

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

December 8, 2011

1. Mayor Koontz called the meeting to order at 6:32 p.m. Those present were Sheila Maki, Carrie Wingfield, Lindee Cantrell, Jane Wills and Dustyn Foster. Marlin McCracken was not present.
2. Those present recited the Pledge of Allegiance.
3. Sheila Maki moved to approve the minutes for November 10, 2011, seconded by Jane Wills, with all in favor.
4. **Liquor License Renewal**  
The Trustees reviewed the renewal license for the Past Times Tavern. Deputy Lloyd reported they have had some minor problems.  
Lindee Cantrell moved to approve the liquor license renewal for the Past Times Tavern, seconded by Sheila Maki, with all in favor.
5. **Tim Callahan – Proposed Subway Restaurant Discussion**  
Mr. Callahan told the Trustees he would like to put in a Subway Restaurant at 301 E. Bridge Street. He will use the existing sign and place a Subway sign on the building. He submitted a parking proposal. There will be two handicapped parking spaces; he is working with Mike Owens on a location for these. He also owns the Subway in Cedaredge. He is hoping to open in about 90 days.  
Attorney Briscoe told the Trustees, restaurants are allowed in C2 zone by right without a review by Planning. For Town Trustees the question is rather Subway is a restaurant or fast food. Fast food or drive-thru restaurants are allowed by review only. Subway does not have a drive-thru service. There is not a definition for restaurant, fast food or drive-thru in the zoning code.  
Mike Owens said parking may be an issue due to traffic control on Bridge and 3<sup>rd</sup> Street. Deputy Lloyd said there shouldn't be any more traffic or problems than when the liquor store was in business at that location. Mr. Callahan said there will be seating for 24 to 28 customers and 16 parking spaces, 13 behind the building and 3 on the east side of the building. There will be 3 employees per shift.  
Mayor Koontz reminded the Trustees that the decision made tonight will set the standard for the future. Dustyn Foster moved to accept Subway as a restaurant, seconded by Carrie Wingfield, with all in favor. Mr. Callahan may proceed with the purchase of the building and establishment of his restaurant.
6. **Ordinance 2011-2 and Resolution 2011-1 - Additional \$ 1.00 Garbage Fund Administrative Fee**  
Attorney Briscoe told the Trustees in 1985 a resolution established an administrative fee for the garbage fund. Ordinance 2011-2 and Resolution 2011-1 establish an additional \$ 1.00 for a total of a \$2.00 administration fee.  
Sheila Maki moved to adopt Ordinance 2011-2 amending 12-2-2, seconded by Carrie Wingfield, with all in favor.  
Sheila Maki moved to adopt Resolution 2011-1 establishing a \$ 2.00 administration fee to balance the fund, effective January 1, 2012 billed February 1, 2012, seconded by Jane Wills, with all in favor.
7. **2012 Budget**  
Sheila Maki moved to adopt Ordinance 2011-3 for the 2012 Budget, seconded by Lindee Cantrell, with all in favor.  
Sheila Maki moved to adopt Ordinance 2011-4 to set the Mill Levy for 2012, seconded by Carrie Wingfield, with all in favor.  
Sheila Maki moved to adopt Ordinance 2011-5 for Appropriation of Funds as an emergency, seconded by Lindee Cantrell, with all in favor.
8. **Review of Donation Policy**  
Mayor Koontz read the policy. Jane Wills said the Town should not donate to taxing entities. Wendell Koontz said the policy stated donations to taxing entities are reviewed on a case by case basis. Attorney Briscoe told the Trustees that they could hold taxing entities to a standard they have to meet if the Town donates to them. The Donation Policy was not changed.
9. **Hotchkiss Planning Committee Update**  
They worked on the Master Plan update.

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10. **Building Code Inspector Update**  
Tim Hinz told the Trustees there were 24 permits issued in 2011. Most are complete.
11. **Leroux Creek Planning Update**  
Jane Wills reported there was not a meeting in November.
12. **High School Water Line Project Update**  
Engineer Fagan gave the Trustees a detailed report with her monthly staff report. Sapphire is asking for a time extension and two weeks should be enough time. Engineer Fagan said they are doing a good job and the Town has received a good product. Mike Owens said the time extension is needed and they have worked hard to complete the project. Mayor Koontz said he is getting impatient with the length of the project.  
Sheila Maki moved to give Sapphire a time extension to January 12, 2012, seconded by Jane Wills, with all in favor.  
  
Engineer Fagan told the Trustees Sapphire is asking for additional monies for the extra material for the McKnight Ditch. The McKnight Ditch Company board asked for additional flow fill and Sapphire should be paid for that. Mayor Koontz said the Town will look at additional funding if they meet the January deadline for completion.
13. **Enhancement Project Update – Walking Trails**  
Engineer Fagan has been communicating with CDOT on what part of the project the Town employees can do and be reimbursed for. The IGA with CDOT is almost complete. The topo information should be complete soon. When the topo is complete, Engineer Fagan will put together a draft design and prepare a budget for the project. The topo and right of way information will cost about \$ 5,000.
14. **Water Treatment Plant**  
Mike said they are still working with Pall to change chemicals. They are having some problems with the membranes and are working with Pall on that also.
15. **End of Year Bonus**  
Mayor Koontz said the end of year bonus is to show the staff appreciation for the year.  
Sheila Maki moved to give the staff \$200 and Trustees \$ 50 gift cards for City Market, seconded by Jane Wills, the motion passed with Carrie Wingfield abstaining.
16. **Five Minute Public Appearance**  
Attorney Briscoe told the Trustees he had received a letter from SBA Tower offering to buy out the Town's lease. He recommends the Town not respond at this time.
17. **Department Reports**  
Mike asked if there were questions on his written report. There were none. Everything for his department has already been covered in prior reports.  
  
Deputy Lloyd reported for Marshal Miller. The Trustees and Attorney Briscoe complimented the department on their professionalism on traffic stops.  
Deputy Lloyd said there will be increased patrol on 4<sup>th</sup> Street and the school zone.
18. **Hotchkiss Chamber of Commerce Update**  
Tom Wills reported the "Hot Bucks" sold out quickly. The Chamber is working on the symposium and membership renewals.  
In 2013, the Colorado Grand and Royal Royce cars will be in Hotchkiss. Attorney Briscoe said with all the activities coming to Delta County it is important for all the Town's and Chamber's be working together. Mayor Koontz asked that the Town be kept informed about the Pro Cycling Tours.

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19. Mayor's Report  
The 5K run during the Sheep Dog Trials will take a new route in 2012.  
Fire Chief Doug Fritz told the Mayor that there is a need for firefighters.  
Mayor Koontz told the Trustees that BLM is proposing oil and gas leases in the North Fork area and he would like to write a comment letter stating the Town's concerns and that the Town would like to be kept informed of all meetings and considerations. He asked that the Trustees get there comments to Clerk Searle and he and Attorney Briscoe will write a letter.
20. Town Clerk Report  
Thanked the Trustees for the bonus for all the staff.
21. Upcoming Events  
Creamery Arts Opening – 12/9/11  
Santa at the Fire House – 12/17/11  
NF Children's Christmas Party 12/10/11
22. New Business  
Engineer Fagan told the Trustees that DMEA is increasing the base rate for 2012.
23. Sheila Maki moved to pay all bills, seconded by Carrie Wingfield, with all in favor.
24. Lindee Cantrell moved to adjourn the meeting, seconded by Sheila Maki, with all in favor.

Respectfully Submitted,  
Marlene F. Searle, Town Clerk