

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

October 9, 2014

1. Mayor Koontz called the meeting to order at 6:32 p.m. Those present at the meeting were Dustyn Foster, Lindee Cantrell, Larry Jakubiak, Tom Wills, Carrie Wingfield and James Roberts.
2. Everyone stood for the Pledge of Allegiance. Mayor Koontz read a quote from Theodore Roosevelt to get the meeting started.
3. Minutes for 9/11/2014
Larry Jakubiak moved to approve the minutes with the following corrections;
#4 that a date be added for the KVNF event, #9 the too be changed to to,
#13 was a misquote; it was not approved but was a 1st reading, #7 Kim Shea's last name is spelled Shay, #11 change the wording to say 3 options instead of 2 options. Housekeeping be added into the description for the Subdivision Regulations, seconded by Tom Wills. The motion passed with all in favor.
4. Debra Irving
Debra Irving, the Republican Candidate for State Representative from Summit County, addressed the council. Debra and her husband of 23 years made the trip over from Summit County to attend the town meeting. She thanked the board for allowing her to speak and encouraged the board to be informed and to make sure to vote by the mail in ballot. There were no questions for Mrs. Irving.
5. Public Hearings-New Liquor Licenses
Mayor Koontz opened the Public Hearings for the two new Liquor Licenses by reading the procedure to be followed.
 - 1) Tucker Ray, LLC at 221 E Bridge Street. (Formerly known as the West Elk Inn)
Tucker Ray, LLC is applying for a Hotel/Restaurant Liquor License. Chris Fitzpatrick and Jennifer Bennett were in attendance for the hearing. Their opening day will be Saturday, October 11. The restaurant will be called Tucker's Pizza Pub and Arcade. Chris and Jennifer are striving for a family friendly atmosphere for their restaurant. There will be an arcade in the back where no alcohol will be allowed. They will have special cups to distinguish between the children's drinks and adult beverages. They will mostly be serving wine and beer and will be open seven days a week from 3:00 p.m. until 8:00 p.m. There are a couple of exceptions to this time, one is the week of October 11-18th. School is out this week so they will open at 11:00 a.m. The other exception is once a month when they have a band. They will be open until 2:00 a.m. during this time. There were no public comments or questions. Chris also noted that they were going to have an Alcohol class that all of the employees would attend.
Attorney Nerlin noted that there were a couple of more items that needed to be completed on the application before it can be submitted. The first item is a Lease Agreement and the second item is an Operating Agreement.
Marshal Miller said that he has no problems with this license. Everything is in order.
Chris said that they would have these requested items to the Town Hall tomorrow morning.
Lindee Cantrell moved to approve the license with the understanding that the Lease Agreement and the Operating Agreement would be turned in. Carrie Wingfield seconded the motion. The motion passed with all in favor.
 - 2) Pat's Bar and Grill at 140 W. Bridge Street. (Formerly known as the North Fork Diner)
Juan Mendoza and Patricia Medina were in attendance for the hearing. Pat's Bar and Grill is applying for a Hotel/Restaurant Liquor License. Pat stated that the restaurant will be run the same as it always has with a couple of exceptions. One exception is that starting October 13, 2014 they will be offering a breakfast menu, the second exception is that they will be having a band play occasionally. Pat said that they had a DJ for their Grand Opening and are planning to have a band play on Halloween. Pat also said that Chris Fitzpatrick invited her and her employees to attend the Alcohol Class with them.
There were no public comments or questions.
Attorney Nerlin noted that there were a few items needed to complete the application before it can be submitted. The first item is an amended Operating Agreement, the second item is paperwork on Patricia's individual history.
Marshal Miller said that he has no problems with this license. Everything is in order.
Carrie Wingfield moved to approve the license with the understanding that the Operating

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5. (continued) Agreement and Pat's history would be turned in. Tom Will seconded the motion. The motion passed with Larry Jakubiak abstaining.
6. Liquor License Renewals
 - 1) Creamery Art Center
Mayor Pro Tem Carrie Wingfield took over for Mayor Koontz for this portion of the meeting. There were no questions or comments on this license renewal.
Marshal Miller said that he has no problems with this renewal. The Creamery Arts center has not had any violations.
Lindee Cantrell moved to approve the Liquor License Renewal for the Creamery Arts Center, Larry Jakubiak seconded. The motion passed with all in favor.
 - 2) Dillon Companies Inc., City Market #29
There were no questions or comments on this license renewal.
Marshal Miller said that he has no problems with this license renewal. City Market has not had any violations.
Larry Jakubiak moved to approve the Liquor License Renewal for the Hotchkiss City Market, Tom Wills seconded. The motion passed with all in favor.
7. Discussion on the Sale of the Public Works Department Building
Mike Owens, Director of Public Works, said that his written report to the Trustees has his report on the building. The report states that to even start to build a new building, the Town would have to come up with \$20,000 for a Geotech investigation of the site. Everything in the building would have to be up to ADA code. The best guess at this point is that the building would be 7500 square feet and would cost in the neighborhood of \$562,500. The town is looking at possibly \$500,000 out of pocket plus the \$20,000 just to start this project.
Town Engineer Joann Fagan noted that it is possible that the building site is on a flood plane and the site will also need to have a soil study done which could cost in the neighborhood of \$10,000.
Trustees Larry Jakubiak and Tom Wills expressed concern about spending that kind of money with the economy the way that it is right now. Tom Wills suggested waiting for the selling market to go up before a decision is made, Larry Jakubiak agreed.
Mayor Koontz agreed that this is a daunting thing for the Town at the present time.
Engineer Fagan and Public Works Director, Mike Owens, will continue to research the project. Another concern expressed by the public is that the Yellow Billed Cuckoo will be displaced by such a project.
8. Street Closure-Zombie Fun Run on October 18, 2014
Hotchkiss K-8 Principal, Carrie Yantzer, was unable to attend the meeting due to the 7th/8th grade Delta County Football Championships. Principal Yantzer wrote a letter to the Board of Trustees. Mayor Koontz read the letter out loud. The letter expressed pride in the school and thanks to the Town for all of the support in the past. This is the 2nd Annual Zombie Fun Run and is the fall fundraiser for the school. The Zombie Fun Run will be held on October 18 and will start at 2:00 p.m. on Hotchkiss Avenue, between Pinon and Cedar Streets. Principal Yantzer encouraged everyone to enter the Fun Run and extended an invitation to stop by the school anytime.
Marshal Miller looked over the request and has no problem with the street closure.
Public Works Director, Mike Owens, also looked over the request and has no problems with it. Mike is just waiting on an email back from Principal Yantzer on setting up the barricades and cones for the race.
James Roberts moved to approve the street closure on Hotchkiss Avenue between Cedar and Pinon Streets, Carrie Wingfield seconded the motion. The motion passed with all in favor.
9. Trish Thibodo-Delta County Economical Development (DCED) Update
Trish Thibodo is the new director of DCED and thanked the board for putting her on the agenda for this meeting. Trish also thanked the board for all of the support that they have given DCED in the past. One of the biggest issues that DCED is currently working on is getting Broadband

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9. (continued)set up in this area. Currently they are advocating and educating people about the need for Broadband in our area. DCED also has an Economic Development and Assistance Plan in place. They are developing a plan to help with the mine closures as well as helping with health care and agriculture. They also have REDI Grants available to help local businesses expand and grow. There is a business in Hotchkiss that is currently benefitting from a REDI grant.
10. Sign Code-1st Reading Ordinance 2014-3
Attorney Nerlin said that he had no changes to add to the sign code.
Tom Wills and Larry Jakubiak had some questions on page 4 concerning prohibited signs and driving distractions. Tom Wills talked about changing the wording on page 7 to Grandfather in the already existing signs that fall into this category. Larry Jakubiak questioned the need for such an extensive sign code in a town that only had 800 people. Tom Wills stated that the code was mostly definitions and only two pages were actual sign code and were not overreaching for the Town.
The Sign Code will be placed on the agenda for next month, November 13, for the second reading and possible adoption.
11. Neighborhood Watch Resolution 2014-4
Mayor Koontz read the Resolution out loud. The Neighborhood Watch will be a Town ad-hoc board and will be supervised by the Hotchkiss Marshal's Department. The Neighborhood Watch Board can have up to 11 members.
Tom Wills moved to adopt the Resolution, Lindee Cantrell seconded the motion. The motion passed with all in favor.
Mayor Koontz appointed Lindee Cantrell as the Official Trustee member of the Neighborhood Watch Board.
Amy Foster was added to the Neighborhood Watch Board at her request. Tom Wills restated all of the members of the Board. The Board is made up of: Chair-McKenzie Cowan, Secretary/Treasurer-Tom Wills, Wes Jacobson, Town Trustee Representative-Lindee Cantrell, Sean Cantrell, Kim Shay and Amy Foster.
The next Neighborhood Watch Board meeting will be held October 13. The meeting will start at 6:00 p.m. and will be at the Town Hall.
12. Municipal Quarterly Meeting Update-Larry Jakubiak
The Municipal Quarterly Meeting was held on October 4, 2014 in Crawford. Trustee Larry Jakubiak attended the meeting and reported that it was a dynamic meeting. He reported some of the highlights of the meeting:
 - Kathy Welt had a map of the mines and encouraged everyone to write letters to Congress in support of overturning Judge Jackson's recent ruling.
 - EDA reported the awarding of a grant to the area in the amount of \$250,000 to help offset the closing of the Oxbow mine.
 - All Points Transit thanked everyone for their support and asked that we contribute the same donation that we made to them last year.
 - The School Board reported that in light of the mine closures and the recent economy, they are only down 20 students from last year.
 - The Paonia Mayor, Neil Schwieterman, talked about the controversy over the marijuana shops in Paonia.
 - Broadband was one of the biggest concerns of the Municipalities. Many businesses would benefit from it coming into the area.
 - DMEA said that they are looking at not having to increase rates for the next year.
 - DCMH talked about a new Urgent Care that they will be opening and they talked about the recent takeover of the clinics in Paonia and Hotchkiss.

The Board of Trustees are in support of writing a letter to Congress in support of the Roadless Rule and recent court ruling.
Larry Jakubiak reported that the next Municipal Quarterly Meeting will be in Paonia but a date has not been set at this time.

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13. Ordinance 2014-2 Marijuana Regulation
The Ordinance did not pass at the meeting on 9/11/14. It will be on the agenda for the final reading and possible adoption at the meeting on November 13, 2014.
14. 2015 Preliminary Budget
The preliminary budget was handed out to the Trustees. A Work Session was set for November 19, 2014 at 6:00 p.m. Trustee Lindee Cantrell noted that she will be out of town during the month of November. She will miss both the Town Meeting and the Work Session.
15. Enhancement Trails Project Update
There was nothing to report on this project.
16. Town Engineer Report
Engineer Fagan reported that the sewer lines are being videotaped in Town to discover which pipes have the most problems. Engineer Fagan and Public Works Director, Mike Owens, noted that most of the pipes are made out of clay and are cracking and root bound. The taps in some places are also cracked and needing replaced. There is also pipe missing in some places. More research needs to be done to see if the pipes can be sleeved or if they will need to be dug up and completely repaired/replaced.
17. Sanitation Line Upgrade Update
Engineer Fagan read a letter from the state that said that the loan the Town has applied for has been preliminarily prioritized and will go before the Board of Directors on December 5, 2014. The application is being forwarded to the Board in the amount of \$457,761 in the form of a CWRPDA principal forgiveness and \$1,542,239 in the form of a loan. Engineer Fagan noted that the Town will have to come up with matching funds. The Town is not obligated to take the full amount of the loan.
18. BLM Resource Management Plan Update
Mayor Koontz reported that there will be announcements in early November on the oil and gas leases.
19. Downtown Improvements Discussion-Tom Wills
Tom Wills reported that things are good with the Downtown Improvements. Mary Hockenberry will be submitting a budget to Town Clerk Searle for next year.
Town Resident, Mario Pagone, voiced concerns over the waste baskets on the poles in the downtown area not being emptied and are overflowing. Town Clerk Searle said that Double J is supposed to empty the baskets every Thursday. She is working with them to remember that since Double J frequently has new drivers on the route.
20. Delta County Housing Task Force Update-Larry Jakubiak
Larry Jakubiak reported that the commission toured the new Villas on the Bluff in South Delta. These apartments are under the Housing Authority and are very nice. Larry also reported that Jo Rosenquist, director of the Housing Authority, is retiring. The Housing Authority asked that the Town donate the same amount next year as they did this year.
21. Hotchkiss Planning Commission- Tom Wills
Trustee, Tom Wills, reported that they are working on the Master Plan Review. They are also working on a regulation update for subdivisions. The next planning meeting will be October 20 at 6:30 p.m.
22. Leroux Creek Planning Update
There was no meeting held.

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23. Five Minute Public Appearance
Trustee Lindee Cantrell said that she noticed that there is a hole in the roof at the Willow Heights Park Pavilion. Public Works Director, Mike Owens, said that there are plans to reroof the pavilion with metal roofing.
24. Department Reports
Town Resident, Mario Pagone, voiced some concerns over the bill that he received for his portion of the sidewalk replacement. Mario owns three lots and was billed for 83.4 square feet. According to Mario's calculations he should only be billed for 75 square feet in conjunction with what he owns. Mike Owens agreed with Mario and told him that the bill would be refigured and a new one sent out to him.
Marshal Miller reported that cars are being left unlocked. People are getting into the cars and stealing the cell phones out of them. They are leaving the money behind and are just taking the cell phones. Tim Gonzales of Back Country Goods said that the thieves can get up to \$100 for the phones. They are wiped clean and resold as refurbished phones. Marshal Miller encouraged everyone to please lock their cars anytime they will be out of them. Marshal Miller says that the Police Department is getting ready for Halloween and they have purchased glow sticks to give out to the kids. The Police Department is also gearing up with plans for Christmas.
25. Hotchkiss Chamber Update-Tom Wills
Tom Wills reported that the Chamber has not had any interest from local artists regarding the new Town sign yet.
The Chamber will be hosting a Craft Fair at Memorial Hall on Saturday, November 22 from 9:00 a.m. to 4:00 p.m.
The next Chamber of Commerce's meeting is November 12, at 6:00 p.m.
26. Mayor's Report
Mayor Koontz encouraged everyone to vote in the upcoming election. He also reminded everyone that it is Homecoming week at the High School and the game will be tomorrow night.
27. Town Clerk Report
No report given.
28. Upcoming Events
Homecoming 10/04
Zombie Run 10/18
Creamery Arts; The Art of Showing Horses 10/10
Church of Art; Tweens/Teens Sugar Skull Tasty Treats 10/16
Kid's Pumpkin Crafts 10/29
29. New Business
No new business was introduced.
30. Consideration of Bills
Lindee Cantrell moved that the bills for the month of October be paid, Carrie Wingfield seconded the motion. The motion passed with all in favor.
31. Adjournment
Lindee Cantrell moved the meeting be adjourned at 8:30 p.m., Larry Jakubiak seconded the motion. The motion passed with all in favor.

*Respectfully Submitted,
Ginger Redden
Deputy Town Clerk*