

## **RECORD OF PROCEEDINGS**

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

Mayor Brittani Kusel opened the meeting at 7:00 pm with the Pledge of Allegiance.

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

TRUSTEE ABSENT:        Danielle Woods

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

### **OTHER IN ATTENDANCE:**

Joanne Busing - Akron News Reporter, Tony Wells – Washington Council Commissioner, and eight members of the public.

### **Approval of Minutes**

The Council reviewed the minutes of the regular meeting held on June 3<sup>rd</sup>, 2019. A motion was made by Derek Glosson to approve the minutes, seconded by Jacque Hayes; Susan Watson abstained due to absence, all other votes were yes, motion passed.

### **Approval of Minutes**

The Council reviewed the minutes of the special work session meeting held on June 17<sup>th</sup>, 2019. A motion was made by Derek Glosson to approve the minutes, seconded by Susan Watson; Jacque Hayes abstained due to absence, all other votes were yes, motion passed.

### **Approval of June Bills**

Dencia Raish presented the June bills list; she pointed out that she had paid the final payment for the automated meter loan from TBK. A motion was made to approve the bills as presented, by Jacque Hayes, seconded by Derek Glosson; all votes were yes, motion passed.

### **Airport Report**

FBO operator Randy Hayes was not in attendance, no report was given. Dencia presented a notice of award to Electrical Excellence for the ASOS project. A motion was made by Derek Glosson to approve the notice, seconded by Harry Slusser; all votes were yes, motion passed. Dencia then presented Council the grant agreement from the FAA for the ASOS project. A motion was made by Jacque Hayes to approve the grant agreement, seconded by Derek Glosson; all votes were yes, motion passed.

### **Sheriff Report**

Undersheriff Furrow submitted a written report for the July meeting. It reported 40 incidents with 12 citations written in June. Nine of the twelve citations had been written for ordinance violations. Furrow reported that Code Enforcer Shelby Pepper has been very busy since she started in May. The SO is pleased with her progress, and they have received good feedback from the community.

## **RECORD OF PROCEEDINGS**

---

### **Akron Elks Special Event**

Dencia Raish presented a Special Event Liquor Permit for the Akron Elk for August 16<sup>th</sup> at the Washington County Fair Grounds hosting a Bucky Bull riding event. There were no objections from the SO in issuing the license. A motion was made to issue the license by Jacque Hayes, seconded by Harry Slusser; all votes were yes, motion passed.

### **County Report**

Tony Wells reported that they had been in contact with the NECHD in terms of skunks. The health department should be contacted if a skunk is perceived to have rabies. He reported that the County is preparing for the Eastern Colorado Roundup, July 31<sup>st</sup> - August 3<sup>rd</sup>. The Carnival rides have been inspected by the State with just a few corrections to be completed before fair. Tony reported that the train would not be running this year. It turns out that the train must also be inspected with very specific records. There is too much to be done. Therefore the train will not be used.

### **Akron Pool Report**

The manager for the Akron Pool, Kilee Randel, was in attendance and reported a very successful first month of the pool this season. They opened on July 1<sup>st</sup>, and have 14 LGT certified guards. Two of those guards are Basic Swim Instructor (BSI) certified, and two others are Water Safety Instructor (WSI) certified. Swimming lessons have been highly attended, and 14 different private lessons have been scheduled so far. In June the pool participated in two special events; Perk Up the Park Gazebo Grand Opening and a Summer Kids Recreation Event. Lions members served burgers at both events. Pool attendance was 161 for the PUP event and 188 for the rec night. The pools least attendance on a regular day was 20 and highest was 101 swimmers. Kilee explained that the Red Cross defines that the pool temperature must be 65 degrees for children to swim. The pool allows adult lap swim to happen at 55 degrees. Kilee reported that she plans to extend July hours, increasing from 1 to 3-night swim opportunities and Sunday hours are extended by adding a 1 pm to 4 pm shift in addition to the current 5 pm to 9 pm shift. The Akron Elks event will be held on July 20<sup>th</sup> from 1 to 9 pm, and she intends to maintain regular hours of operation during the fair. Kilee and her guard offered a sincere thank you to Shane Watson and Jessie Crider for assisting with vacuuming the pool this season.

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

Jessica Murray, a neighbor of Jessica Caldwell who owns the American mini pig, asked Council to reconsider the permit denied at June's meeting. Jessica explained to the Council why she was happy for Jennifer to have her pig. After some discussion, Council thanked Jessica for her comments.

Ariella Gonzales shared with Council that she has been contacted by Code Enforcement for trailers parked at her house. Her dilemma is that she has no room on her property to park her trailers. She asked Council to consider a permitting process. She then reported that she had received a summons to Court.

Hillary Phillips shared that she too had been contacted by Code Enforcement for her husband's semi that is parked on 2<sup>nd</sup> & Custer. She asked Council to consider a way to allow them to continue to park there due to hardships during winter freezing.

Jennifer Calwell appeared before Council to address her special use permit that was denied last month to keep her American mini pig, Bay. She explained why she has him, and asked the Council to reconsider her keeping him. She shared that he is very important and cannot imagine losing him. She has purchased her property and is unable to move again right now. Council thanked her for visiting with them and told her that there had been an animal ordinance committee assigned to reviewing things further.

## **RECORD OF PROCEEDINGS**

---

### **Update of Zoning Review**

Derek Glosson reported that he and Scott Porteus, as the planning and zoning committee, had met or talked a few times since the last regular Council meeting to review zoning code. Due to citizen complaints, the committee began their review with the industrial zone. Upon the first review, it was found that the industrial zone requirements left much to be interpreted. Derek presented a working document designing the industrial code to resemble the other Akron zoning codes closer. Derek and Scott had also created a working document for an agricultural zone for the Council and legal to review and consider. Part of the review is due to goats being housed in the industrial zone. Council suggested maintaining animal units like in the Ranchette zoning and keeping agricultural zones on the outskirts of town limits. Everyone agreed to review again before the next meeting.

### **Update of Animal Control Ordinance**

Jacque Hayes reported that she and Danielle Woods had not been able to meet since the last meeting.

### **First Reading – Ordinance 560 – Disconnect 24437 CR 41, Steve Diamond**

It was pointed out that the legal description should read Westin Ridge Estates. With that correction a motion was made to approve the first reading of Ordinance 560 by Derek Glosson, seconded by Harry Slusser; all votes were yes, motion passed.

### **Viaero Permanent Easement Agreement**

Dencia Raish presented Council a survey plat and site plan for the proposed viaero tower at the previously discussed easement location at 5<sup>th</sup> and Ash. Dencia had received written notification by Viaero authorizing the request to pursue the permanent easement for the location. It was asked if the current tree would be removed from the location and Shane reported that he thought it would be. Council also asked that sidewalk be installed at the curb where current rock base had been drawn on the site plan.

A motion was made by Harry Slusser to authorize the Mayor to sign the permanent agreement, and Dencia can hold the signed copy until the payment is received by the Town. The second was made by Derek Glosson; all votes were yes, motion passed.

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

Public Works Director Shane Watson reported that the pool seems to be running well for the first month. Due to the wet weather mowing has been a big operation and in July street patching will begin. Shane reported that he and Steve Vasquez had contacted multiple people to review the current condition of the sewer pond. Nick Marcotte with Element Engineering, had been the only company to respond and come review. Element Engineering has presented a proposal for professional engineering services with specific defined pond liner consulting services. Matt Richardson reviewed the proposal with the Council. A motion was made to sign the proposal for professional engineering services for the wastewater pond liner consulting by Derek Glosson, seconded by Jacque Hayes; all votes were yes, motion passed. Derek Glosson asked Shane if he had addressed the complaint about bindweed at the cemetery. Shane said that he had been in contact with Corby Kneedler with CHS.

Dencia submitted a written report for June about the different classes she had attended in June. She also had a request from a customer at Westin Ridge Estates asking to secure two water tap at today's rate. This customer has inquired about the free taps issued to the W.R.E., but the contract between the Town and Thomas Brothers establishing the taps has not been located to date. Council did not want to agree to that, equated it to preselling water taps and did not think that would be good practice. Dencia also presented sales tax information and the financial report through May as she did not have time to complete through June.

## **RECORD OF PROCEEDINGS**

---

Matt Richardson told Derek that if he and Scott needed help working on their proposed zoning consideration, they are welcome to call him. Matt reported he would contact the Brandon Estate in July to see when the Town may expect the disbursement. Council talked a little about how to account and handle the funds. Council asked Dencia to review with the auditor on what would be appropriate. Council inquired about creating an advisory committee to make recommendations for what to do with the funds.

Derek Glosson reported the Army Corp of Engineers has begun processing jurisdictional wetland determination again. He is not able to tell when they will be to our project. He reported that most other necessary reports had been completed by Eric Burg. Derek and Dencia will meet before the next regular meeting to begin the contract and bid papers that need to be completed. Derek also reported that he and Shane Watson had been north on Adams Ave to the Stallings subdivision. Water and wastewater have been installed, but no road or plan for a road has been defined. It was also unclear to Derek how a firetruck would service the north end of the lots due to the narrow road. It was suggested that the Town have the area surveyed to get contour and topography for the area to know what they are working with.

Harry Slusser reported that he had met with the YW Board to visit with them about the Town discussing potential uses for the building/block once the YW have moved. Council discussed options for the block. Derek Glosson reported that he had learned of a program offered by DOLA, University Technical Assistance that for cents on the dollar is a matching grant for local governments to partner up with college students to explore development and help build a plan for follow through. Derek asked Dencia to follow up with Greg Elt from DOLA.

Susan Watson updated the Council on Chamber happenings.

Jacque Hayes reported that she had enjoyed attending CML. She had made contact with employees of Black Hills Energy and found that they have funds to assist the certain project. Jacque would like to see what could be done with the parks.

Brittani Kusel reported that she had gained useful ideas at the CML Conference. She spoke a little about appointed employee reviews and rules for public comment on social media. Brittani shared her thoughts with Council that the Sheriff has been asked to enforce municipal code which upsets citizens. When citizens come to complain, the Council gives consideration and reviews the ordinance which disables the original enforcement. These actions seem to be establishing a pattern and could be the reason why ordinances have been neglected in the first place. Brittani asked what Council can do if they have voted down a request but with more information after finding that they would like to change their minds. A discussion proceeded on how that might happen and what would be an appropriate amount of time. Council deliberated the complications of code enforcement in alignment with citizen wants and desires.

### **Adjournment**

There being no further business, Jacque Hayes moved to adjourn the meeting at 10:01 pm. With no objections, motion carried.

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

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Brittani Kusel, Mayor