

Town of Garden City
Board of Trustees Minutes

June 17, 2008

Regular Meeting

Mayor Miller asked for a moment of silence in memory of Trustee Nina Kendrick who passed away after an accidental fall on May 21, 2008.

Mayor Miller called the meeting to order at 7:30 PM.

Mayor Eddie Miller and Trustees, Terry Greenwood, Mary Miller, Dennis Kendrick, Lonelle Archuleta, and Clarence Krieger were present. Staff present was: Don Hoff, Town Attorney; Janice Walter, Deputy Clerk; and Commander Parkos, Evans Police Department. Also in attendance were: Cheryl Campbell, new employee; Fil Archuleta, 2706 8th Avenue; Mike Ketterling, KBN Engineers; Stan Pettengill, Goodtime Towne Tavern; and Dan Schommer, Watkins & Schommer.

Consent Agenda

- a. **Minutes of Regular Meeting May 20, 2008**
- b. **Minutes of Special Meeting June 2, 2008**
- c. **Minutes of Special Meeting June 4, 2008**
- d. **Treasurer's Reports for May 2008 Including Paying Bills**
- e. **Weld County Planning USR-1660 , Reply No Conflict**
- f. **Professional Carpet Cleaning**
- g. **Purchase Vacuum Cleaner**
- h. **Close Town Hall 6/20/08 and 6/23/08**

Dennis Kendrick moved and Lonelle Archuleta seconded to approve the Consent Agenda. 6aye. 0 nay.

Vacancy on the Board

Mayor Miller announced that there is a vacancy on the Board and that we will need to appoint someone to fill that vacancy within 60 days. The Board received a letter of interest from Fil Archuleta. Dennis Kendrick moved to table an appointment until next month, to post the opening at the Town Hall and to deliver flyers to all of the residents. Terry Greenwood seconded. 6 aye. 0 nay.

Public Not on the Agenda Invited to Be Heard

Mayor Miller opened the meeting to the public. Clarence Krieger said he had a thing from Kitty about why she didn't have a reply yet. Don Hoff replied that the lady did not have it done yet. There were no other public comments.

Mike Ketterling Report on 8th Avenue

Mike Ketterling, KBN Engineers, reported on the state highway agreement and work that needs to be done on 8th Avenue. Mike said he has determined that the Highway Department had agreed to abandon a portion of 8th Avenue from 28th Street to 25th Street after it was reconstructed in 1993 but had never actually followed through with the abandonment paperwork. The highway department has stopped returning calls to Mike. The highway department has not found the paperwork and does not seem to be working on a solution at this time. Everyone did what they agreed to do except that the abandonment has never been formalized. Mike suggested two options. We can assume that the portion of 8th Avenue was abandoned and proceed with the work. Or we can assume the highway department still has jurisdiction on that portion of 8th Avenue and ask them to repair the street. The problem with the second option is that the process of getting the state to do the repairs would take several years. Mike is not convinced that an overlay is necessary yet. Generally an overlay is good for about 20 years and that one has about 12 years on it. We may just need to do some patching, crack sealing and a seal coat to bring the street back to an acceptable level. Any municipality within 30 miles of Greeley can get into the Greeley rates with their contacts. Mike stated that the State probably would not object if we just proceeded to fix the street but would probably stop us if we proceeded with a crosswalk. Dennis Kendrick moved to table this issue until July and for Mr. Ketterling to proceed with estimates of both patching & sealing and an overlay. Lonelle Archuleta seconded. 6 aye. 0 nay. Motion carried.

Dan Schommer -2007 Audit, Payment, 2008 Confirmation

Dan Schommer presented the 2007 audit to the Board. The management letter listed some weaknesses in the internal accounting control with the financial statements that were presented every month, with the way the receipts were filed and with the paperwork for checking sales tax receipts. After Dan explained in detail the rest of the audit of all four funds, Clarence Krieger moved and Lonelle Archuleta seconded to accept the 2007 audit, to pay the bill of \$2,200, and to sign the confirmation letter for the 2008 audit for not more than \$2,500. 6 aye. 0 nay. Motion carried.

Police Report

Commander Parkos reported that 2 new officers started this past two weeks and there is still one vacancy to fill. He reported that there were 30

moving violations cited last month. Evans is considering some changes in streamlining the weed enforcement procedures. The deputy reported that she had told an employee at La Milpa that they could not use our street light poles to put their signs on. There is still a phone sign on our pole. Since there were three or four holes drilled in the pole, Commander Parkos stated that the officers would charge them with vandalism. There was also considerable discussion about the post office not delivering mail if the mail boxes are blocked.

Liquor Licensing Issues

Everyday Liquor License Renewal

We had received an application for renewal of their 3.2% Retail Beer License from Super America, LLC dba Everyday Stores. Since there was no one present to represent the applicant, this item was tabled.

Goodtime Towne Tavern

Goodtime Towne Tavern Inc had applied for renewal of their tavern liquor license. Stan Pettengill is the only corporate officer and the manager. All fees have been paid for a tavern liquor license with live entertainment. Dennis Kendrick moved to approve the renewal of Goodtime Town Tavern liquor license. Clarence Kendrick seconded. 6 aye. 0 nay. Motion carried.

National Night Out

National Night Out will be will be August 5, 2008. August 2, 2008 will be the 70th anniversary of Garden City's incorporation. The Board agreed that we should combine the two events on August 5th. We should purchase nicer hats and visors with Town of Garden City 70th Anniversary on them. Clarence will roast a pig and we will have pot luck. We will purchase some small gifts for the kids, flags, beer, wine coolers, all table service, watermelon, and pop. We will apply for a special event, purchase fencing to put around the parking lot, and hire a security guard for each driveway. Clarence Krieger and Lonelle Archuleta will contact the businesses to ask for donations for a drawing. Crabtree Brewing of Greeley wanted to be included. Clarence stated that Budweiser Distributing delivered all the alcohol last year. Clarence Krieger moved and Lonelle Archuleta seconded to authorize the staff to make all the purchases necessary and to carry out the plans for National Night Out on August 5, 2008. 6 aye. 0 nay. Motion carried. Don Hoff suggested that in the future, we might want to do separate National Night Out and Garden City Days.

Announcements

NFRMPO

There was a meeting of the NFRMPO on June 5, 2008. Bill Kaufman gave the Transportation Commission Report explaining some bills that are before the state legislation, discussing the \$300 million budget cut and stating that the Federal Highway Users Fund is going broke. Cliff Davidson gave the Executive Director Report. He explained some of the cuts in funding and that the Alternative Funding Committee has met twice to discuss impact fees such as taxing authorities. The North 1-25 environment impact statement, two resolutions, regional transit fare policies, visioning, acceptance of audit and ozone emission reduction were discussed.

Weld County Zoonotic Disease Update

We have received notice from Weld County that 2007 was the second most active West Nile virus year for both the county and the state. There were 576 human West Nile case and 7 deaths in Colorado. If you see any dead birds, please call 1-877-462-2911. The operator will answer your questions, give you information on testing and disposal of the birds and log information about where the birds were found for surveillance purposes. The operators will also document dead birds for "bird flu" surveillance. Rabies is also still a risk to people and pets. During 2007 there were confirmed cases of rabies in a bat in Greeley, Frederick and Ault. Skunk rabies surveillance has been initiated also. Although plague is rare in Weld County, they do monitor prairie dog colonies.

Comcast

We received a notice from Comcast that they are adding the following high definition channels to their lineup: History HD, ch 684; Animal Planet HD, ch 686; USA HD, ch 687; and SciFi HD, ch 688 effective July 23, 2008.

Attorney Report

All About Autos Use by Special Review

Don Hoff contacted Vernice Thomas concerning All About Autos receiving a business license without a Use By Special Review. Vernice stated that she told Kitty Kinoshita that there needed to be a hearing but Kitty said it was not necessary and issued her a business license which was for a temporary used car lot. The Use by Special Review should have been held. They have been there since March when they had 20 autos to sell at

this temporary location. There are 18 autos there at this time. We have received complaints about them parking vehicles in the alley behind the building. They are also doing repair work in that building. Clarence moved to give them until September 1, 2008 to sell the cars, move or apply for a Use By Special Review. Lonelle Archuleta seconded. 6 aye. 0 nay. Motion carried.

Property for Park

Don Hoff reported that Richard Loftus was not willing to negotiate any lower for his property as is. There was considerable discussion about the cost and maintenance of restrooms. The Clerk will contact CIRSA about the cost of insurance for a skate park. Dennis Kendrick moved to negotiate with Willard Hubbard for the property at 2610 6th Avenue Lane with the owner removing the buildings and mobile home. Lonelle Archuleta seconded. 6 ayes. 0 nay. Motion Carried.

Memorandum of Employment Terms

The Board reviewed memorandum of employment terms that our attorney drafted and an example of a Paid Time Off Policy that numerous employees including Municipalities are converting to. This type of system replaces vacation and sick days by accumulating paid time off based on how many hours you have worked. It increases the more years you work and allows banking hours that can be paid out at termination. Terry Greenwood moved to approve a memorandum of employment terms to hire Cheryl Campbell as Town Clerk and authorize the Mayor to sign the agreement. Cheryl will be appointed to a 2 year term beginning July 1, 2008 and ending in April of 2010 at a beginning annual salary of \$30,000 for 40 hours per week, health insurance after ninety days, ½ sick day per month and can accumulate up to 40 days, 2 weeks' vacation per year, and the following Holidays. Paid holidays include the following holidays or the Monday following the holiday on those holidays when the following Monday is celebrated as the holiday:

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|------------------------|------------------|
| New Year's Day | Labor Day |
| Martin Luther King Day | Veteran Day |
| President's Day | Thanksgiving Day |
| Memorial Day | Christmas Day |
| Independence Day | |

Employee shall be entitled to take a paid holiday on either the day after Thanksgiving or the day before Christmas in each calendar year as employee may choose and upon notice to the employer. Employee shall

also be entitled to one (1) personal leave day with pay in each calendar year to be taken at the employee's discretion.

The employer and employee will discuss a retirement plan for the employee after one (1) year of employment. Lonelle Archuleta seconded. 6 aye. 0 nay. Motion carried. The Board will discuss changing to a Paid Time off Policy during the next couple of months.

Various Water Rebate Requests

Today we received an application from Shirley Pfankuch for the water rebate. She had actually sent 10 applications because each set of 4 apartments has a different address. She told the Deputy that she had faxed the applications to us prior to the deadline of May, 31, 2007. We did not receive anything from her. However, since she had called and talked to the Deputy about the application, the Deputy called and left a message that the deadline was near. Shirley said that the number we called and left a message on was a phone at their cabin in the mountains so she did not get the message until the second week in June and she was leaving that night for Atlanta. Dennis Kendrick moved to accept applications until June 30, 2008 for this year but in future years leave the deadline at May 31, 2008. Lonelle Archuleta seconded. 6 aye. 0 nay. Motion carried. Terry Greenwood moved that Shirley Pfankuch and all other applicants are only entitled to one rebate as stated in the application. Lonelle Archuleta seconded. 6 aye. 0 nay. Motion carried.

Other Board Issues

CIRSA has a new plan option that would pay up to \$5,000 for each person as a result of sustaining bodily injury arising out of the premises or operations of the Town regardless of fault. There would be no change in contribution for this option but we would have to pay the deductible of \$1,000 per occurrence and it could impact the loss experience of the Town like other liability claims and that could raise the premiums in the future. The Board agreed to not accept this option at this time and to reconsider it next year.

Adjourn

Since there was no further business, Mayor Eddie Miller adjourned the meeting at 9:35 P.M.

Respectfully Submitted by _____
Janice Walter, Deputy Clerk