

**TOWN OF SILT
REGULAR BOARD OF TRUSTEES MEETING
JANUARY 13, 2020 – 7:00 P.M.**

The Silt Board of Trustees held their regularly scheduled meeting on Monday, January 13, 2020 in the municipal council chambers. Mayor Richel called the meeting to order at 7:00 p.m.

Roll call	Present	Mayor Keith Richel Mayor Pro-tem Kyle Knott Trustee Justin Brintnall Trustee Andrea Poston Trustee Dina Prieto Trustee Jerry Seifert Trustee Sam Walls
------------------	---------	--

Also present were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Community Development Director Janet Aluise, Town Treasurer Amie Tucker, Public Works Director Trey Fonner, Chief of Police Mike Kite, Assistant Town Attorney Anna Itenberg and members of the public.

Pledge of Allegiance and Moment of Silence

Consent Agenda

- 1) Minutes of the December 9, 2019 Board of Trustees meeting
- 2) **Resolution No. 1, Series 2020**, A RESOLUTION DESIGNATING THE PUBLIC PLACE FOR POSTING NOTICES PER CRS SECTION 24-6-402(2)(c)
- 3) **Resolution No. 2, Series 2020**, A RESOLUTION APPOINTING BLAIR AND ASSOCIATES AS THE TOWN AUDITOR, RESOURCE ENGINEERING AS THE TOWN WATER ENGINEER AND MICHAEL SAWYER AS THE TOWN WATER ATTORNEY
- 4) **Resolution No. 3, Series 2020**, A RESOLUTION OF THE BOARD OF TRUSTEES APPOINTING AMIE TUCKER AS THE TOWN TREASURER OF THE TOWN OF SILT, COLORADO
- 5) **Resolution No. 4, Series 2020**, A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A MULTIMODAL OPTIONS FUND GRANT IN THE AMOUNT OF \$201,599.75 FOR A TOTAL PROJECT COST OF \$403,199.50, IN ORDER TO OFFSET THE COSTS ASSOCIATED WITH DESIGNING AND ENGINEERING THE PEDESTRIAN OVERPASS OVER INTERSTATE-70, RIVER FRONTAGE ROAD AND THE UNION PACIFIC RAILROAD WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

Mayor Pro-tem Knott made a motion to approve the consent agenda as presented. Trustee Prieto seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Public Comments – There were no public comments.

Agenda Changes – There were no agenda changes.

Resolution No. 6, Series 2020, A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH ANGELA ROFF, P.C. AS THE SILT MUNICIPAL COURT PROSECUTOR OF THE TOWN OF SILT, COLORADO

Town Clerk McIntyre stated that the town had recently put out to bid the position of Municipal Court Prosecutor. After interviews were conducted, Angela Roff was chosen for this position. Ms. Roff provided the board with her background and philosophy of municipal court. She stated that she is the prosecutor for other municipal courts in the valley adding that she will be extremely accessible to the police department and willing to train with them to provide the best service to the courts.

Trustee Seifert made a motion to approve Resolution No. 6, Series 2020, A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH ANGELA ROFF, P.C. AS THE SILT MUNICIPAL COURT PROSECUTOR OF THE TOWN OF SILT, COLORADO. Trustee Walls seconded the motion, and the motion carried unanimously.

Mayor Richel declared adjournment as the Board of Trustees and convened as the Local Liquor Licensing Authority

Golden Gate Petroleum of Nevada, LLC – Retail Fermented Malt Beverage liquor license

Town Clerk McIntyre provided her staff report for this new application. She explained that the applicants were great to work with and very thorough with their paperwork. She explained that the applicants hired a company to circulate a petition to gain signatures in support of their pending license. Clerk McIntyre stated that staff has reviewed this application and recommends approval.

The public hearing was opened at 7:14 p.m. Chris Classen stated that he is glad that they are doing business here. The hearing closed at 7:15 p.m.

Mayor Pro-tem Knott made a motion to approve the Golden Gate Petroleum of Nevada, LLC – Retail Fermented Malt Beverage liquor license. Trustee Brintnall seconded the motion, and the motion carried unanimously.

Mayor Richel declared adjournment from the Local Liquor Licensing Authority and reconvened as the Board of Trustees.

Water/Wastewater System Improvement fee and EQR discussion

Director Aluise went over her report and the letter provided by Town Water Engineer Michael Erion that offers his recommendations regarding fees to be charged in 2020 and beyond. Ms. Aluise went over the escalation of fees over the years, stating that our tap fees have not

changed since 2011 but now that a study has been done, it is recommended to start increasing these fees gradually over the next several years. The additional money made off fees collected would go towards grants matches in addition to paying for department needs without the need to bond. These increases could be reevaluated each year based on building and EQR's being brought in but staff recommends that the board start increasing tap fees this year to \$7000 per EQR. Ms. Aluse also asked that the board consider updating the EQR rating for tiny homes and washing machines.

The board discussed raising fees and if the town would risk losing developers to other towns with lessor tap fees. There was also discussion about getting too far behind on tap fees.

Staff was given direction to bring an increase back to the board in July for discussion and approval. This would allow additional time to let builders know that the town is considering raising their tap fees.

2020 Regular Municipal Election update

Town Clerk McIntyre provided the board with an update on the upcoming Election in April and that nomination petitions are available and must be turned in by 5:00 p.m. on January 27.

Announce winner of Exterior Christmas Decoration contest

The winner of the exterior Christmas decoration contest was Larry Osbon at 1004 Grand Avenue. The board thanked Mr. Osbon for his participation and provided him with a gift card.

Ordinance No. 1, Series 2020, AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY APPLICATION FOR A TOWN OF SILT PERMIT OR LICENSE RELATED TO A MEDICAL MARIJUANA DISPENSARY OR A RETAIL MARIJUANA DISPENSARY PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE 18, SECTION 14 AND ARTICLE 18, SECTION 16, RESPECTIVELY, OF THE COLORADO CONSTITUTION; DECLARING THE INTENTION OF THE TOWN BOARD TO CONSIDER THE ADOPTION OF APPROPRIATE TOWN REGULATIONS WITH RESPECT TO SUCH BUSINESSES; AND DECLARING AN EMERGENCY

Administrator Layman provided his report stating that the Board had expressed concern at their December 9, 2019 meeting regarding the number and location of medical and retail marijuana businesses in town and asked the Board to consider imposing limitations on marijuana dispensaries within the town.

Attorney Itenberg stated that this would apply immediately if approved tonight and that it is within the Boards authority to regulate. The moratorium would be for 180 days, which will give staff time to bring back on ordinance to reestablish the code if that is the route the Board chooses to take. The 180-day moratorium could be extended by two readings of an ordinance if necessary.

Trustee Walls suggested basing the number of business per capita and to focus on smart growth with educated decisions. Mayor Pro-tem Knott stated that the vast amount of people he has spoken with are against additional marijuana businesses. He added that several citizens

had spoken at the last meeting stating that they did not want additional stores and that the Board is here to represent the people. Mayor Richel also stated that from what he has heard from citizens, the majority have made it clear that they do not want additional businesses in town.

Director Aluise disclosed that staff did receive a retail marijuana application last Friday and that staff is reviewing it as the code states. She added that the application is substantially complete and that it must move forward.

The public hearing was opened at 7:57 p.m. There were no public comments and the hearing was closed at 7:57 p.m.

Trustee Seifert made a motion to approve **Ordinance No. 1, Series 2020, AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY APPLICATION FOR A TOWN OF SILT PERMIT OR LICENSE RELATED TO A MEDICAL MARIJUANA DISPENSARY OR A RETAIL MARIJUANA DISPENSARY PURSUANT TO THE AUTHORITY GRANTED BY ARTICLE 18, SECTION 14 AND ARTICLE 18, SECTION 16, RESPECTIVELY, OF THE COLORADO CONSTITUTION; DECLARING THE INTENTION OF THE TOWN BOARD TO CONSIDER THE ADOPTION OF APPROPRIATE TOWN REGULATIONS WITH RESPECT TO SUCH BUSINESSES; AND DECLARING AN EMERGENCY.** Mayor Pro-tem Knott seconded the motion, and the motion carried unanimously.

Request for Support: Census 2020 Complete Count Committee – Jenn Ooten

Present tonight was Jenn Ooten who provided her presentation on the upcoming Census count. Ms. Ooten explained that there is a coalition of local governments and non-profits who are working on an effort to get a complete count for the area from Parachute to Aspen. She stated that Census day is April 1 and that information would be mailed out March 12 – 20. People will be able to respond by email, phone or mail and if people do not respond then Census workers would start going door to door. Ms. Ooten added that it is important to count everyone as it was found in the 2010 Census that \$2300 was lost in Federal funding for each of those not counted.

The Board stated their concern in donating taxpayer money to an organization that is assisting with the Census when citizens have already paid money to the Federal government through their taxes, and the Federal government is funding the Census. **There was a consensus of the Board that the town could support the initiative in others ways (i.e. newsletter, electronic sign, website, etc.) to get the word out to people and promote participation.**

Ms. Ooten thanked for Board and appreciated any effort that the town could offer to assist.

Resolution No. 5, Series 2020, A RESOLUTION ADOPTING THE AMENDED PARTICIPATION AGREEMENT FOR THE COLORADO RETIREMENT ASSOCIATION RETIREMENT PLAN AND TRUST AGREEMENT

Administrator Layman explained that the Board had approved an increase from a 4% to a 5% retirement contribution in the 2020 budget. He explained that based on IRS regulations that if an employee should elect to continue at the 4% contribution, it locks them into that amount for their entire tenure with the Town. After discussions with employees, there was a consensus to

increase all employees' contributions to 5% with a 5% match by the Town. Staff asked that the Board approve the attached participation agreement effective January 1, 2020.

Mayor Pro-tem Knott made a motion to approve Resolution No. 5, Series 2020, A RESOLUTION ADOPTING THE AMENDED PARTICIPATION AGREEMENT FOR THE COLORADO RETIREMENT ASSOCIATION RETIREMENT PLAN AND TRUST AGREEMENT. Trustee Prieto seconded the motion, and the motion carried unanimously.

November 2019 financials and balance sheets

Treasurer Tucker went through the November 2019 financials and balance sheets and answered questions. Mayor Richel asked about the dip in sales tax in April and Ms. Tucker stated that she believes it may have been due to a reimbursement of money that was overpaid to the town based on Amazon sales for the entire County. The Board asked to be provided with the actual amount of sales tax for April before that reimbursement was made.

Administrator and Staff reports

Trustee Seifert asked why police calls were down for last year and Chief Kite stated that he was down two officers for half of the year. Mayor Pro-tem Knott asked when the infield was going to be rebuilt adding that if it could be done before baseball season begins on April 1 it would be great. He added that including him, he has people who have volunteered to help with both manual labor and additional funds.

Director Aluise went over the tentative event calendar for the upcoming year adding that once it is complete it will go out in the newsletter and other means of communication used by the Town.

Updates from Board / Board comments

The Board welcomed back Treasurer Tucker and thanked staff for all of their hard work. Trustee Walls commented on how good sales tax looks and appreciates all of the hard work of staff. He also reminded people to pick up their nomination petitions if they would like to run for Trustee. Trustee Seifert thanked Public Works for fixing the potholes on 16th Street.

Mayor Pro-tem Knott gave kudos to the town staff based on a visit that he had with the people at Golden Gate. They had relayed to him that staff was very helpful and knowledgeable, tough but easy to work with. Good job everyone! Mayor Richel asked about the State's status on home delivery of marijuana. Chief Kite and Attorney Itenberg stated that it is their understanding that it is being discussed but that nothing has been put into place yet.

Mayor Richel adjourned for a break at 8:41 p.m. and reconvened at 8:51 p.m.

Executive Session

Mayor Pro-tem Knott made a motion to go into an executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f). Trustee Seifert seconded the motion, and the motion carried unanimously. The board adjourned to executive session at 8:52 p.m.

At the end of executive session, Mayor Richel made the following statement: "The time is now 9:21 p.m., and the executive session has concluded. No formal action was taken in executive session. The participants in the executive session were: Keith Richel, Andreia Poston, Jerry Seifert, Dina Prieto, Kyle Knott, Sam Walls, Justin Brintnall and Jeff Layman. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record". No objections were stated.

Mayor Pro-tem Knott made a motion to approve the Town Administrator's quarterly bonus of \$2000. Trustee Prieto seconded the motion, and the motion carried unanimously.

Adjournment

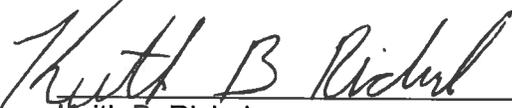
Mayor Pro-tem Knott made a motion to adjourn. Trustee Seifert seconded the motion, and the motion carried unanimously. Mayor Richel adjourned the meeting 9:23 p.m.

Respectfully submitted,



Sheila M. McIntyre, CMC
Town Clerk

Approved by the Board of Trustees



Keith B. Richel
Mayor

