager
Charity Campfield – Town Clerk
Corey Hoffmann – Town Attorney
Jay Hirokawa – Police Chief
Hunter Fobare – Public Works and Utilities Director
Town Planner – Jennifer Woods

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 – August 4, 2021
- b. Payment of Bills

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

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez, and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

2) GENERAL BUSINESS

- a. ORDINANCE 21-08: AN ORDINANCE REPEALING CHAPTER 5, ARTICLE 1, OF THE HUDSON MUNICIPAL CODE AND APPROVING A NEW CABLE FRANCHISE AGREEMENT WITH ALLO HUDSON, LLC. SECOND READING**

Guy Patterson, Town Manager, reported that this is the second reading and there were no changes.

Councilmember Warren made a motion, seconded by Councilmember Chavez to approve Ordinance No. 21-08: an ordinance repealing Chapter 5, Article 1, of the Hudson Municipal Code and approving a new cable franchise agreement with Allo Hudson, LLC. Second Reading.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez, and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

- b. RESOLUTION NO. 21-27: A RESOLUTION APPROVING THE FIRST AMENDMENT TO AGREEMENT FOR PRELIMINARY COSTS OF RIGHT-OF-WAY ACQUISITION WITH BNSF DEVELOPMENT CO, LLC.**

Corey Hoffmann, Town Attorney, reported that the original agreement required an appraisal of the two properties. This agreement is for the second phase of the agreement, and this is for the right-of-way negotiator and the property at BNSF's costs.

Councilmember Chavez made a motion, seconded by Councilmember Warren to approve Resolution No 21-27: a resolution approving the first amendment to agreement for preliminary costs of right-of-way acquisition with BNSF Development Co, LLC.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

c. RESOLUTION NO. 21-28: A RESOLUTION APPROVING THE LICENSE AGREEMENT FOR POLE ATTACHEMENT WITH UNITED POWER

Guy Patterson, Town Manager, reported that the code permits us to do this, and we will not be charged for this. It is one of the last agreements that needs approval for broadband.

Councilmember Chavez made a motion, seconded by Councilmember Maestas to approve Resolution No 21-28: a resolution approving the license agreement for pole attachment with United Power.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

d. RESOLUTION NO. 21-29: A RESOLUTION ADOPTING A THREE-MILE ANNEXATION PLAN FOR THE TOWN OF HUDSON

Guy Patterson, Town Manager, reported that this is required annually by state statute to adopt.

Councilmember Warren made a motion, seconded by Councilmember Stadler to approve Resolution No 21-26: a resolution approving the trade contractor agreement with Peak Communication, LLC for installation of the Hudson Fiber Network.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

e. RESOLUTION NO. 21-30: A RESOLUTION APPROVING THE KELLY REPLAT (CASE NO. 21-03)

Jennifer Woods, Town Planner, reported that this house is located on 8 lots and is proposing to remove some of the lot lines to make it 3 separate parcels and it is zoned R-2.

Councilmember Chavez made a motion, seconded by Councilmembers Maestas and Warren to approve Resolution No 21-30: a resolution approving the Kelly Replat (Case No. 21-03).

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

f. RESOLUTION NO. 21-31: A RESOLUTION MAKING AN APPOINTMENT TO THE HUDSON PUBLIC LIBRARY BOARD

Charity Campfield, Town Clerk, reported that the opening was posted in Hudson, Keenesburg and Lochbuie. The Town received one application.

Councilmember Maestas made a motion, seconded by Councilmember Stadler to approve Resolution No 21-31: a resolution making an appointment to the Hudson Public Library Board.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

g. ORDINANCE NO. 21-09: AN ORDINANCE STATING THE INTENT OF THE TOWN OF HUDSON TO ACQUIRE REAL PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING THE COUNTY ROAD 49/STATE HIGHWAY 52 INTERSECTION THROUGH THE UTILIZATION OF THE TOWN'S POWER OF EMINENT DOMAIN, AND DIRECTING THE TOWN'S STAFF AND TOWN ATTORNEY TO NOTIFY ALL PERSONS AFFECTED THEREBY OF THE ABOVE-STATED INTENT OF THE TOWN, AND THEREAFTER TO COMPLY WITH ALL PERTINENT PROVISIONS OF C.R.S. 38-1-101, ET SEQ., RELATING TO GOOD FAITH NEGOTIATIONS FIRST READING

Corey Hoffmann, Town Attorney, reported that this is the second piece to approving the payment for the cost of right-of-way acquisition. This is required under state law and the Town's Home Rule Charter.

Councilmember Warren made a motion, seconded by Councilmember Maestas to approve Ordinance No 21-09: an ordinance stating the intent of the Town of Hudson to acquire real property for the purpose of constructing and improving the County Road 49/State Highway 52 intersection through the utilization of the Town's power of eminent domain, and directing the Town's staff and Town Attorney to notify all persons affected thereby of the above-stated intent of the Town, and thereafter to comply with all pertinent provisions of C.R.S. 38-1-101, ET SEQ., relating to good faith negotiations. First reading.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

3) STAFF REPORTS

Guy Patterson, Town Manager, reported that there will be a pre-construction meeting for broadband next week. The Town will be taking over code enforcement 100% next week.

Hunter Fobare, Public Works and Utilities Director, reported that the soil test from the park is that there is too much salt and a high PH and they are going to bring in some dirt to help fix it. He reported they need to fix Oak St and CR 47. Clean up days are scheduled for September 17th and 18th.

Jay Hirokawa, Police Chief, reported that the incident last Sunday they were able to catch a career criminal after he caused a substantial amount of damage to private property.

Sarah Stadler, Councilmember, asked that the website meeting minutes are updated.

Laura Hargis, Mayor, reported that the chamber dinner is coming up and if anyone wants to go, they need to let the Town Clerk know, the Weld County Commissioners have announced a Weld County art contest for kids, and the High Plains Library District needs a council person to help make a board appointment.

4) CITIZEN'S COMMENTS

None

5) EXECUTIVE SESSION

Pursuant to Section 3.12(1)(c) 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 regarding intergovernmental agreements.

Councilmember Chavez made a motion, seconded by Councilmember Stadler to enter executive session.

The vote was as follows:

Aye: Councilmembers Stadler, Nolf, Warren, Maestas, Chavez and Mayor Hargis.

Nay: None

Mayor Hargis declared the motion carried.

Council entered executive session at 6:36 pm.

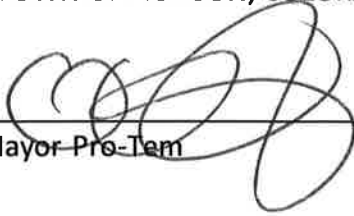
Council exited executive session at 6:51pm

ADJOURNMENT

The meeting adjourned at approximately 6:52 pm.



TOWN OF HUDSON, COLORADO



Mayor Pro-Tem

ATTEST



Town Clerk