

## RECORD OF PROCEEDINGS

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Hotchkiss Board of Trustees

April 20, 2023

1. CALL THE MEETING TO ORDER

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

Those present recited the Pledge of Allegiance.

2. CONSENT AGENDA

MINUTES FOR MARCH 9, 2023

Pat Medina moved to approve the minutes as presented, Tricia McFarland seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

3. CONSIDERATION OF BILLS-RATIFICATION

Due to the meeting being canceled on April 13<sup>th</sup> due to a gas leak the bills were paid on April 14<sup>th</sup> to keep any of them from being late.

Sven Edstrom moved to ratify and approve payment of all bills as presented; Patrick Webb seconded. A verbal vote was taken with all Trustees voting in favor. Motion passed.

4. PUBLIC HEARINGS

SPECIAL ZONING USE REVIEW-PARKING VARIANCE REQUEST-320, LLC, 320 W BRIDGE STREET-RICK AND JEAN DEANE

Mayor Wingfield went over the rules for the Public Hearing process and told the Board that the Planning Commission recommended approval for this review.

Mayor Wingfield said that the Parking Ordinance does not fit the Town and it seems like there are several requests for Variances. The Town is looking to update this Ordinance to fit the Town better. Pat Medina said that it would be good to go over the Ordinances and get them updated.

APPLICANT PRESENTATION

Jordan Demo of the Law Firm Brown and Camp LLC told the Board that the Deane's want to open a restaurant at this address. This property is Zoned C2 and the requirement for parking under this zoning is one (1) space for every three (3) seats in the restaurant. It is impossible to add more parking at this location. The building is seventeen hundred (1700) square feet in size and the parking will have no adverse impact on the community. They see this as a benefit to the community. The Deane's also own 2-4-6 Coffee as well as another property in Town. The Deane's respectfully ask the Town to grant this Variance so they can begin working to open their restaurant.

PUBLIC COMMENT

Public Comment was opened and closed at 6:42 p.m.

Tom Wills, 159 W Main Street, told the Board that he submitted a letter with his comments. Tom went on to tell the Board that he wrote the regulations and did not feel that this Variance met any of the requirements to be granted and is against it. Public Comment was closed at 6:47 p.m.

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4. PUBLIC HEARINGS (cont.)  
SPECIAL ZONING USE REVIEW-PARKING VARIANCE REQUEST-320, LLC, 320 W BRIDGE STREET-RICK AND JEAN DEANE  
BOARD DELIBERATION  
Mayor Wingfield told the Board that this business would be a great benefit to the Town and the rest of the Trustees agreed. There were several more minutes of discussion amongst the Board about the benefit of this business as well as how updating some of the Ordinances would be helpful as well.  
Pat Medina moved to approve the Parking Variance Request for Rick and Jean Deane for 320 W Bridge Street, seconded by John Marta. A verbal vote was taken with all Trustees voting in favor. Motion passed.
  
5. OLD BUSINESS  
HOTCHKISS CHAMBER OF COMMERCE UPDATE/ONE DELTA COUNTY UPDATE-KIM SHAY  
Kim Shay was not present.

### OLD PUBLIC WORKS BUILDING DISCUSSION-MOU WITH BONE/LEVINE CONCERNING THE SALE OF THE OLD PUBLIC WORKS BUILDING

Attorney Nerlin told the Board that the Bone/Levine Group formed a new business for this project and will now be known as 222 Bridge Street, LLC. That was the only change that they made. 222 Bridge Street, LLC is working with the David Reed law firm, Bo's former boss. David Reed suggested that once the MOU (Memorandum of Understanding) is signed by the Town that a contract be drawn up for the purchase of the building.

Patrick Webb moved to approve the revised MOU with 222 Bridge Street, LLC, seconded by Tricia McFarland. A verbal vote was taken with all Trustees voting in favor. Motion passed.

### HOTCHKISS TOWN CLEAN UP REMINDER

The Town clean up will be tomorrow with the roll offs being located at the old Wastewater Plant building located at 624 Cedar Drive. The gate will be open on both Friday and Saturday from 8:00 a.m. to 6:00 p.m.

### MARIJUANA APPLICATION DISCUSSION

The Trustees agreed that this application was very thorough.

Patrick Webb moved to approve the use of the Marijuana Applications for the purpose of starting the approval process to have two (2) shops in Town, seconded by Pat Medina. A verbal vote was taken with all Trustees voting in favor. Motion passed.

Bo will get a possible ranking system to the Board for the May meeting to help rank the applications.

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6. PUBLIC COMMENT

Larry Wilkening, 634 Aspen Lane expressed concern about water intake on Leroux Creek and the possible flooding that will happen this year. Public Works Director Mike Owens assured him that the problem has been addressed. Rocks were set to protect the intake better and Chief Green flew his drone over the river to get some pictures to see how the water is progressing.

At this time Custer McLeod joined the meeting via Zoom.

7. MAYOR'S REPORT

Mayor Wingfield and Public Works Director Mike Owens and Supervisor Marvin Jackson had a meeting with the County to discuss the High-Water situation and plans to handle it. Mike said that he has received several calls about the sandbags for the County and has directed people to the County to get their questions answered.

Mayor Wingfield, Pat Medina and Chief Green met with the School Board. They learned a lot and had good input from the School Board

### DEPARTMENT REPORTS

#### POLICE DEPARTMENT

Construction is going great. Tricia McFarland complimented the Police Department for stepping up and assisting the County with a local suicide and for doing an excellent job in general.

Mayor Wingfield commended the Staff, Council and Town for working together. He is proud to be a part of it.

#### PUBLIC WORKS

Mike had nothing to add to his written report. Sven Edstrom said that the streets look good after being swept.

#### TOWN HALL UPGRADE UPDATE

Mayor Wingfield told the Board the Construction Crew is ahead of schedule with the remodel. They are a great crew to work with and he cannot wait until it is done.

8. NEW BUSINESS

#### OUT OF TOWN WATER AND SEWER TAP REQUEST-LORAH AVENUE-RHINEHEART OIL

Rhineheart Oil did not have a representative and no applications were returned.

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8. NEW BUSINESS (cont.)

FREE FLAG GIVE AWAY-SUNDAY, JUNE 11, 2023-BILL BABEL

Bill Babel attended the meeting via phone. Bill has been doing the flag give away for eight (8) years around the Western Slope. Bill buys porch poles to give away in small communities. He would like to have a place to set up on Sunday, June 11<sup>th</sup> and give them away to people in the Community that would like them. Bill would need a place to put his truck that has banners on both sides and is easily accessible to the public.

After several minutes of discussion, the Board said that they would ask a few local business owners and get back to Bill with a location. All of the Trustees were in favor of the Free Flag Give Away.

SPECIAL EVENTS LIQUOR LICENSE-DELTA COUNTY FAIR-RYAN BATES  
(MULTIPLE DAYS)

Ryan told the Board that there will be several days during the week of the Delta County Fair that they would like to serve alcohol. The Fair will be held July 28<sup>th</sup> through August 6<sup>th</sup>. The days will be Friday, July 28<sup>th</sup>, Thursday, August 3<sup>rd</sup> and Friday, August 4<sup>th</sup> from 4:00 p.m. to 11:00 p.m and Saturday, August 5<sup>th</sup> from 1:00 p.m. to 11:00 p.m.

Pat Medina moved to approve the Special Events Liquor License for the Delta County Fair on the above noted days, seconded by Tricia McFarland. A verbal vote was taken with all Trustees voting in favor. Motion passed.

NATIONAL PUBLIC WORKS WEEK PROCLAMATION-MAY 21-27

Town Clerk Ginger Redden read the Proclamation to the Board. The Board was in agreement that the Public Works Crew should be commended for the great job that they do and Mayor Wingfield signed the Proclamation.

INFORMATIONAL HANDOUTS

Mayor Wingfield went over the handouts and explained a little about each one. The handouts included:

High Desert K9 Challenge-This will take place at the Fair Grounds this weekend. Police Dogs and their handlers from all over will take part in this event. This event is free to the Public.

Town of Hotchkiss Bag Fee Return Form-Deputy Town Clerk Ashley Rodarte came up with this form. It is to be filled out and returned with the bag fees that are collected by some of the local businesses.

New Special Review Variance Request Application-Deputy Town Clerk Ashley Rodarte also came up with this form to help alleviate confusion about which form should be used for these requests.

Consumer Confidence Report for 2022-This is a mandatory report required by the State each year that has to be published regarding water quality for the Town

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### INFORMATIONAL HANDOUTS (cont.)

Sealed Bid Ad for the 2009 Crown Victoria-The bids will be opened and possibly awarded in the May meeting.

Delta County Press Release-Charging Station Grant-The County was awarded a grant to install charging stations in each Town in the County.

Town of 1,000 Encouragements-This is an informational handout about a Scavenger Hunt coordinated by Steve Reed.

Delta County Press Release-Spring Flooding-This handout addresses the possible Spring flooding that will happen with the snow melting off of the mountains.

### 9. ADJOURNMENT

The meeting was adjourned at 7:21p.m.

Respectfully Submitted,

Ginger R. Redden, Town Clerk