

## **RECORD OF PROCEEDINGS**

The Board of Trustees for the Town of Akron held a **Regular Meeting** on **Monday, January 7<sup>th</sup>, 2019 at 7:00 p.m.** at the Akron Town Hall in full conformance with the laws and ordinances of said Town.

Mayor Nancy Lightle opened the meeting at 7:00 pm with the Pledge of Allegiance.

TRUSTEE PRESENT:	Scott Porteus	Susan Watson
	Derek Glosson	Brittani Kusel
	Harry Slusser	Jacque Hayes

TRUSTEE ABSENT:

STAFF IN ATTENDANCE: Matthew Richardson, Pre-appointed Town Attorney  
Dencia Raish, Town Clerk/ Administrator  
Shane Watson, Public Works Director

OTHER IN ATTENDANCE:

Joanne Busing - Akron News Reporter, John Stivers- Washington County Sheriff Office,  
Randy Hayes – Hayes Aviation, Rick Bailey – Viaero, Catherine Engelken - NECHD

### **Approval of Minutes**

The Council reviewed the minutes of the regular meeting held on December 4<sup>th</sup>, 2018. A motion was made by Derek Glosson to approve the minutes, seconded by Susan Watson; Jacque Hayes and Harry Slusser abstained due to absence, and all other votes were yes, motion passed.

The Council reviewed the minutes of the special budget meeting held on December 11<sup>th</sup>, 2018. An uncompleted sentence was found in the beginning paragraph. A motion was made to approve the minutes with correcting that sentence by Brittani Kusel, seconded by Derek Glosson; all other votes were yes, motion passed.

### **Approval of December Bills**

Dencia Raish presented the December bills list. Dencia pointed out that the building inspector fee was large due to the YW building permit being submitted. She also pointed out that with funds available in the parks budget three new picnic tables along with a grill and coal bin had been purchased for the pool park. A motion was made to approve the bills as presented, by Derek Glosson, seconded by Susan Watson; all votes were yes, motion passed.

### **Airport Report**

Airport Manager Randy Hayes reported that the State and he are working an economic impact study that will have important information about Akron and should be available in summer. He reported that he and Dencia would be working on a report detailing how the airport improvement trust fund dollars (grant money) are handled. This reported is due before the ASOS grant can be finalized. There is no new information on the other special funding grants.

### **Sheriff Report**

Jon Stivers presented the statistics for December and the yearly totals of incidents and citations in Akron. In December Akron had 30 incidents with 14 citations written. WCSO has received one application for the open code enforcer position, and Jon expected more applications soon.

## **RECORD OF PROCEEDINGS**

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### **2019 Law Enforcement Agreement**

Dencia presented the 2019 Law Enforcement Agreement to Council. A 2.5% increase had been estimated. The new annual contract would be for \$216,432.00. A motion was made to approve the new contract by Derek Glosson, seconded by Jacque Hayes; Brittani Kusel abstained due to being employed by the WCSO, all other votes were yes, motion passed.

### **Akron Elks Special Event 3/7/19**

Dencia Raish presented a Special Event Liquor License for the Akron Elks on March 7<sup>th</sup> for the Annual NRA Banquet. Sheriff Stivers reported no objections in issuing the license. A motion was made to issue the license by Brittani Kusel, seconded by Derek Glosson; all votes were yes, motion passed.

### **Akron Elks Special Event 2/2/19**

Dencia Raish presented an additional special Event Liquor License for the Akron Elks. The event was mistakenly not placed on the agenda due to confusion on the location of the event. The Special Event is a fundraising auction to be held at the Akron Elks Lodge on 2/2/19 where sealed liquor bottles will be sold at auction and consumed off-premise. Sheriff Stivers reported no objections in issuing the license. A motion was made to issue the license by Susan Watson, seconded by Brittani Kusel; all votes were yes, motion passed.

### **Continued Sheriff Report**

Sheriff Stivers also reported a concern with a camper being parked at 700 E 2<sup>nd</sup>. The residence had suffered a fire in the kitchen that has rendered the house unlivable, but being repaired. The camper was provided by the owner's insurance company but is not allowed per Town Code. Dencia reported that she was aware of the situation. Everyone agreed that the resident should not have to pay for a camper parking spot when this situation was temporary. Dencia recommended issuing a temporary permit to park for four months.

### **Smoke-Free Park Presentation**

Catherine Engelken, Health Promotion and Prevention Manager for the Northeast Colorado Health Department were present to discuss the option of Akron endorsing smoke-free parks. She presented general information about cigarettes and vaping, along with specific information on Akron and numbers of youth that care using cigarettes or vaping. She presented a sample ordinance for Akron to consider passing smoke-free parks. If Akron opts to promote smoke-free parks, NECHD will purchase signs for the parks. Council agreed with reviewing an ordinance at the next meeting. It should be passed at all three parks in Akron.

### **Public Invited To Be Heard**

No public was in attendance to be heard.

### **Viaero Broadband Pole**

Rick Bailey with Viaero came to visit with Council again about installing a pole in the alley between Ash & Birch on 5<sup>th</sup> St. Viaero offered to buy the lot or lease space. Dencia reported that she had talked to the adjacent property owners and they are willing to move any items they have stored on the lot. Shane reported that there was a well on that location once, but it was a drilled well and had been backfilled when it was closed. Further discussion was had, and no decisions were made. Matt Richardson suggested an executive session later in the meeting to discuss the purchase, acquisition, lease, transfer, or sale of real,

## **RECORD OF PROCEEDINGS**

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personal, or other property interest under C.R.S. Section 24-6-402(4)(a). Council agreed to discuss more and have an offer for Viaero before the next meeting.

### **Local Discussion/Decision for FMB Off Premise License for Odell's Super's**

Council granted local approval for the requested license. A motion was made to approve the license by Brittani Kusel, seconded by Jacque Hayes; all votes were yes, motion passed. Dencia reported that the official license would be issued by the State of Colorado.

### **Council, Committee, and Staff Reports**

Public Works Director Shane Watson reported that not much is happening this time of year. Council inquired if there was anything new regarding the sewer pond liner. Shane had not visited with Matt Richardson about this yet. Matt intended to discuss with Council in executive session at the end of the meeting.

Dencia reported the 2018 sales tax income finished strong. Almost a \$129,000 better than last year with \$124,000 of that being accounted for single specific reasons. Dencia also submitted a written report for December including 1) ISO building rating will not affect homeowner insurance, and Dencia recommended letting the score fall to a 9 for the time being until the next review in 2021. 2) Westin Ridge still working on rights to water taps and reviewing lot use. 3) Dencia is looking for a definition to subdivision rule in Akron along with defining job descriptions and designing a new website with SIPA.

The discussion began again about camper at 700 E. 2<sup>nd</sup> St. Council reviewed when building permits are required. According to code 11-2-4 A., a building permit is required when a homeowner has a repair of \$100 or where the effect of such construction or alteration is to enlarge the capacity to affect the bearing walls. It was found that the requirement for building permits and what has been practiced are two different things. Discussion continued, and the Council agreed that this needs to be evaluated further. Matt Richardson recommended pursuing a variance for the camper at 700 E 2<sup>nd</sup>. It was also suggested to pursue a temporary use permit

Matt Richardson requested Council enter executive sessions to discuss the Viaero pole and the sewer liner. Council inquired if that is appropriate since it was not on the agenda for the meeting. Matt stated that he would not encourage any decision from the Council so as a one-time occurrence.

A motion was made to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) for the Viaero tower by Derek Glosson, seconded by Harry Slusser; all votes were yes. Time was 8:13 pm.

The regular meeting reconvened at 8:45 pm. A motion was made to go into executive session for the purpose of a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), in regards to the sewer pond liner investigation. The motion was made by Jacque Hayes, seconded by Brittani Kusel; all votes were yes. The time was 8:48 pm.

The regular meeting reconvened at 9:02 pm. Matt continued his report by sharing the Application for Disconnection from the Town of Akron with the Council. Matt explained the process to the Council and reviewed CRS 31-12-501. Council suggested adding a couple of items to the permit. A motion was made to approve the permit with corrections by Brittani Kusel, seconded by Jacque Hayes; all votes were yes, motion passed.

No Library report was given in December.

Susan Watson shared that Chamber will be meeting Monday evening on January 21<sup>st</sup>.

Derek Glosson reviewed the Republican River Conservation Districts standings. He suggested Council meeting again with Deb Daniels. No action was taken. Derek also informed Council that the Pond Revitalization RFP had been answered by Eric Burg with Wildland Consultants Inc. He will be out in late January to review the pond and produce the documents needed. Eric is willing to reduce his hourly rate by a third to make sure he covers his costs.

Nancy Lightle reviewed a missed trash service that was reported to her in December. Shane said he would look into it and get back to her.

**Adjournment**

There being no further business, Brittani Kusel moved to adjourn the meeting at 9:27 pm. With no objections, motion carried.

ATTEST: \_\_\_\_\_  
Dencia Raish, CMC  
Town Clerk/Administrator

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Nancy Lightle, Mayor