

RECORD OF PROCEEDINGS

The Board of Trustees for the Town of Akron held a **Regular Meeting** on **Monday, April 1st, 2019** at **7:00 p.m.** at the Akron Town Hall in full conformance with the laws and ordinances of said Town.

Mayor Pro Tem Brittani Kusel 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, Randy Hayes – Hayes Aviation, Danielle Woods – Trustee Applicant, Tony Wells – Wash CO Commissioner, Jerry O'Halloran – WCSO, and one member of the public.

Approval of Minutes

The Council reviewed the minutes of the regular meeting held on March 4th, 2019. A motion was made by Derek Glosson to approve the minutes, seconded by Jacque Hayes; all votes were yes, motion passed.

The Council reviewed the minutes of the special meeting held on March 20th, 2019. The meeting was held to interview Trustee candidates and approve a temporary liquor permit for the Stubborn Mule. A motion was made to approve the minutes by Harry Slusser, seconded by Derek Glosson; all other votes were yes, motion passed.

Approval of March Bills

Dencia Raish presented the March bills list; she paid a capital outlay expense from the sewer fund for a SCADA system for the WWTP. A motion was made to approve the bills as presented, by Derek Glosson, seconded by Susan Watson; all votes were yes, motion passed.

Appointment of Trustee & Mayor

Mayor Pro Tem Brittani Kusel asked the Council for a recommendation for the vacant Town Trustee position. A motion was made by Jacque Hayes to appoint Danielle Woods to the position; Susan Watson seconded; all votes were yes, motion passed. A second motion was made to appoint Brittani Kusel to fill the vacant Mayor position by Susan Watson. Derek Glosson seconded; all votes were yes, motion passed. Dencia Raish administered an Oath of Office to both appointments, Danielle Woods took her seat at the Council table, and the meeting was resumed.

Airport Report

Airport Manager Randy Hayes reported that the grant funds requested for the ASOS job were raised to \$250,000 from \$150,000 to make sure any additional costs from the FAA are covered. The project is not expected to reach the total. The FAA had submitted a non-federal reimbursable agreement that needed to be signed and sent back to the FAA. There will be a grant agreement for the project for the Council to approve before the job starts.

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Sheriff Report

Lieutenant Jerry O'Halloran was in attendance to report March information to the Council. Jerry reported 19 incidents with ten citations written in March. A small discussion was had about skunks and the use of jake braking in town.

Five Star Dining & Grill Renewal

Dencia Raish presented a renewal for a Hotel & Restaurant Liquor License for Five Star Dining and Grill. Lieutenant O'Halloran reported no objections in issuing the license. A motion was made to approve the license by Jacque Hayes, seconded by Scott Porteus; all votes were yes, motion passed.

Stubborn Mule Transfer Application

This application was approved at the March 20th meeting. No action was taken.

Akron Lion Special Event May 10 & 11, 2019

A Special Event Liquor License for the Akron Lions on May 10th & 11th for the Akron Alumni. Lieutenant Jerry O'Halloran reported no objections in issuing the license. A motion was made to issue the license by Jacque Hayes, seconded by Susan Watson; Derek Glosson abstained due to being a member of the Lion's club, all other votes were yes, motion passed.

County Report

Tony Wells, Commissioner for District One was in attendance to report on County happenings. Tony reported he had attended a Health Department meeting and was told that methamphetamine use is on the rise in NE Colorado. He also reported that there would be a meeting for the Eastern Colorado Transportation Group at the Event Center on Monday morning. There will also be a weather spotters training on Monday evening at the Event Center. The special use permit submitted for the Cannifest event had withdrawn by the event organizers.

Randy Franck – Development of 41462 Hwy 63

Randy Franck was not in attendance, so the Council had a discussion with Randy Hayes as FBO for the airport and Tony Wells, Dist. 1 Commissioner. Dencia reported that in March she was contacted by Commissioner Laybourn on the status of the restaurant application that Randy Franck had been discussing in the past. Dencia found a record of discussions in minutes from July 2001 to December 2002. Dencia also reported that she had a couple of conversations with Randy in the last week, and thought that he wanted on the agenda to begin conversations again. Tony Wells reported that Mr. Franck had submitted an application for exemptions from a subdivision with the County in 2002, and the application does not expire. Randy has not submitted a building permit with Washington County and will be required to do so before construction can begin. When he does complete a building permit with Washington County, he will be required to contact the FAA to complete the appropriate forms required due to the location's proximity to the runway and airport.

CHS – Possible Encroachment of Railroad Ave.

Corby Kneeder with CHS reported that CHS is planning a 1.2 million dollar upgrade to their Akron location which will speed up the grain reception to at least four times faster. This upgrade will promote the business of CHS and bring more local farmers to the location which could benefit the town in multiple ways. Corby shared engineered drawings that described the traffic flow. An additional truck scale will be installed on the north side of the current chemical building.

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CHS – Possible Encroachment of Railroad Ave. Continued

The scale will be approximately 150' x 21' and sit up to 36" above ground level. The entrance of the scale will extend past CHS's property line and encroach on to East Railroad Ave approximately 3.7'. Based on Corby's measurements reported that the 3.7' seems to come up to, but does not cross, where the road is currently maintained. CHS is asking for permission to cross their property line by 3.7 feet to move forward with this upgrade.

Matthew Richardson stated that the Town would have to draft an ordinance to grant permanent real property interest to CHS. CHS had hoped that they would be done with construction by June 15th to be prepared for 2019 wheat harvest. In the interest of timing, the Town could pass a temporary resolution for a temporary real property interest in May and then have within a year to complete an ordinance. Council agreed that a resolution would work. The P/Z committee said they would inspect the site and see if there were any other issues the Town should be aware of. Matt Richardson will draft the resolution for the May meeting.

Public Invited To Be Heard

Dave Schutz came to the meeting to ask Council to consider building a pickleball court. Pickleball is a paddle sport that combines elements of badminton, tennis, and table tennis. The court is approximately 20' x 44', has a 4' fence around the perimeter and can be enjoyed by all ages. The Parks & Recreation committee said they would look into details.

Second Read of Ordinance #556 – Prohibiting the possession and use or consumption of tobacco products and electronic smoking devices by persons under the age of eighteen years

With no comment for the public and no further discussion by the Council a motion was made to approve the second reading of Ordinance 556 prohibiting the possession and use of tobacco products and electronic smoking devices by persons under the age of eighteen in Akron by Susan Watson, seconded by Jacque Hayes all votes were yes, motion passed.

First Read of Ordinance #557 – Approving an option agreement for a permanent easement in favor of NE Colorado Cellular Inc, dba Viaero Wireless

Matt Richardson reminded Council that Viaero was good with the corrections to the ordinance and option for a permanent easement are in line with what Council had requested in March. A motion was made to approve the first reading by Derek Glosson, seconded by Harry Slusser; all votes were yes, motion passed.

First Read of Ordinance #558 – Establishing a procedure for persons to apply for a special permit to keep animals otherwise prohibited under the Akron Town Code

Matt Richardson advised Council that the practice of approving/denying animal variance requests was not in align with the variance procedure defined in the Akron Town Code. This ordinance, if passed, would define a formal process for residents to apply for a special permit requesting an animal(s) that are defined illegal in the current Town Code. A motion was made to approve the first reading by Harry Slusser, seconded by Jacque Hayes; Scott Porteus voted no, all other votes were yes.

Council, Committee, and Staff Reports

Public Works Director Shane Watson reported that he had attended the annual Colorado Rural Water Association conference in February. His attendance helps maintain his Water and Wastewater certification required by the State. In March Shane attended a Certified Pool Operator class, he is now considered CPO certified, which is required by the Health Department. Akron's sanitary survey required by the Health Department to be completed every three years and was performed in March. There was a concern with Akron's outdated practices for cross connection and backflow procedures, and there may be a tier 3

violation. The violation would require the Town to disclose its violation in the annual Consumer Confidence Report filed in May.

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Continued report from Shane:

The Town of Akron must institute a cross connection and backflow ordinance. Dencia will provide material from Steve to Matt Richardson. Shane also reported that Marine Diving, the company that last cleaned out water storage facility would like to come in and make necessary repairs to the water tank to prolong the life before the tank must be drained and for repairs.

Dencia submitted a written report for March including 1) a letter from the State Audit Office with a few concerns in the Akron audit. No fraud was found, simply precautionary information. Auditor David Kauffmann has the letter and will be reported on at his next audit report. 2) Shelly Dillon has been hired to fill the Administrative Assistant position at Town Hall. Kilee Randel has been hired as the Pool Manager for 2019. 3) Town Hall has received multiple skunk complaints in the last month. It was suggested to call other municipalities to see how they handle skunks. 4) Dencia reported that she had attended multiple training in March including Caselle and ADA training. 5) Lori Baer has scheduled an electronics recycling event for May 3rd and 4th.

Librarian Jan McCracken submitted a written library report.

Matt Richardson reported that he had received a letter of denial from CIRSA to cover the damages at the WWTP. Matt also reported that he has been receiving information about the Marjorie Brandon estate. He will be contacting the attorneys of the estate for an update of the status.

Matt reported that he had investigated into a franchise agreement the Town may have with Centurylink. He has found the town to have no agreement instead the Town has an ordinance requiring telephone companies to submit a 3% occupational tax. Centurylink has claimed that they do not need to pay the tax without an election question being posed. Matt will continue to investigate.

Susan Watson reported that Akron Chamber has a few projects in the works with Akron School to inform kids about work opportunities in Akron.

Brittani Kusel reported that she had met with the SO, the State Patrol and Y-W representatives and they discussed the potential of reducing the speed limit east of town due to Y-W Electric moving their facilities there. The Town should write a letter of support. The town limit sign was discussed, along with a discussion of moving the sign further east.

Brittani also reminded the Council of their committee placements. Brittani explained to Danielle that Danielle would be taking Brittani's positions on the budget and tourism committees. Brittani asked Danielle to investigate events for the Town to hold/sponsor that will bring people together this summer.

Adjournment

There being no further business, Jacque Hayes moved to adjourn the meeting at 9:23 pm. With no objections, motion carried.

ATTEST: _____
Dencia Raish, CMC, Town Clerk Administrator

Brittani Kusel, Mayor