

MINUTES REGULAR MEETING BOARD OF TRUSTEES

February 09, 2023

ITEM 1 Call to Order, 6:00 pm

ITEM 2 Roll Call

Present: Mayor Gibson, Trustee Brady, Trustee Billings, Trustee Cooper, Trustee McVey,

Absent: Trustee West, Trustee Wittler

Phone/Computer: Lance Clark, Acting Town Attorney, Michael Yerman, Nick Marcotte

Guest Present: Shannon Mason, Lexie Brooks, Becky Duren

Staff Present: Merna McGinnis, Town Manager

Tammy Newman, Town Clerk

Heath Piper, Electric Superintendent

Mike Ingle, Water/Waste Water Superintendent

Clay Klipfel, Police Chief

ITEM 3 Pledge of Allegiance, led by Mayor Gibson

ITEM 4 Prayer, led by Mike Ingle

ITEM 5 Approve Minutes of the January 12, 2023 Board of Trustee's Regular Meeting.

Approve Minutes of the January 24, 2023 Board of Trustee's Special Meeting.

Approve Minutes of the February 6, 2023 Board of Trustee's Special Meeting.

Approve Minutes of the February 7, 2023 Board of trustee's Special Meeting.

Trustee Cooper made motion to approve January 12, 2023 regular meeting minutes with correction on Item 12 Action Time to Auction Time, January 24, February 6, and February 7, 2023 special meeting minutes. Seconded by Trustee McVey.

Motion Passed.

ITEM 6 Approve Bills

Ms. McGinnis asked to pay two additional bills, Springfield Fire Department annual contribution \$17,500.00 and the Steerman Law Office January bill \$1,356.45.

Trustee Brady made motion to approve bills as presented with the two additions. Second by Trustee Billings.

Motion Passed

ITEM 7 Public Comment for Non-Agenda Items

Anyone who would like to address the Board of Trustees on any matter other than an agenda item will be given an opportunity, 3-minute time limit each person after signing the roster.

None

ITEM 8 Kestrel Housing Update Michael Yerman:

Discussion on the walk through with trustees and general contractors Friday 3, 2023 at 12:00 pm.

Walk through went well there was minor concerns that was addressed while on site. 11 duplexes and 2 houses with a target date to be done mid-April.

**ITEM 9 Element Engineering
Update on Water Project**

Nick Marcotte with Element Engineering discussed the owner/engineer agreement and design that USDA must approve first. Local funding will be \$824,000.00. Discussion on the possibility of using ARPA funds for part of the towns portion. Engineers would send monthly reports for trustee meetings, send progress reports on the project and come to board meetings on the milestones. The goal is to have the water project started next summer 2024.

Trustee Cooper made motion to table the \$824,000.00 so attorney can advise until next meeting.
Second by Trustee Billings.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

**ITEM 10 Building Code Review and Inspection Contract for Southeast Colorado Hospital
Shums Coda Associates, Plan reviews Services Synergy Construction Concepts, Commercial Contractors**

Southeast Colorado Hospital has contacted Shums Coda to conduct the plan review and potential inspections on the Hospital remodel. For Shums Coda to conduct this service they would have to go into a contract with the town to serve as the building department for the hospital project only. Once contract has been reviewed by attorney and signed by board, the town would need to send a Memorandum of Understanding to the State telling them that the town will be the code agency on the hospital project. Shums Coda would do the reviews and inspections under the town's authority. Hospital will pay for all services.

ITEM 11 Retail Liquor or Fermented Malt Beverage License Renewal Application

Liquor Store License (City); Cook, Thomas J., dba City Liquor, 708 Main Street, Springfield, CO,
Thomas Cook

Name and Address of Applicant: Thomas J. Cook
708 Main Street
Springfield, CO 81073

Trade Name and Address: City Liquor Store
708 Main Street
Springfield, CO 81073

Date of Application: January 11, 2023

Date of Current License Expiration: May 2, 2023

Documents Accompanying Application

Local and State License Fees: Submitted with Application.

Zoning: C-2, Tourist-Oriented and Community Commercial/Correct Zoning

Building Plans and or Sketch of Interior: N/A

Distance from School as per Statute: N/A when license request is a renewal

Deed or Lease or Assignment of Lease Ownership: Owner

Evidence of Public Notice: N/A

Posting of Premises: N/A

Police Investigation/Comments: No complaints.

Finding of Facts:

1. City Liquor is requesting approval of a Retail Liquor or Fermented Malt Beverage License Renewal.
2. The required fees were submitted as required.
3. The required documents and property ownership were submitted or met with the original liquor license request.
4. Police Department has no concerns.

Recommendation:

Recommended that the Retail Liquor or Fermented Malt Beverage License Renewal Application (Retail Liquor Store) request for City Liquor Store be approved, application is signed and ready to be sent to the Colorado Department of Revenue Liquor Enforcement Division.

Trustee Billings made motion to approve the liquor license renewal for City Liquor. Second by Trustee Cooper.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

ITEM 12 Liquor Permit Application and Report of Changes-Storage Permit & Change, Alter or Modify Premises. The Lost Dog Bar & Grill LLC, Marla Humphrey, 889 Main Street.

Name and Address of Applicant: Marla Humphrey
889 Main Street
Springfield, CO 81073

Trade Name and Address: Lost Dog Bar & Grill
889 Main Street
Springfield, CO 81073

Date of Application: February 02, 2023

Date of Current License Expiration: July 13, 2023

Documents Accompanying Application

Local and State License Fees: Submitted with Application.

Zoning: C-2, Tourist-Oriented and Community Commercial/Correct Zoning

Building Plans and or Sketch: Yes. Adding storage, 873 Main Street. Expanding outside area behind 889/873 Main St.

Distance from School as per Statute: Yes

Deed or Lease or Assignment of Lease Ownership: Owner

Evidence of Public Notice: N/A

Posting of Premises: N/A

Police Investigation/Comments: No concerns.

Finding of Facts:

1. Lost Dog Bar & Grill is requesting approval of a Permit Application and Report of Changes, storage 873 Main and expanding outside area.
2. The required fees were submitted as required.
3. The required documents and property ownership were submitted or met with the original liquor license request.
4. Police Department has no concerns.

Recommendation:

It is recommended that the Tavern Liquor License Renewal Application request for Lost Dog Bar & Grill be **approved**, application is signed and ready to be sent to the Colorado Department of Revenue Liquor Enforcement Division.

Discussion on a fence barrier and signage around the area to keep secure.

Trustee McVey made motion to approve storage permit & change and the modification to the outside patio area to the Lost Dog Bar & Grill LLC, per attorney review. Second by Trustee Brady.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

ITEM 13 Ordinance No. 355

AN ORDINANCE REPEALING AND REENACTING BUILDING REGULATIONS AS PROVIDED IN SECTION 18-1 OF THE SPRINGFIELD MUNICIPAL CODE.

Ordinance 355 was read in full by Mayor Gibson.

Trustee Brady made a motion to put Ordinance No. 355, Repealing and reenacting building regulations as provided in section 18-1 of the Springfield municipal code into first read. Seconded by Trustee Billings.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

ITEM 14 General Business

- A. Vehicle Bid: No bids were received on the 1980 Chevy Bucket Truck. Re-advertise in newspaper put on agenda for next month.

Trustee McVey made motion to re-advertise bucket truck for \$5,000.00 with new tires and low mileage. Second by Trustee Cooper.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

B. Vehicle Bid: 1980 Ford Dump Truck

3 BIDS Don Auburger \$700.00, Anthony LeBlanc \$701.00, Chris Griffin \$450.00.

Highest bid Anthony LeBlanc

Trustee McVey made motion to accept Anthony LeBlanc bid at \$701.00. Second by Trustee Billings.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

C. Landfill Discussion: Letter from CDPHE 5-year financial assurance updated July 18, 2022 was discussed. Michael Petti, with SMA sent answers back to CDPHE concerning the letter.

The Engineering Design Operations Plan (EDOP) was discussed.

Trustee Cooper made motion to table EDOP until next meeting March 9, 2023. Second by Trustee Brady.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

Landfill inspection February 28, 2023.

Poles are going up for the netting.

Scales are being put in; cement work has been completed. Goal is to start using scales by April 1, 2023.

ITEM 15 Administrative Reports

Clay Klipfel, Police Chief:

Discussion on monthly police report.

Radar sign is up, it has Bluetooth hookup capabilities, can do lots of tracking and will be able to run reports.

Have been doing trainings, the De-escalation Crisis Intervention Class and hosted a DUI class.

New car update, it is being outfitted in the next two weeks. Selling two of the older patrol vehicles will cover the cost of outfitting on the new patrol vehicle. Working on the rest of the older vehicles to get stripped down to get sold.

E-Force citations are being used now, after some modifications to the patrol vehicles.

Officer Reeves will be patrolling more during the night shift.

The one officer that was approved to be hired did not pass his psych eval.

Joan is interested in doing animal control along with her current duties. She would have to do some trainings so she could issue summons. There is an average of 40 animal calls a month.

Chief Klipfel gave compliments out to the EMS crew for their fast response.

Merna McGinnis, Town Manager/ Treasurer:

Sales tax received for the month is \$61,197.00

Completed the MD&A and sent back to the auditor.

American Rescue funds were budgeted in the general fund to be spent in 2023, and can be spent for water infrastructure. ARPA funds need to be spent by 2024.

Heath Piper, Electric Superintendent:

Underground transformers, 54 weeks plus out from the company we have been using called TNR. Would like to go ahead and order 8 transformers now from TNR for next budget year for \$44,378.00 plus freight. Found another company UTD that is 24 weeks out but the cost is about double for transformers, haven't ever used this company but would like to try them and order 4 transformers \$33,450.00 plus freight.

Trustee Brady made motion to order 4 transformers from UTD for \$33,450.00 plus freight in this year's budget and get 8 Transformers for \$44,378.00 plus freight from TNR for the 2024 budget. Second by Trustee McVey.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed

Have been looking for a digger truck, found a good one but was gone in a couple days. Would like an approval if find another truck that would work around \$80,000.00 to \$100,000.00 we could move on it fast. The digger we have doesn't fully lift the transformers and controls are on the wrong side and can't see well.

The Town's electric load is up 100,000 kwh a month.

Mike Ingle, Water/Wastewater Superintendent:

Just wanted clarification on when the meeting will be to discuss the \$824,000.00 for the town's part of the water project. Trustees will try and set up a special meeting, if not it will be the March 9, 2023 meeting.

Tammy Newman, Town Clerk:

Received \$6,000.00 from Cooper-Clark Foundation for swimming lessons.

Gave board email from grant writer Kristin May, with outlined services and costs.

Lance Clark, Acting Town Attorney:

Gave update on Attorney Steerman.

ITEM 16 Mayor and Trustee Reports

Trustee McVey, asked about lodging tax and it going to economic development. Mayor Gibson explained that things like the business grants come from those dollars. More explanation would have to come from Cheryl Sanchez.

ITEM 17 The Board will meet in executive session in accordance with CRS 24-6-402(4)(e) Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; and § 24-6-402(4)(g) Consideration of any documents protected by the mandatory non-disclosure provisions of the Open Records Act (§ 24-72-201, et seq), except consideration of documents or records that are defined as "work product" under § 24-72-202(6.5) or that are subject to the governmental or deliberative process: Town Manager Position.

Trustee Billings made motion to go into executive session at 7:35 pm. Second by Trustee McVey.

Yes: Trustee Billings, Brady, Cooper, McVey, Mayor Gibson

No: None

Motion Passed

ITEM 18 Reconvene Meeting

The time is now 8:57 pm, and the executive participants in this session were Trustees Brady, Billings, Cooper, McVey, Mayor Gibson, Town Manager McGinnis, Acting Town Attorney Clark, Tammy Newman. For the record if any participant in the executive session believes that any

substantial discussion of any matters not included in the motion to go into executive session occurred, during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

Seeing none, we will move on.

Trustee Brady made motion to offer Tammy Newman, the position of town manager, with an annual salary of 58,000.00 and a 6-month probation. Second by Trustee Billings.

Yes: Trustees Brady, Billings, Cooper, McVey, Mayor Gibson.

No: None

Motion Passed.

ITEM 19 Adjournment

Trustee Cooper made motion to adjourn at 8:59 pm. Seconded by Trustee McVey. Motion Passed