

Town of Haxtun
 July 13, 2020
 REGULAR MEETING

The Haxtun Town Council met for their regularly scheduled meeting at 7:00 p.m. The meeting was opened by Mayor Brandon Bieseimeier at the Haxtun Community Center. Roll call was taken with the following council members present: Bob Cionek, Mike Ensminger, Ryan Horton, Lori Lundgren, Craig McCarty and Tana Pope. Mayor Bieseimeier 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 Jenn Oberle, Haxtun Chamber of Commerce, Dwayne Pace with the Haxtun Hospital District, Scott Szabo with Lauer, Szabo and Associates, Garry Hadeen representing the Haxtun Housing Authority, Harold Crossland, and Wayne and Mary Thompson.

A motion was made by T. Pope, seconded by C. McCarty to approve the agenda. All present voted yes, and the motion carried.

A motion was made L. Lundgren and seconded by R. Horton to approve the regular meeting minutes of June 1, 2020, the June 15, 1nd the June 29, 2020 special meeting minutes, the following monthly invoices to be paid, and transfers of cash. All present voted yes. Motion carried.

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| June Payroll | Salary | \$41,481.27 |
| June Payroll | Taxes | \$9,305.44 |
| Amazon | OFSN Supplies | \$33.04 |
| Amazon | OFSN Vendor Supplies | \$162.04 |
| Black Hills | Utilities | \$257.71 |
| Brophy, Janet | Summer Fun Instructor | \$160.00 |
| CHS | Herbicide | \$33.38 |
| CIRSA | WC Payroll Audit | \$1,158.00 |
| City of Holyoke | Storm Repairs | \$373.80 |
| CO Analytical | Water/Wastewater Test | \$68.00 |
| Edwards Concrete | Park Fountain | \$1,800.00 |
| Fetzer Electric | Repairs to System | \$2,713.96 |
| FPPA | Pension | \$1,088.88 |
| Grainland | Fuel | \$507.47 |
| Great Copier Service | Copier Maint | \$126.00 |
| GWRS | Retirement | \$1,434.30 |
| Haxtun Car Wash | PD Fleet Wash | \$16.00 |
| Haxtun Supers | Supplies | \$53.39 |
| Haxtun Tel | Phone | \$395.07 |
| Jones, Carrie | MD Refund | \$144.12 |
| KC Radiator | Repairs/Maint. | \$175.00 |

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| Kleve, Nicole | Summer Fun Instructor | \$160.00 |
| Knode Tyler | MD Refund | \$25.00 |
| Kuehn, Chris | Janitorial | \$150.00 |
| Kurtzer's | Repairs/Maint. | \$150.51 |
| Matt's Sprinkler | Repairs to System | \$77.96 |
| NE Safety and Fire | Batteries | \$125.00 |
| NMPP | Power | \$35,583.53 |
| Novus Auto Glass | Repairs/Maint. | \$328.63 |
| Petty Cash | Rec Concessions | \$100.00 |
| Phillips County | Comm Center | \$4,500.00 |
| Phillips County Landfill | Dump Fees | \$1,802.16 |
| Smith Hardware | Repairs to System | \$363.20 |
| Thompson, Paige | Summer Fun Instructor | \$80.00 |
| UNCC | Transmissions | \$14.90 |
| US Postmaster | Stamps | \$360.00 |
| USA Bluebook | Repairs to System | \$461.70 |
| Viaero | Phone | \$771.59 |
| Wagner Equip | Repairs/Maint. | \$377.28 |
| Walmart.com | Summer Fun Supplies | \$79.43 |
| Wilson's Repair | Repairs/Maint. | \$2,778.60 |

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| American Heritage | Supplemental Ins | \$25.55 |
| Barco Municipal Products | Equip | \$639.00 |
| Border States | Electric Rebuild | \$5,553.68 |
| CEBT | Insurance | \$11,782.60 |
| CIRSA | 3rd qtr prop/casualty | \$13,843.65 |
| CIRSA | 3rd qtr workers comp | \$4,920.75 |
| Captial One | Street Bond | \$6,010.25 |
| Carpenter, Ron | Reimb. Registration | \$20.07 |
| Cash-Wa | Rec Concessions | \$1,476.30 |
| Charlie's Diesel | Trash Truck Repairs | \$17,966.72 |
| CO Ass'n of Chiefs of Police | Dues | \$187.50 |
| CO Dept of Revenue | June Withholdings | \$1,416.00 |
| CO Dept of Revenue | June Sales Tax | \$3,598.69 |
| D&C Custom Harvesting | RV Refund | \$120.00 |
| Dee, Robert | legal service | \$100.00 |
| Double H Supply | Supplies | \$244.16 |
| Edwards Concrete | Foundations for fuel tanks | \$4,000.00 |
| Ensminger Const. | Dig Footings | \$100.00 |
| Fetzer Electric | Repairs to System | \$1,637.01 |
| Gorman, Delana | Summer Fun Instructor | \$80.00 |
| Grainland | Fuel | \$754.89 |

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| Hagemeyer, Dennis | 2020 curb/gutter | \$714.00 |
| Harms, Kelsey | OFSN supply reimb. | \$32.21 |
| Harry S Marshall | Meter Verification | \$268.00 |
| Haxtun Building Center | Repairs to System | \$324.05 |
| Haxtun Car Wash | PD Fleet Wash | \$25.00 |
| Haxtun Supers | Supplies | \$199.68 |
| Haxtun T-Shirt | Rec Camp T-shirt | \$1,230.00 |
| HF Herald | Publications/Supplies | \$881.35 |
| Highline Electric | Utilities | \$129.99 |
| Highline Electric | Storm Repairs | \$263.30 |
| Ingram | Books | \$527.53 |
| Kelly PC | Attorney | \$647.50 |
| Kuehn, Christine | Janitorial | \$195.00 |
| Martin's Flag | Flags | \$632.94 |
| Mason, Konnie | Camp Refund | \$40.00 |
| Matt's Sprinkler | Repairs to System | \$741.50 |
| Midwest Radar | Radar Check | \$120.00 |
| Miner, Barbara | Summer Fun Instructor | \$80.00 |
| NMPP | Power | \$41,899.71 |
| Office Service | Copier Maint | \$146.37 |
| PC telcom | phone/internet | \$204.09 |
| PCED | 2nd qtr contribution | \$1,375.00 |
| Phillips County Landfill | Dump Fee | \$2,050.56 |
| Phillips County Treas | Junes Sales Tax | \$586.52 |
| Pro-Tech Asphalt Maint. | Airport Runway Maint | \$30,880.00 |
| Pro-Tech Asphalt Maint. | Grade School Parking Lot | \$864.60 |
| Psychological Dimensions | Psych Exam | \$350.00 |
| R&K Doyle Harvesting | RV Refund | \$160.00 |
| Rocky Mountain Info | Dues | \$25.00 |
| Rudy's GTO | Repairs/Maint. | \$203.30 |
| Sauder, Margo | Summer Fun Instructor | \$160.00 |
| Simon | Repairs to System | \$458.00 |
| Standard Insurance | Supplemental | \$111.95 |
| Steward, Jessica | Summer Fun Instructor | \$80.00 |
| Sun Life | Supplemental | \$253.60 |
| T&R Electric | Repairs to System | \$587.00 |
| US Postmaster | Stamps | \$140.00 |
| UNCC | Transmissions | \$19.37 |
| Village of Morrill | Storm Repairs | \$2,000.00 |
| VSP | Supplemental | \$89.99 |
| Western United Electric | Repairs to System | \$31.72 |
| Wild Horse Machine | Repairs/Maint. | \$701.03 |
| Wilson's Repair | Repairs/Maint. | \$396.91 |

Transfers of Cash

06/10/2020 Transfer from MM Savings to Business Checking for accounts payable \$80,500.00

06/17/2020 Transfer from MM Savings to Business Checking for payroll \$17,200.00

06/19/2020 Transfer from MM Savings to Business Checking for accounts payable \$4,000.00

06/30/2020 Transfer from MM Savings to Business Checking for payroll \$18,000.00

Public Comment:

Garry Hadeen, representing the Haxtun Housing Authority, asked the council when the paperwork will be signed for the 1st Modification to the Cooperation Agreement. The clerk said that our paperwork was completed in March 2020, we were waiting for the Housing Authority to complete their signature portion of the Resolution.

Mayor Biesemeier read a letter from Doug and Crissa Larson, who had concerns regarding condition of streets, park playground maintenance, ball field maintenance, pool lawn condition, replacement of trees in the park, water quality, poor condition of railroad crossings, and lack of relief joints in the South Colorado Ave concrete and sidewalk project seeming to cause damage to adjoining properties. Doug and Crissa wrote that they are also willing to head up a tree replacement committee and commit \$500 towards the first tree purchased in the program.

Regular Business:

Scott Szabo, from Lauer, Szabo and Company, presented the 2019 Financial Audit to the council. The Town has 4-5 months of reserve in the General Fund. Community Center funds are restricted by a vote of the people to use the fund for maintenance to the center. Conservation Trust Funds are restricted for parks and recreation. Library funding from property tax is also restricted.

The electric, water, sanitation and sewer funds are stable, and the rates seem sufficient at this time.

A hearing was held for the Special Event Liquor Permit Application submitted by the Town of Haxtun to allow for a beer vendor booth at the Old Fashioned Saturday Night event on July 18, 2020. The plan for the event is to license the two blocks of South Colorado Ave, and the 100 Block of East and the 100 Block of West Fletcher. Participants may consume their beverage anywhere within the defined two block area. Defined areas will also be marked by panels and barricades.

There was no public comment received in regards to the application.

A motion was made by M. Ensminger and seconded by R. Horton to approve the application. A roll call vote was taken, with all in attendance voting in favor of the permit. Motion passed.

Discussion was held on donating the proceeds from the alcohol sales to a community project such as the swimming pool project, or the replacement of the welcome signs. The Town of Haxtun could show the funds as additional in kind donations if going forward with grant applications for the pool project. Members of the council could also volunteer an hour or two on OFSN to help show support for the pool.

A motion was made by R. Horton and seconded by T. Pope to donate the proceeds to the pool project. All present voted in favor, and the motion passed.

The Haxtun Chamber of Commerce submitted an application for a Special Event Liquor Permit for the Corn Festival Beer Garden. A motion was made to set a hearing date for August 3, 2020 by B. Cionek and seconded by L. Lundgren. All present voted in favor, and motion passed.

Discussion was held regarding moving the Town's regular election date from April to November to coordinate with Phillips County. Neighboring city of Holyoke has just recently made the change for their elections, as have other towns and cities in the state of Colorado. This past election in April was a struggle. The shutdown due to COVID-19, the availability of hiring election judges and providing safety for our election judges, trying to get information to our voters about absentee ballots, and the extra expense to mail out absentee voter registrations. Citizens are confused when they receive one ballot in the mail and other times are required to request ballots. Coordinating with the county would help eliminate that confusion.

If the town would move towards a mail in ballot election, there are some other costs incurred. Counting ballots are far more time consuming, as Election judges are required to log in to the secretary of state web site to verify each signature.

In this past election, there were 211 absentee ballot voters, and 30 polling place voters.

After discussion, Ordinance 2020-3, a ballot question changing the date of the Town of Haxtun Regular Municipal Election from the first Tuesday in April to the first Tuesday following the first Monday in November was presented to the council. A motion was made by M. Ensminger, and seconded by R. Horton, and all present voted to adopt the ordinance.

ORDINANCE NO. 2020-3

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF HAXTUN AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, THE QUESTION OF CHANGING THE DATE OF THE TOWN'S REGULAR MUNICIPAL ELECTIONS

WHEREAS, the Town of Haxtun (the "Town") is a Colorado municipal corporation duly organized and existing under laws of the State of Colorado; and

WHEREAS, the Town's regular municipal elections are currently held on the first Tuesday in April in each even-numbered year; and

WHEREAS, C.R.S. § 31-10-109 authorizes the Board of Trustees to submit to a vote of the registered electors of the Town the question of whether the regular election date of the Town should be changed to the Tuesday succeeding the first Monday of November in each even-numbered year; and

WHEREAS, the State of Colorado holds its general election on the Tuesday succeeding the first Monday of November in even-numbered years; and

WHEREAS, if the Town were to change the date of its regular municipal elections to November of even numbered years then the Town's elections could be held as coordinated elections with Phillips County; and

WHEREAS, coordinating the Town's elections with the County and holding them on the same day as the State's general election may increase voter turnout and may reduce costs to the Town; and

WHEREAS, the Board of Trustees is of the opinion that it should refer to the voters at the November 3, 2020 election a ballot question concerning whether the date of the Town's regular municipal election should be changed to the Tuesday succeeding the first Monday of November in each even-numbered year; and

WHEREAS, C.R.S. § 31-10-109 provides that if a majority of the registered electors vote to approve the change to the Town’s regular election date, the Board of Trustees shall by ordinance establish its new regular election date and may include in the ordinance any alteration in the terms of office of officials that may be necessary to accomplish the change in election dates; and

WHEREAS, C.R.S. § 31-10-109 provides that no such ordinance shall shorten the term of any elected official in office at the time of its adoption; and

WHEREAS, the Board of Trustees is of the opinion that it should adopt the amendments to the Haxtun Municipal Code set forth herein, which shall become effective if a majority of the voters approve the change to the Town’s regular election date.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HAXTUN, COLORADO:

Section 1. A special election will be held in the Town of Haxtun on Tuesday, November 3, 2020 as part of a coordinated election (the “Election”).

Section 2. Pursuant to applicable provisions of the laws of the State of Colorado, the Board of Trustees hereby submits to the registered electors of the Town at such Election, the ballot question specified in Section 3 of this Ordinance.

Section 3. The following ballot question, certified in substantially the form set forth below, is hereby referred to the registered electors of the Town and shall appear on the ballot of the Election:

BALLOT QUESTION NO. _____

SHALL THE DATES OF THE TOWN OF HAXTUN’S REGULAR MUNICIPAL ELECTIONS BE CHANGED TO THE TUESDAY SUCCEEDING THE FIRST MONDAY OF NOVEMBER IN EACH EVEN NUMBERED YEAR BEGINNING IN 2022?

Section 4. If a majority of the registered electors voting at the Election vote “yes” in response to the ballot question specified in Section 3 of this Ordinance, the issue shall be deemed to have passed and the Haxtun Municipal Code shall be amended as set forth in Section 5 of this Ordinance.

Section 5. Title 2 of the Haxtun Municipal Code is hereby amended by the addition of a new Chapter 2.06 to read as follows:

Chapter 2.06

ELECTIONS

2.06.010 Date of regular election

A regular election shall be held on the Tuesday succeeding the first Monday of November in each even-numbered year.

2.06.020 Conduct of elections

All elections that are coordinated with Phillips County shall be held and conducted in accordance with the Uniform Election Code of 1992, as amended from time to time. Elections that are not coordinated with Phillips County and are conducted by the Town shall be held and conducted in accordance with the Colorado Municipal Election Code of 1965, as amended from time to time.

2.06.030 Transition to November regular elections

Notwithstanding any other provision of this Code to the contrary, the terms of Board members whose terms will expire in April 2022 shall be extended to the November 2022 regular election. The terms of Board members whose terms will expire in April 2024 will be extended to the November 2024 regular election.

Section 6. 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 resolution. The Board of Trustees and the registered voters of the Town hereby declare that they would have passed and approved this resolution and each part hereof irrespective of the fact that any one part be declared invalid.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED this 13day of July, 2020.

TOWN OF HAXTUN, COLORADO

Mayor

ATTEST:

Karie Wilson, Town Clerk

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A motion was made by L. Lundgren, and seconded by T. Pope, to adopt Resolution 2020-8 Calling for a Special Election to be held on November 3, 2020. All present voted in favor, and the motion passed.

RESOLUTION NO. 2020-8

A RESOLUTION CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 AS A COORDINATED ELECTION

WHEREAS, a statewide general election will occur on November 3, 2020, which such election shall be coordinated by Phillips County; and

WHEREAS, the Board of Trustees finds it is in the best interests of the Town of Haxtun to call a special election for November 3, 2020 and to participate in the coordinated election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HAXTUN, COLORADO:

Section 1. Pursuant to C.R.S. Section 31-10-108, a special election for the Town of Haxtun is hereby called and set for Tuesday, November 3, 2020 to be held as part of a coordinated election with Phillips County.

Section 2. The purpose of the special election will be to refer to the voters one or more ballot issues or questions as determined by the Board of Trustees.

Section 3. The officers and employees of the Town are hereby authorized and directed to take all necessary and appropriate actions to effectuate the provision of this Resolution in accordance with Colorado law.

Section 4. Pursuant to C.R.S. Section 31-10-102.7, the Town will utilize the requirements and procedures of the Uniform Election Code of 1992, articles 1 to 13 of title 1, C.R.S., as amended, in lieu of the Colorado Municipal Election Code of 1965, article 10 of title 31, C.R.S., as amended, with respect to the special municipal election to be held on November 5, 2019, and such election shall be conducted as part of the coordinated election. The Town Clerk is hereby appointed as the designated election official of the Town for purposes of performing acts required or permitted by law in connection with the election.

INTRODUCED, READ, AND ADOPTED this 13 day of July, 2020.

TOWN OF HAXTUN, COLORADO

Mayor

ATTEST:

Karie Wilson, Town Clerk

Discussion Items:

The council consensus approved the wording of a letter to NKC Railroad in regard to the poor condition of the railroad crossing.

Discussion was held regarding future street projects. The feasibility of a major street project was discussed. Ron asked the council to look back at the town budgets over the past 10 years. Little to no funds have been allocated to the street repair budget until the current year. We are making progress as we are paving two streets this year. The last street paved was Westridge, and the property owners reimbursed the Town for that project.

Council is interested in forming a committee made up of council and citizens to work on a street replacement plan.

Ron reported, that as of mid July, the hot mix asphalt used to fill pot holes has not been available, the asphalt produced has been allocated for a state highway project. The state project was delayed, which in turn means our project was delayed. The curb and gutter project in the 100 block of the West side of Colorado Avenue will be finished this week before the Old Fashioned event. Council asked if fog sealing work on any of the streets? Although we have utilized this method in the past, our streets are not in good enough condition. As for a major street project, could quadrants of town could be repaved at a time?

Is \$60,000 budgeted a year enough for street maintenance? It hasn't been quite enough in the past. Curb and gutter maintenance has also been an issue. The property owner is responsible for their own curb and gutter. Truck traffic is also an issue on some of the side streets.

A question was brought up about the street sweeper. The 1981 truck is basically junk. It can be used for about two hours per day before the rear main seal leaks oil. Ron has asked other local municipalities if they would loan their machines out, but no one has offered so far.

Jeff Harms, a Haxtun High graduate, works for Simons and may be a good member to have on a committee if he would agree to serve. The matter will be put on the agenda at our next work session.

The swimming pool project is at a "ball parked" price of 2.6-2.8 million. We will ask Grant, NE, how they funded their pool project.

The Welcome signs on the East and West edges of town were damaged in the storm on 6/9/2020. Ideas for replacement of the signs were discussed.

The CVRF (Coronavirus Relief Fund) was discussed. There has not been much guidance released on what is approved spending. One of the ideas that the commissioners have talked about is purchasing a COVID-19 compliant ambulance.

Staff Reports:

Ron Carpenter: Town Superintendent

- Most of his report was discussed in Discussion items.
- The seasonal summer help is trying to get streets and weeds sprayed.
- Matt Firme is scheduled to repair the park sprinkler system damaged in the storm.
- Curb and gutter work started today on Colorado Ave.
- Ward Electric is waiting on CDOT for a permit before starting the electrical project
- 43 building permits have been submitted since the June 1, 2020 meeting. Most are storm damage related.

Tanya Mayhew, Chief of Police:

- The department is going to post information for the public to please follow the Liquor Enforcement guidelines for OFSN.
- They received a \$1400 POST grant for training.
- New radios will cost approximately \$13,000 for 3 vehicles and a base radio. Without the new radios, there will be encryption issues.
- The bill passed by the Colorado Legislature will require all police departments to wear body cameras within 3 years.

- Karie Wilson, Town Clerk/Treasurer
No report.

Council Concerns:

Mike asked about the ordinance that requires cleaning the street in front of your property. Without having a copy of the ordinance, it was difficult to quote it. It is the property owners responsibility to take care of the street, and also to the middle of the alley.

The council would like to see a copy of the ordinance at the next work session.

Garry Hadeen asked if the community center sales tax could be reduced, and if it can fund itself. The matter would have to go to a vote of the people to reduce the sales tax to the community center and use the income for another fund.

A motion was made by L. Lundgren and seconded by M. Ensminger to adjourn. The meeting was adjourned at 8:55 pm subject to the call of the Mayor.

Karie L Wilson
Town Clerk/Treasurer