

Town of Haxtun
 May 4, 2020
 REGULAR MEETING

The Haxtun Town Council met for their regularly scheduled meeting at 7:00 p.m. The meeting was opened by Mayor Todd Workman at the Haxtun Community Center. Roll call was taken with the following council members present: Mike Ensminger, Tana Pope, Rick Lockwood, Lori Lundgren, and Brandon Bieseemeier. Jason Hadeen was absent. Mayor Workman led the group in the Pledge of Allegiance.

Staff members present were Ron Carpenter, Town Superintendent, Tanya Mayhew, Chief of Police, Kelsey Harms, Deputy Town Clerk, and Karie Wilson, Town Clerk/Treasurer.

Guests present were Julia Bieseemeier, Craig McCarty, Breck McCarty, Ryan Horton, Danyell Horton, Jenn Oberle from the Haxtun Chamber of Commerce, and Bob Cionek, Haxtun Liquors.

A motion was made by L. Lundgren, and seconded by R. Lockwood, to approve the agenda, with changes. The Outback Cookin' liquor license application was withdrawn and will resubmit for a hearing at a later date.

All present voted yes, and the motion carried.

A motion was made R. Lockwood and seconded by T. Pope to approve the April 6, 2020 regular meeting minutes, the following monthly invoices to be paid, and transfers of cash. All present voted yes. Motion carried.

April Payroll	Salary	\$45,969.97
April Payroll	Taxes	\$10,577.75
Amazon	Election Supplies	\$21.47
Amazon	Grass Seed for Prospect Park	\$88.10
Anderson, Tanley	Election	\$72.00
Bivins, Trey	Clothing Allowance	\$187.23
Black Hills	Utilities	\$542.04
Bornhoft, Chris	Travel Exp	\$40.00
CO Analytical	Water Test	\$33.00
CO State Treasurer	1st Qtr 2020 UITR	\$363.13
Dickerson, Callie	Election	\$72.00
Dutch Oven	Election Judge Meals	\$147.46
FPPA	Pension	\$1,756.01
Gutierrez, Jose	RV Refund	\$375.00
GWRS	Retirement	\$1,511.60
Lauer, Szabo, & Associates	2019 Audit	\$9,052.00
MASA	Med Transport Insurance	\$2,240.00
McDaniel, Gay	Election Judge	\$200.00
Michael, Sara	Election Judge	\$200.00

Pctelcom	Internet/Phone	\$203.59
Phillips County Treasurer	March Sales Tax	\$487.22
Pro-Tech Asphalt Maint.	Airport Crackseal	\$6,000.00
Stone, Krystal	Election Judge	\$200.00
Viaero	Cell Phone	\$323.74
Wilkening, Lauren	Election	\$72.00
Workman, Kylee	Election	\$72.00
American Heritage	Supplemental Insurance	\$25.55
Border States	Repairs to System	\$300.11
Bustamante, Brenda	MD Refund	\$156.08
Capital One	Street Bond	\$6,010.25
CEBT	Insurance	\$15,979.00
CFS	Repairs/Maint	\$1,830.00
CHS	Weed Spray	\$87.88
CIRSA	Prop/Casualty Insurance	\$779.24
Colorado Analytical	Wastewater Testing	\$35.00
Colorado Dept of Revenue	Withholding Tax	\$1,603.00
Cornerstone Hay	MD Refund	\$135.17
Crossland, Debra	Curb/Gutter 2020 Project	\$438.10
Dee, Rob	Legal Service	\$100.00
Dick, Patrick or Cyndina	MD Refund	\$136.38
Ensminger Construction	Repairs to System	\$190.00
Express Toll	PD Travel Exp	\$26.80
Haxtun Building Center	Repairs to System	\$1,292.50
Haxtun T-Shirt Shop	Appreciation Plaques	\$84.00
Ingram	Books	\$35.30
Little Valley Wholesale Nursery	Trees for Prospect Park	\$1,399.40
Office Service	Copier Maint.	\$184.22
Perfection Door	Shop Door	\$75.00
Phillips Co Landfill	Dump Fee	\$1,973.52
Precision Plumbing	Repairs to System	\$2,603.00
Public Safety Center	COVID19 PPE	\$188.03
Public Safety Center	PD Supplies	\$386.15
Selliken, Robert	Curb/Gutter 2020 Project	\$405.00
Standard	Insurance	\$111.95
SunLife Financial	Insurance	\$253.60
US Postmaster	Stamps	\$195.00
VSP	Insurance	\$167.90

Transfers of Cash

04/10/2020 Transfer from MM Savings to Capital Savings for accounts payable \$134,000.00

04/15/2020 Transfer from MM Savings to Business Checking for payroll \$18,000.00

04/17/2020 Transfer from MM Savings to Business Checking for accounts payable \$1,000.00
04/21/2020 Transfer from MM Savings to Business Checking for accounts payable \$6,000.00
04/24/2020 Transfer from MM Savings to Police Grant for reimbursement \$20.00
04/29/2020 Transfer from MM Savings to Business Checking for payroll \$19,000.00

Brandon Bieseemeier submitted a letter of resignation as Trustee. T. Pope made a motion and M. Ensminger seconded the motion to accept the resignation. All present voted in favor and the motion passed.

Todd Workman, outgoing Mayor, and Rick Lockwood, outgoing Trustee, were presented with plaques of appreciation for their years of service to the citizens of Haxtun. Rick had served as Trustee during 2016-2020. Todd had served as Trustee from 2008-2016, and as Mayor from 2016-2020. Jason Hadeen was not in attendance to receive his plaque, he had served the Town from 2012-2020 as Trustee. Their years of experience and support of the employees will be missed.

Karie Wilson, Town Clerk, then gave the Mayoral Oath of Office to Brandon Bieseemeier, the Oath of Office to re-elected Trustee Tana Pope, and new Trustees Ryan Horton, and Craig McCarty.

Karie then gave the Oath of Office to Kelsey Harms, Deputy Town Clerk, and to Tanya Mayhew, Police Chief. Kelsey Harms then gave the Oath of Office of Town Clerk/Treasurer to Karie Wilson.

The new council members took their place at the board table.

Discussion was held by the council regarding the Mayor Pro Tem position. C. McCarty and B. Bieseemeier considered Lori's longevity on the council an asset for the council.

A motion was made by T. Pope and seconded by R. Horton, to appoint Lori Lundgren as Mayor Pro Tem. All present voted yes, and the motion carried.

Due to incomplete paperwork, the liquor license application submitted by the Outback Cookin' was withdrawn, and a motion was made by C. McCarty, and seconded by M. Ensminger to hold the public hearing on May 18, 2020 at 6:00 p.m. Motion passed.

Discussion regarding the permitted area for the Haxtun Chamber of Commerce Beer Garden during the Old Fashioned Saturday Night event was held. At this time, the Town is required to follow the "Safer at Home" guidelines set by Colorado Department of Public Health and Governor Polis. There are no gatherings over 10 people allowed. There would be no gathering allowed under the "beer tent". Suggestion was made to license the two block area including two blocks of Colorado Ave from Strohm Street to Raymond Street. The hearing date for the special event license will be held June 1, 2020.

Prairie Oasis LLC dba Haxtun Liquors submitted their retail liquor license renewal application. Tanya had inspected the location and all paperwork is in order. A motion was made by R. Horton and seconded by L. Lundgren. After a roll call vote was held, with all in attendance voting in favor of the renewal, the motion passed.

A motion to adopt Ordinance 2020-2 was made by L. Lundgren and seconded by M. Ensminger.

The motion passed, and the ordinance reads as follows:

ORDINANCE NO. 2020-2

AN ORDINANCE ELIMINATING THE POSSIBILITY OF IMPRISONMENT AS A PENALTY FOR MUNICIPAL OFFENSES IN THE TOWN OF HAXTUN

WHEREAS, pursuant to Senate Bill 18-203, municipalities are now required to provide independent indigent defense counsel for each indigent defendant charged with a crime that has a possible sentence of imprisonment; and

WHEREAS, the Board of Trustees finds that such requirement would place insurmountable financial burdens on the Town; and

WHEREAS, the Board of Trustees finds it is in the Town's best interest to eliminate the possibility of imprisonment in connection with all Town of Haxtun ordinance violations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAXTUN, COLORADO:

Section 1. The following sections of the Haxtun Municipal Code and ordinances are hereby amended by eliminating imprisonment as a penalty for a municipal ordinance violation; provided however, this ordinance shall have no effect on any other portion of such sections of the Haxtun Municipal Code or ordinances, including those portions providing for monetary fines:

- Section 1.20.020: Misdemeanor – Penalty
- Section 5.04.090: Illegal possession or consumption of alcohol by underage person
- Section 8.40.40: Prohibition on medical marijuana businesses – penalty
- Section 8.44.040: Prohibition on retail marijuana establishments – penalty
- Section 9.32.030: Gambling – penalty
- Section 9.66.030: Harassment – penalty
- Section 9.74.030: Trespassing – penalty
- Section 9.75.020: Theft – penalty
- Section 9.100.060: Gun Club Lake activities – penalty
- Section 10.04.040: Model Traffic Code – penalty
- Section 12.32.100: Trees – penalty
- Ordinance No. 2013-1, Section 2: Prohibition on marijuana establishments – penalty
- Ordinance No. 2013-2, Section 5: Prohibition on marijuana clubs – penalty
- Any other section of the Haxtun Municipal Code or Town of Haxtun ordinance providing for the possibility of imprisonment as a penalty for a municipal ordinance violation.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED this 4 day of May, 2020.

TOWN OF HAXTUN, COLORADO

Mayor

ATTEST:

Karie Wilson, Town Clerk

Opening the Haxtun Public Swimming Pool during the 2020 season was discussed. Director Heather Kurtzer has agreed that it would be possible to open the pool with only 6 lifeguards with limited hours of operation. The county has applied for a waiver from the restrictions put in place by the Colorado Department of Public Health and the governor.

Our attorney will be asked if the Town can limit admission to the pool to include Haxtun residents only.

Discussion was held regarding the board vacancy. Lori mentioned that David Bickford is interested in the position. Brandon suggested that the vacancy be filled by Bob Cionek, as he was next in number of votes received in the recent election.

Filling the vacancy will be on the agenda at the next regular council meeting.

Staff Reports:

Ron Carpenter: Town Superintendent

- Received a bid from L.E.C. for replacing the entire curb line along the West side of Colorado Ave, from Strohm Street to Fletcher Street. Amount of the bid was \$14,400. The expansion joints will be doubled, saw cut along the tree grates. Our town crew will help as much as possible to help with the costs.

- CIRSA Insurance safety awards were received for both Workers Comp and Property Casualty programs.
- The trash truck needs repairs, and we will be borrowing a City of Holyoke truck to use while our truck is in the shop.
- Prospect Circle Park has new trees and grass seed will be planted as soon as the weather cooperates.
- Council members reviewed the proposed swimming pool design. The engineers are working on a cost estimate.
- If pool project is approved, the park shed will have to be moved. The area north of the current concession stand would be a perfect location for it.

Tanya Mayhew, Chief of Police:

- Has worked with Becky and the RE-2J school district on traffic lanes through the grade school parking lot. Lines will be painted, signs ordered and public will be notified on the traffic flow.
- Staying up to date on all the Covid-19 conference calls. Has applied for log in info on the state level for FEMA reimbursement. Tracking man hours, ppe expenses. New council members will need to complete ICS paperwork, so the town will continue to be eligible for FEMA grants. Philips County has applied for a waiver from the state of Colorado's restrictions. We listed the Town of Haxtun's events with the waiver, and in hopes that they will be approved.
- Michael Beard has resigned from the department and is now working for the Phillips County Sheriff. Tanya has started advertising for his replacement. She has contacted the area academies to see if they have graduates that may be looking for a position.

Karie Wilson, Town Clerk/Treasurer

- Northeast Rural Philanthropy Days conference planned for June 9-11, 2020 will be postponed.
- The 2019 CIRSA Annual report is now available on their website. www.cirsa.org.
- The Haxtun Community Center may now be opened for groups of 10 or less. Council consensus is to keep the kitchen area closed.
- After the past polling place election, and the efforts made to keep within the COVID restrictions, the council was asked if the Town of Haxtun could change our election date to November. The county clerk has offered to host our elections along with the county. Holyoke just recently made this change for their municipal election. Council would like to hear more information regarding the costs for the county to host.
- Council training with CIRSA will be held on May 18, 2020.

Ron would like to build an all weather basketball court in the park. The current court will be removed, if the pool project proceeds with that location. He will get an estimate for council. The sprinkler system in the park would have to be moved, but only a few heads.

Council Concerns:

Tana wondered if spring cleanup could be moved to the third week in April. A later date may help citizens get their stuff out. She also asked if a second clean up could be held in the fall. Ron explained that we encourage the community to throw items out all year. The clean up week is labor intense, and it's difficult to extend the length of time with the crew. We are happy to pick things up year-round.

Brandon asked Tanya if she has a day of the week that she looks for nuisance violations. The department investigates nuisances as time allows, depending on caseload.

A motion was made by L. Lundgren and seconded by R. Horton to adjourn. The meeting was adjourned at 8:41 pm subject to the call of the Mayor.

Karie L Wilson
Town Clerk/Treasurer