

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

May 8, 2014

1. The meeting was called to order at 6:34 p.m. by Mayor Wendell Koontz. Those present were Tom Wills, James Roberts, Lindee Cantrell and Dustyn Foster. Carrie Wingfield was not present.
2. Mayor Koontz read a quote from George Washington.
3. Those present recited the Pledge of Allegiance.
4. Minutes for April 10, 2014
Lindee Cantrell moved to approve the minutes as presented, seconded by James Roberts, with all in favor.
5. Public Hearing
Liquor License Application
Julie and Carl Lange, Taco Hut, 301 E. Bridge Street
Attorney Nerlin gave a Preliminary Findings report on the application. This license is for a Hotel / Restaurant License. This license application is undergoing a concurrent review by the State. The State Liquor Enforcement did send a statement of finding and has requested a lease from the Lange's to Taco Hut, LLC, which the Lange's are working on now. They will present that to the Town staff and the Attorney before the signed application is sent to the State.
Mayor Koontz opened the Public Hearing Comment Period.
Mayor Koontz asked if there were comment from anyone in favor of the application.
There were none.
Mayor Koontz asked if there were comment from anyone against the application.
There was none.
Mayor Koontz closed the comment period.
The Lange's stated all alcohol will be served on premises. They will have a three (3) foot fence around the patio area facing Bridge Street. Marshal Miller said the three foot fence would be high enough with the patio being in full view of the street and on the front side of the building. Alcohol will not be served thru the drive-thru window.
James Roberts moved to approve this liquor license for Carl and Julie Lange, Taco Hut, LLC, with the condition they present the lease to the Town, seconded by Tom Wills, with all in favor.
6. Fire Mountain Canal and Reservoir Company – Opening of Sealed Bids
Mayor Koontz opened the sealed bids and asked Lindee Cantrell and Dustyn Foster to summarize the two bids. The bids were; Marlin McCracken bid \$4.00 per share, or if no one else bid \$3.00 per share. Stan Baker bid \$2.10 per share for 300 shares. Mayor Koontz suggested leasing the shares to Marlin McCracken at \$4.00 per share for all or part, if Mr. McCracken does not want all 300 shares the remaining may be leased to Stan Baker.
Tom Wills moved to accept Marlin McCracken's bid of \$4.00 per share for 300 shares for a two year lease, if not all 300 shares to Mr. McCracken lease the remaining shares to Stan Baker seconded by James Roberts, with all in favor.
7. Open Trustee Seat
Mayor Koontz told the Trustees the Town had received one letter of interest for the vacant Trustee seat from Larry Jakubiak. The Trustees approved Larry Jakubiak.
Clerk Searle sworn in Larry and he was seated.
8. Street Closure Request – 5K Fun Run
Mayor Koontz reported the 5K Fun Run will be on Saturday the 10th from 8:00 a.m. to 10: a.m. The closure request is for Hotchkiss Avenue between Pinon Street and Cedar Avenue. This 5K Fun Run is a fund raiser for Kappa Pi scholarships.
James Roberts moved to approve the Kappa Pi request for the street closure, seconded by Tom Wills, with all in favor.

9. Sue Whittlesey – DMEA Board Candidate
Mrs. Whittlesey introduced herself and stated she is from the North Fork area and a candidate for the DMEA Board. She said the mail in ballots will be out next week and encouraged people to vote.
10. West Elk Family Church – Use of Willow Height Park
Lee Byram, West Elk Family Church, asked the Trustees for the use of Willow Heights Park from July 16th to July 21st, four hours per day, for a God and Nature Day Camp for children ages 5 to 12, but all are welcome. They had 67 children and 62 adults register last summer. The park will not be closed to others wishing to use it. They have liability coverage through the church. Mr. Byram said they put cones out and have adults there when children are being picked up to slow down traffic.
Mike Owens reported everything went good last year.
Lindee Cantrell moved to allow West Elk Family Church use of Willow Heights Park, seconded by Dustyn Foster, with all in favor.
11. Heart and Soul
Postponed
12. Attorney Nerlin – Annexation Policy
Attorney Nerlin gave the Trustees Annexation Procedures and the Resolution for the 1st reading. Mayor Koontz asked for a digital copy of a map. Attorney Nerlin said he could provide that. Lindee Cantrell moved to approve the format of the first reading of the Annexation Procedures and Resolution as presented, seconded by Tom Wills. Motion passed with Larry Jakubiak abstaining. (Larry had not completely reviewed the documents.)
13. Sign Code Discussion
Tom Wills and Mayor Koontz have talked about the CDOT and HWY 92 issue. Tom said he would still like the Town to have conversations with CDOT on the right of way issue on Bridge Street/HWY 92. Tom said while writing a sign code; how does the Town handle the CDOT right of way issue. In the past if a business asked about placing a sign on Bridge Street they were told to talk to CDOT. Tom told the Trustees he felt there were two ways to approach this situation;
1. enter into negotiation with CDOT and get an IGA with CDOT for their right of way, which could trigger sign removal for current signs and more restrictions from CDOT,
2. leave as is – citizens being told to contact CDOT,
Mayor Koontz said he is not convinced that telling CDOT we have non conforming signage is the answer.
Larry Jakubiak asked if CDOT has easements in other Towns and have they made the Towns remove signs, Tom Wills said yes, CDOT has right of ways in most of the Towns and he knows of one time in Hotchkiss CDOT asked that an apple crate being used for advertisement be removed at 4th and Bridge. Larry Jakubiak asked if the Town is opening a can of worms with CDOT.
Attorney Nerlin said an agreement with CDOT is difficult to get and may cause future problems. Mayor Koontz suggested the Town continue work on the sign code and hold off contacting CDOT.
Mike Owens said the way signs have been dealt with in the past has worked without problems with the citizens or CDOT.
- Susie Kaldis, Creative Coalition, asked if the Town would participate in placing brackets and flags on the electric poles on Bridge Street. The Coalition will purchase 15 flags and brackets and they are asking the Town to help place the brackets. The flags will hang on the sidewalk side of the poles. The Coalition will work with others in rotation of the flags for different events in Town.
Mike Owens said the Town had flags at one time and they were fine until the brackets fell apart. He suggested they talk to the Hotchkiss Chamber, as they were the one who handled the flag

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

Page 3
5/8/14

13. (continued)project in the past. Mike also said the Town does not want to be responsible for taking down and putting up flags. This needs to be coordinated with the groups and the Chamber.
Tom Wills moved to approve the Creative Coalition request of placing of brackets and flags on the electric poles on Bridge and to work with Mike Owens, Marlene Searle, Amy Foster and DMEA, seconded by Larry Jakubiak, with all in favor.
14. Enhancement Trails Project Update
Engineer Fagan reported the Town met with the County to discuss the use of the remaining \$450,000 in funds from CDOT for a mutual project near the fair grounds. All we meet again in June to continue discussion and form a plan.
15. Town Engineer Report
The Town has completed one round of sewer line monitoring and will monitor again next week. Engineer Fagan and Mike met with DOLA about funding for videoing the sewer lines, should know in July if funding is granted.
The generator for the water plant is being installed and should be online shortly.
The surveying and location of the water meters is almost complete.
Grants for the water plant and HHS waterline/meter installation should be closed out by late June.
16. BLM Resource Management Plan Update
Mayor Koontz reported there is no new information.
17. Downtown Improvement
Tom Wills reported the Barney/Fair Park is almost complete. One of the picnic tables will be moved to the Town owned triangle at HWY 92/133. The pocket park structure is complete with a Heart and Soul grant for \$ 1,500, Sparks Iron Works donation, and donation of labor and materials. Mary Hockenbery reported the flowers planters have been planted and there are more planter adoption this year.
18. Delta County Housing Authority
Trustee Larry Jakubiak volunteered and was appointed as the Town representative.
19. Hotchkiss Planning Commission Update
Tom Wills reported they discussed sign code.
20. Leroux Creek Planning Update
Carrie Wingfield was not present to give a report. Tom Wills reported there was not a meeting.
21. Five Minute Appearance
Mary Hockenbery told the Trustees she had a discussion with Mike Owens concerning Weekender Sports parking 4-Wheelers on the sidewalk and not leaving the five foot clearance for foot traffic. She felt the discussion became about Downtown Improvement and the planters. This morning (Thrusday) she had a red tag for code enforcement violations on her properties on 1st Street. She felt this was in retaliation for the conversation between her and Mike. Mike stated he did not know about the red tag and that is a police department job. Mary feels the enforcement of the codes is uneven and selective. Marshal Miller stated the entire Town cannot be covered in one night, code enforcement is accomplished continually.
Mayor Koontz told Mary the Town appreciates all her volunteer time and does not think this was retaliation, but bad timing.
Mayor Koontz asked Mary to discuss the matter further with him.

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

Page 4
5/8/14

22. Department Reports
Mike reported the street paving, curb, gutter and sidewalk project for this year will affect 20 residents with sidewalk replacement with a cost of over \$50,000.
Public works will supply cones and barricades for the 1st State Bank community lunch and the 5K Fun Run.
Marshal Miller asked if there were questions on his written report. There were none. Marshal Miller reported the department is prepared for the Sheep Dog Trials and the 5K Fund Run this weekend.
23. Hotchkiss Chamber of Commerce
Tom Wills reported they are working on the welcome sign at the east end of Town. TDS replaced the poles and the Chamber is working with the Creative Coalition to replace the sign.
24. Mayor's Report
Mayor Koontz told the Trustees Tami Smith had left the Town's employment and is working for the North Fork Medical Clinic.
Hotchkiss Planning still needs a member.
The Public Hearing for Recreational Marijuana will be held in July. Mayor Koontz will be gone for the June meeting.
Mayor Koontz requested a building inspector report for June.
25. Town Clerk Report
The Town spring clean up will be May 30th and 31st at the old sewer ponds.
26. Upcoming Events
Art Partners of Montrose and Delta at Church of Art 5/9
DMEA Annual Meeting 6/12
Jim & Judy Briscoe 50th Anniversary/Retirement Party 6/20 at Zack's
Creamery Arts Open Reception 5/9
Sheep Dog Trials 5/9,10,11
HHS Graduation 5/24
North Fork Mosquito meeting 5/19 at Hotchkiss
Jam Session 5/25 at Methodist Church
Business After Hours 5/14 Mesa Winds Farm
27. New Business
None
28. Consideration of Bills
Lindee Cantrell moved to pay all bills, seconded by Tom Wills, with all in favor.
29. Lindee Cantrell moved to adjourn the meeting at 8:30 p.m., seconded by Larry Jakubiak, with all in favor.

Respectfully Submitted,
Marlene F. Searle