

Town of Garden City Minutes

August 18, 2009

Regular Meeting

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

Mayor Eddie Miller and Trustees; Terry Greenwood, Brian Seifried, Dennis Kendrick, Lonelle Archuleta, Fil Archuleta and Clarence Krieger were present. Staff present was: Don Hoff, Town Attorney; Cheryl Campbell, Clerk; Commander Mike Parkos and Commander Pat Haugse, Evans Police Department. Also in attendance were: Sheryl Trent, City of Evans; Mike Schwartz, A.F. Ray's; Mary Ortiz, Everyday Store; Les and Susan Matson, Matson Construction.

Consent Agenda

- a. Approve Minutes of Regular Meeting July 21, 2009
- b. Approve Minutes Special Meeting August 10, 2009
- c. Approve Treasurer's Report for July 2009 Including Paying Bills

Dennis Kendrick moved and Lonelle Archuleta seconded to approve the consent agenda. 7 Aye. 0 Nay. Motion carried.

Public Not on the Agenda Invited To Be Heard

Mayor Miller asked the audience to introduce themselves and invited public comment. Susan Matson introduced herself and her husband, Les Matson. They own Matson Construction and were present to address the Board concerning 620 27th Street. The property is overgrown with weeds and the trash is piled up inside and outside the fence, spilling into the street. They were also present in support of adopting the new Code Enforcement program being enforced in the City of Evans.

Sheryl Trent – City of Evans Neighborhood Services Director

Sheryl Addressed the Board regarding the Code Enforcement changes in Evans. Code Enforcement is being handled administratively in Evans. The first step is an educational process in which residents and property owners are notified of the changes in the system and how violations will be handled. When Code Enforcement encounters a violation, a notice of violation is written and the resident and property owner are given seven days to comply with the code. If the problem is not taken care of within the seven days, an administrative citation is issued including a fine of \$150.00. If the problem is not taken care of in the next seven days, a contractor is called out to bring the property into compliance. The property owner will be responsible for the contractor's fees plus an additional 15% in administrative costs. If the fines and fees are not paid, the City can attach the fees to the property taxes for next year. If there is a second violation within 6 months, the fine is \$500.00. If a third violation occurs within 6 month period, the fine is \$999.00. Sheryl also stated that the City of Evans will handle the administrative process for Garden City if the Town adopts the Code. She also answered questions regarding barking dogs and animal control. Clarence Krieger moved and Terry Greenwood seconded to table the discussion until the September 15, 2009 meeting. 6 Aye. 1Nay. Motion carried.

Police Report

Commander Haugse addressed the Board regarding the statistics for August 2009. He reported that the PD has increased daytime patrols on 8th Avenue due to concerns regarding speeding, especially in the morning between 7:00 AM and 8:00 AM. He also collected completed ride-along forms from Board Members who wish to participate in the Citizen Ride-Along Program being offered by Evans PD. Commander Parkos reported that the City of Evans Attorney is working on an Ordinance to address changes to the Model Traffic Code.

Ordinance No. 04-2009 An Ordinance Creating the Garden City Pavement Improvement Grant Program

Ordinance No. 04-2009 An Ordinance Creating the Garden City Pavement Improvement Grant Program. This ordinance enacts a grant program to assist business owners in resurfacing their parking lots. The criteria are similar to the Revitalization Grant. Only one grant, not to exceed \$3000.00, per business per year. The business owner must complete an application in the Clerk's office and submit required documents. Once the application is approved, the business must enter into an agreement with the Town that the business will remain in its current use for at least five years or all or part of the grant will have to be repaid to the Town of Garden City. Dennis Kendrick moved and Brian Seifried seconded to adopt Ordinance No. 04-2009 An Ordinance Creating the Garden City Pavement Grant program. A roll call vote was taken:

Fil Archuleta Yes Brian Seifried Yes Eddie Miller Yes Dennis Kendrick Yes
Clarence Krieger Yes Terry Greenwood Yes Lonelle Archuleta Yes
7 Aye. 0 Nay. Motion carried. Ordinance No. 04-2009 was adopted.

Liquor Licensing Issues

- a. Everyday Store 3.2 Beer License Renewal

Super America LLC DBA The Everyday Store at 2603 8th Avenue applied for renewal of their 3.2 Beer License on June 22, 2009. All fees had been paid for a 3.2 Beer License. Mary Ortiz, registered manager was present to address the Board and answer questions regarding renewal of the Everyday Store's 3.2 Beer License. She was asked about the leak in the ceiling and reported that it was from the air conditioner and that the leak and the ceiling have been repaired. The Clerk received reports from Evans P.D., Weld County Health Department and Union Colony Fire Protection District. All reported no violations and no objections to renewal. Terry Greenwood moved and Brian Seifried seconded to approve the renewal of the Everyday Store's 3.2 Beer License.

7 Aye. 0 Nay. Motion carried.

- b. A.F Ray's Modification of Premises

Mike Schwartz was present to address the Board and answer questions regarding the application for a Modification of Premises to the licensed area at A.F. Ray's 2704 8th Avenue. They want to add a smoking patio. Lonelle Archuleta moved and Dennis Kendrick seconded to approve the application for a Modification of Premises for A.F. Ray's. 6 Aye. 0 Nay. Motion carried. Brian Seifried recused himself.

Resolution No. 1-2009 A Resolution Supporting the Garden City 6th Avenue Lane Park Project.

As part of the GOCO Grant process, the Board of Trustees is required to adopt a resolution supporting the park project and commit to the future care of the park. Resolution No. 1-2009 is for the proposed park at 2610 6th Avenue Lane. Dennis Kendrick moved and Fil Archuleta seconded to adopt Resolution No. 1-2009 A Resolution Supporting the Garden City 6th Avenue Lane Park Project. A roll call vote was taken:

Eddie Miller Yes Lonelle Archuleta Yes Terry Greenwood Yes Clarence Krieger Yes Dennis Kendrick Yes Brian Seifried Yes Fil Archuleta Yes
7 Aye. 0. Nay. Motion carried. Resolution No. 1-2009 was adopted.

Resolution No. 2-2009 A Resolution Supporting the Garden City 7th Avenue Park Project.

As part of the GOCO Grant process, the Board of Trustees is required to adopt a resolution supporting the park project and commit to the future care of the park. Resolution No. 2-2009 is for the proposed park at 2712 7th Avenue. Clarence Krieger moved and Dennis Kendrick seconded to adopt Resolution No. 2-2009 A Resolution Supporting the Garden City 7th Avenue Park Project. A roll call vote was taken:

Brian Seifried Yes Dennis Kendrick Yes Clarence Krieger Yes Fil Archuleta Yes Lonelle Archuleta Yes Eddie Miller Yes Terry Greenwood Yes
7 Aye. 0. Nay. Motion carried. Resolution No. 2-2009 was adopted.

Park Update

Information was presented to the Board from Melanie Ames at CSU. She compiled three reports, one for each of the three options, on costs of equipment, landscaping, sidewalks, bathrooms, benches etc. The reports were for informational purposes only.

Garden City Land Use Code – Proposed

The proposed Land Use Code was presented to the Board for their review. The code has not been updated for several years. Some of the changes are parking requirements (lowered) and restrictions in colors and architectural styles of new buildings and of existing buildings when remodeled, refurbished, and resided or repainted. The proposed code also enhances the enforcement provisions of the code. Dennis Kendrick moved and Lonelle Archuleta seconded to schedule a public hearing for the Garden City Land Use Code at the September 15, 2009 meeting. The entire proposed code is available in the Clerk's Office.

Attorney Report

Attorney Don Hoff stated that he had nothing further to report.

Schedule Budget Workshop

Lonelle Archuleta moved and Fil Archuleta seconded to have the Clerk, with assistance from Janice Walter as a consultant, compile a proposed 2010 budget for presentation at the September 15, 2009 meeting. 7 Aye. 0 Nay. Motion carried.

Clerk's Health Care Benefit

The Clerk has been on her spouse's health insurance since the beginning of her employment with the Town. The Town reimburses her \$225.00 for the cost of the premium. Due to the semi-retirement of her spouse, the Clerk's insurance premium will increase to \$485.00 on September 1, 2009. The Clerk presented information on the cost of getting Health Insurance benefits for the Town through CEBT/CML. The costs are about the same through CEBT for less coverage than the Clerk's spouse's plan. Dennis Kendrick moved and Lonelle Archuleta seconded to table this item to the September 15, 2009 meeting so that the Clerk could get more details on both plans. 7 Aye. 0 Nay. Motion carried.

Announcements

- a. NFRMPO Managers Luncheon on August 27, 2009 at 11:30 AM in Ft. Collins. The Clerk's Office has more information if desired.
- b. NFRMPO is conducting a Front Range Travel Survey. Households may be contacted by phone and NFRMPO is asking Elected Officials to encourage their constituents to participate in the survey if their household is chosen.
- c. Bulls Eye Mayors Group September 14, 2009 at 7PM in Platteville.
- d. Amtrak is considering bringing rail service back to Greeley.
- e. New State bicycle law took effect on Wednesday August 12, 2009. Give a bicyclist 3 feet of clearance when passing or risk a \$110.00 ticket.
- f. Flu Clinic October 14, 2009 from 10 AM until Noon.

Other Board Issues

The Board discussed the concrete repairs needed at 27th Street and 8th Avenue (the gutter pan is raising above the road) and in front of the Town Hall (several problems including cracking, separating, moisture and uneven sidewalks) The Clerk could not find a company to give an estimate on repairs. The companies that handle small jobs were over-booked for the season. Dennis Kendrick moved and Fil Archuleta seconded to have the Clerk have a contractor look at the gutter pan problem on 27th St and 8th Ave and at the Town Hall concrete problems. 7 Aye. 0 Nay. Motion carried.

Adjourn

Since there was no further business, Dennis Kendrick moved and Clarence Krieger seconded to adjourn. 7 Aye. 0 Nay. Motion carried. Mayor Eddie Miller adjourned the meeting at 9:12 PM.

Respectfully Submitted by _____
Cheryl Campbell, Clerk