

RECORD OF PROCEEDINGS

Hotchkiss Board of Trustees

April 14, 2022

1. CALL THE MEETING TO ORDER

Mayor Wilkening called the meeting to order at 6:30 p.m. A verbal roll call was taken. Present were Mary Hockenbery, Pat Medina, Sven Edstrom, Patrick Webb, Jim Wingfield, John Marta and newly elected Trustees Custer McLeod and Tricia McFarland.

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA
MINUTES FOR MARCH 10, 2022

John Marta moved to approve the minutes as presented, Mary Hockenbery seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

3. CONSIDERATION OF BILLS

Town Clerk Ginger Redden read the additional bills. Pat Medina moved to approve payment of all bills as presented, John Marta seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC HEARINGS

TRAVEL TRAILER VARIANCE REQUEST-325 HWY 133-MARY DIFRANCO

Mayor Wilkening read the rules of the Public Hearing to all present. This request was presented to the Planning Commission on March 23, 2022

STAFF PRESENTATION

Mayor Wilkening told the Board that the Planning Commission did not have a quorum so this is the first time this presentation is being heard.

Patrick Webb recused himself from this hearing for personal reasons.

Mayor Wilkening explained this Variance Request.

APPLICANT PRESENTATION

Mary Difranco handed out some paperwork and a picture of the location that they would like this variance for. The previous tenant passed away a few years ago and his trailer was removed.

Since the removal, when they advertise the space for rent, the majority of the callers request a space for an RV (Recreational Vehicle) rather than a manufactured home. The former trailer was a fourteen (14) foot by seventy (70) foot trailer and the smallest trailer that most people have now is sixteen (16) by eighty (80). With the housing shortage in this area, a variance for an RV would help the housing issue and the new tenant would be staying long term.

There was several minutes of discussion regarding the plumbing the way it could be handled.

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4. PUBLIC HEARINGS (cont.)
PUBLIC COMMENT

Public Comment was opened at 6:55 p.m.

Kathy Sabatke, previous owner of Tri R Liquor asked about protecting the pipes. Bobby Orlando said that skirting is required, and heat tape will be placed below the ground level.

Mayor Wilkening read a letter from Fire Chief Doug Fritz opposing tiny home placement in this space. (Attached to the Original Minutes)

Public Comment was closed at 6:58.

BOARD DELIBERATION

The Board discussed the fact that there is a shortage of housing in the area and the safety of an RV as compared to a manufactured home. Pat Medina mentioned that last month there was a similar request that was denied. The Ordinance was put in place for a reason, and it should be followed. John Marta said it does specify no RV's in the Ordinance.

Pat Medina moved to deny the Variance Request for a RV or Tiny Home placement at 325 Highway 133, Mary Hockenbery seconded. Sven Edstrom noted that it is hard to find housing in this area and that maybe this Ordinance needs to be redone to allow for some leniency in this area. After several minutes of discussion, the motion stood. A verbal vote was taken with all Trustees voting in favor. Motion passed.

Patrick Webb returned to the table.

NEW LIQUOR LICENSE REQUEST-BLACK CAT PIZZA-221 E BRIDGE STREET
STAFF PRESENTATION

Town Clerk Ginger Redden told the Board that this application was in order with everything needed.

Chief Scott Green said that he reviewed the license and there were no issues.

APPLICANT PRESENTATION

Owner of the business, Daniel Beekhuizen told that Board that he will open the business in three (3) phases.

- 1) They will start by offering delivery and takeout
- 2) Once Highway 92 (Bridge Street) is finished they will offer in-house dining
- 3) In 2023 they will be opening with a Beer and Wine Garden available

Plain and gourmet pizzas will be offered, and a new sign will replace the current Tucker's sign stating that it is Black Cat Pizza. Patrick Webb asked what date they would open, and Daniel said that hopefully within the next two (2) months.

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4. PUBLIC HEARINGS (cont.)
PUBLIC COMMENT

Public Comment was opened at 7:16 p.m.

Kim Shay welcomed Daniel to the Town and said that this will be a great addition to the Town. Sven Edstrom asked about entertainment. Daniel said that he does not have any plans for entertainment. He would like this to be a family business. There will also be a pizza buffet offered as well.

Public Comment closed at 7:17 p.m.

BOARD DELIBERATION

Mary Hockenbery moved to approve the new Liquor License for Black Cat Pizza located at 221 E Bridge Street, seconded by Seven Edstrom. A verbal vote was taken with all Trustees voting in favor. Motion passed.

5. OLD BUSINESS

At this time, Mayor Wilkening told the Board that the results for the old Public Works Shop Building came in. There are ninety-six (96) pages, and it is available to read if anyone is interested. The Benzine is high if the building will be used for residential purposes but is within the normal levels for commercial use. There is also a small amount of asbestos and lead paint that will need to be dealt with.

Mayor Wilkening and Mayor Pro-Tem Hockenbery will be a part of the citizen committee to help complete the shop building's plan. The Board thanked Mayor Wilkening and Mayor Pro-Tem Hockenbery for all their hard work and efforts in this process.

ORDINANCE 2022-01 FENCING ORDINANCE-POSSIBLE FIRST READING

Mayor Wilkening compared the minutes from the March meeting to this new version of the Fence Ordinance and said that all the requirements have been implemented.

John Marta moved to approve Ordinance 2022-01 an ordinance of the Board of Trustees of the Town of Hotchkiss, Colorado, adding provisions to the Town of Hotchkiss Municipal Code for fencing regulation as a first reading, seconded by Jim Wingfield. A verbal vote was taken with all Trustees voting in favor. Motion passed.

HOTCHKISS CHAMBER OF COMMERCE UPDATE/ONE DELTA COUNTY UPDATE-
KIM SHAY/SHELLY WARE
CHAMBER OF COMMERCE

Kim presented a plaque to Todd and Kathy Sabatke for running Tri R Liquors for the last thirty-one (31) years. Todd and Kathy recently sold the business and will be retiring. Todd thanked the outgoing Mayor and Trustees for all the hard work they have done and said that they were a dream team and a pleasure to work with.

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5. OLD BUSINESS (cont.)

CHAMBER OF COMMERCE

The Hotchkiss Chamber is working with the local businesses to come up with a plan for customers to still have easy access to the businesses in Town during the Highway 92/Bridge Street reconstruction. Kim asked that the Chamber be kept in the loop about dates and times so that the plan can be put in place and maintained.

Mayor Wilkening said that United Companies was awarded the contract for this work and the contract had the start date of May 2nd. Jim Wingfield said that all of the Board and businesses should be involved in any meetings held with CDOT (Colorado Department of Transportation) so that everyone would be kept up to date.

Kim said that the area that people are most worried about is the Post Office at 1st Street and Bridge Street.

There is a seat open on the Chamber if anyone is interested. Bill Long will take an ex-Officio seat. There are two (2) candidates for the position so far.

The Colorado Grand Scholarship will be awarded at the end of the month.

Kim updated the Board on the progress being made on Fair and the parade.

ONE DELTA COUNTY UPDATE

No update given.

ELECTION 2022 INFORMATION

Town Clerk gave the results of the Election from April 5th.

Mayor: Jim Wingfield 156 Votes

Trustees: Patricia Medina 145 Votes

Sven Edstrom 144 Votes

Custer Mcleod 138 Votes

Tricia McFarland 132 Votes

Thomas Wills 82 Votes

Ballot Question 2A- Publishing Ordinances by headline

Yes/For 163 Votes

No/Against 31 Votes

All elected Trustees will have a four (4) year term except Tricia McFarland. Tricia's term will be two (2) years.

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5. OLD BUSINESS (cont.)

OVERLAND WATER SHARES WATER LEASE SEALED BID OPENING

Mayor Wilkening said that two (2) bids have been received for the Overland Water Shares. Mayor Wilkening opened the bids:

The first bid was received was from Jake Takiff of Cedar Springs Farm LLC. The bid was for all three hundred (300) shares in the amount of \$7500.00. This water will be used in Hotchkiss to water their cattle.

The second bid received was from Dave Whittlesey of High Wire Ranch for one hundred (100) shares in the amount of \$2200.00. There was an analysis of bid amounts and what High Wire Ranch has paid in the past.

Mary Hockenbery moved to accept the bid in the amount of \$7500.00 for all three hundred (300) shares from Jake Takiff of Cedar Springs Farm LLC, seconded by Patrick Webb. A verbal vote was taken with all Trustees voting in favor. Motion passed.

TOWN SIDEWALK REPAIR DISCUSSION

Mayor Wilkening wrote a synopsis of the sidewalk inventory. It does not include the sidewalks in Town that are in good shape. The projected cost is based on the 2021 pricing and could change. At the 2021 pricing the cost will be approximately one half of a million dollars. Mayor Wilkening thanked Rich Kramer and Roger Christian of the Planning Commission for the taking of photos and helping with putting this project together. There may be grant money available that the Town can look into, and this looks to be a multi-year project.

MUNICODE UPDATE

Mayor Wilkening explained to the Board that this project was started before Marlene retired in 2019. Municode is codifying all of the Ordinances for the Town of Hotchkiss. There will be a Zoom meeting on April 26th to go over the first draft. Attorney Nerlin will be joining Town Clerk Ginger Redden and Police Chief Scott Green.

At this time farewell was said to outgoing Board members Mayor Larry Wilkening and Mayor Pro-Tem Mary Hockenbery.

Town Clerk Ginger Redden swore in the new Council, Mayor Jim Wingfield and Trustees Pat Medina, Sven Edstrom, Tricia McFarland and Custer Mcleod.

New Mayor Jim Wingfield took over the meeting from outgoing Mayor Larry Wilkening.

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6. PUBLIC COMMENT

None given.

7. MAYOR'S REPORT

Mayor Wingfield did not have a report at this time.

DEPARTMENT REPORTS

PUBLIC WORKS

Public Works Director Mike Owens said that in addition to his written report the motherboard in the generator went out and the company would be here tomorrow to replace it and the transfer switch. Sven Edstrom asked about the water line break today and Mike said that a pressure regulator went out and had to be replaced.

POLICE DEPARTMENT

Police Chief Scott Green told that Board that since Evidence Technician/Court Clerk Joann Katzer quit, he has been thinking about how her replacement should be handled. Chief Green would like to hire another Officer instead of another Evidence Technician/Court Clerk. This would benefit the Town more by having more coverage every day. The Officers are all doing Code Enforcement now and the rest of the duties that were handled by Joann could be divided amongst the five (5) Officers. This would also be a benefit to the Police Department by allowing the schedule to be four (4) ten (10) hour days and giving all Officers three (3) days off. This would make the Police Department more transparent and improve community service. The Board agreed and gave Chief Green the direction to move forward with hiring another Police Officer.

TOWN HALL UPGRADE INFORMATION

Mayor Wingfield told the Board that the architect and the HVAC (Heating, Ventilation and Air Conditioning) consultant did a walk through of the building. They will return a plan to the Town soon.

8. NEW BUSINESS

APPOINTMENT OF JUDGE, ATTORNEY, MAYOR PRO-TEM AND TOWN CLERK

Mayor Wingfield explained to the Board that after every election the Judge, Town Attorney, Mayor Pro-Tem and Town Clerk must be reappointed. Jim spoke with Pat Medina and she has agreed to be the Mayor Pro-Tem if the Board agreed.

Patrick Webb moved to appoint Pat Medina as Mayor Pro-Tem, Patrick then amended the motion to also appoint Bruce Joss as Judge, Bo Nerlin as Attorney and Ginger Redden as Town Clerk, seconded by John Marta. A verbal vote was taken with all Trustees voting in favor. Motion passed.

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8. NEW BUSINESS (cont.)

TRUSTEE TRAINING DATE DISCUSSION

Mayor Wingfield asked for dates that would work best for people. Attorney Bo Nerlin said that his preference would be sometime in June.

After several minutes of discussion, the date of Thursday, June 23rd at 6:00 p.m. was agreed upon.

RESOLUTION 2022-03-SIGNORS FOR THE TOWN OF HOTCHKISS

Mayor Wingfield told the Board that after an election, or when there is a change of Mayor, Mayor Pro-Tem, Town Clerk or Deputy Town Clerk, a Resolution for the signors of the Town must be redone. This Resolution recognizes the authorized signors on behalf of the Town.

Pat Medina moved to adopt Resolution 2022-03 a resolution of the Board of Trustees authorizing the legal signors for the Town of Hotchkiss, seconded by Sven Edstrom. A verbal vote was taken with all Trustees voting in favor. Motion passed.

LIQUOR LICENSE TRANSFER OF OWNERSHIP-MAHALO BEVERAGES DBA TRI R LIQUOR TO HOTCHKISS LIQUOR LLC DBA TRI R LIQUOR

Pat Medina moved to approve the above noted transfer of ownership due to the sale of Tri R Liquor, seconded by Sven Edstrom. A verbal vote was taken with all Trustees voting in favor. Motion passed.

SPECIAL EVENTS LIQUOR LICENSE

DELTA COUNTY MUSIC AT THE FAIRGROUNDS-MULTIPLE DAYS-DARNELL PLACE-WISE

John Marta moved to approve the above noted Special Events Liquor License for the days of Thursday, June 23rd, Thursday, July 14th, and Friday, August 11th from the hours of 4:00 p.m. to 9:00 p.m., seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

DELTA COUNTY FAIR-MULTIPLE DAYS-DARNELL PLACE-WISE

Sven Edstrom moved to approve the above noted Special Events Liquor License for the days of Friday, July 29th, Thursday, August 4th, Friday, August 5th and Saturday, August 6th from the hours of 4:00 p.m. to 11:00 p.m., seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

ORDINANCE 2022-03 TDS TELECOM FRANCHISE AGREEMENT RENEWAL

Attorney Nerlin told the board that he will have an update to bring to the May meeting. This is a ten (10) year agreement, and he would like to have the time to work with TDS and put a standardized agreement in place that can be used in the future, much like the one that the Town did with DMEA (Delta Montrose Electric Association). The Board agreed that this was a good idea.

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8. NEW BUSINESS (cont.)
FAMLI LEAVE ACT

Mayor Wingfield explained the FAMLI Leave Act to the Board. The FAMLI leave act will take effect January 1, 2023. The leave can be used in 2024. The cost is 0.9% of the employee's wage. The Town can do a 50/50 Split with the employee paying half and the Town paying half or the Town can pay all the cost and have it as another benefit for our employees. The FAMLI Leave Act cannot be opted out of unless the Town offers another plan that is equal to or better than the State's. We can discuss this and make a decision at the June meeting.

9. ADJOURNMENT

Pat Medina moved to adjourn the meeting at 8:27 p.m., seconded by Patrick Webb. A verbal vote was taken with all Trustees voting in favor. Motion passed.

Respectfully Submitted,

Ginger R. Redden, Town Clerk