

The Regular Meeting of the Meeker Town Board was held Tuesday, August 18, 2009 at Town Hall.

Members Present	Mayor	Etheridge
Trustees		Gerloff Halandras Mills Strate
Trustees Absent		Cook Omer
Town Staff Present	Town Administrator Town Planner Town Attorney Town Clerk Public Works Super. Liquor Clerk Admin. Assist.	Day Smith Viscardi Cook Overton Sizemore Niemi
Citizens Present	Nikki Turner Jim & Nancy Harris Leonard & Peggy Reck Walt & Rita Proctor Kelly & Vicki Crawford	RB Herald Times Laurie Brooks Bob Lange Janice Wilson

CALL TO ORDER

Mayor Etheridge called the meeting to order at 7:00 p.m.

ROLL CALL

All Trustees present, except Trustees Cook and Omer.

APPROVAL OF THE AGENDA

Mayor Etheridge asked if there were any changes to the agenda, with Attorney Viscardi requesting under New Business Item #1 Los Koras Mexican Restaurant Bar LLC liquor license transfer be postponed until the first meeting in October, due to unresolved issues with the application. Administrator Day stated she would like to remove Item D; the bid award for the Police Free Standing Garage, stating the item would be on the first September Board meeting. She also stated she would like to add under New Business "Picking the Tank Colors for the Water Tanks."

A motion was made by Trustee Gerloff to approve the revised agenda, seconded by Trustee Halandras. All ayes, motion carried.

APPROVAL OF THE PREVIOUS MINUTES

Mayor Etheridge asked for questions or comments regarding the previous minutes from July 21, 2009, with none noted.

A motion was made by Trustee Strate to approve the previous minutes of July 21, 2009, seconded by Trustee Gerloff. All ayes, motion carried.

Mayor Etheridge asked for questions or comments regarding the previous minutes from August 4, 2009. She stated on page three, top paragraph, second line, it stated "Mayor Etheridge inquired of Day if what they had

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before them was a sample resolution and any resolution the Town were to pass could include a statement saying they want a study. She asked if after that sentence, if another sentence could be added i.e. Day responded. and re-clarify the next she which would be Mayor Etheridge. She stated it wasn't very clear that it was her still speaking, and there was no response to the question.

A motion was made by Trustee Mills to approve the previous minutes of August 4, 2009 with the noted revision, seconded by Trustee Strate. All ayes, motion carried.

APPROVAL OF VOUCHERS

Mayor Etheridge asked for questions or comments regarding the revised set of vouchers dated August 18, 2009. She inquired of Planner Smith about Item #3 of the General Fund, CNCC Fall Course GIS Class, asking how the course was going. Planner Smith stated the course would begin the following week and she would provide an update at the next Board meeting. Planner Smith stated the course would be a virtual course and she would be able to participate from her office.

Trustee Halandras inquired about Item #19 under the General Fund White River Electric, the electricity charges and if it was for the Town Hall building. Town Clerk Lisa Cook replied it is for all electricity used by the Town for the month of July. Trustee Halandras inquired about Item #8 under the Water Fund, stating it was posted there also. Administrator Day stated that included the pumps in the water wells.

A motion to approve the revised set of vouchers dated August 18, 2009 was made by Trustee Halandras, seconded by Trustee Strate. All ayes, motion carried.

PUBLIC PARTICIPATION

Mayor Etheridge welcomed those present and invited them to make their presentations. Nancy and Jim Harris 855 Sulphur Creek Road and neighbors, Leonard and Peggy Reck, 865 Sulphur Creek Road, and Bob Lange, 835 Sulphur Creek Road presented a list of concerns to the Board regarding the proposed roundabout and median on Sulphur Creek Road. Ms. Harris stated there were five homes on Sulphur Creek Road and one of the biggest concerns was Reck's driveway being in the middle of the proposed roundabout. She stated they also had concerns regarding how they and family members would turn around, as their properties don't allow them to turn around at the top of their driveways and there is no access to the alley behind their properties. Ms. Harris stated that entering and exiting into a roundabout couldn't be safe, and no matter how large it would be, was a big concern.

Ms. Harris outlined the various issues from a list she presented to the Board, i.e. getting out of the driveways safely, snow removal, garbage pickup, sidewalks, no alley access, backing camp trailers up their driveways, the mail route and existing problems with the current road. She also outlined how difficult it was to get into their driveways during the winter as they are so steep. Ms. Harris outlined other neighbors concerns regarding the roundabout as their driveway is short and very steep and wondered if the driveway would have to be moved. Ms. Harris stated they had heard many things regarding where the roundabout could be, i.e. down below their driveways, above the driveways, and are trying to be positive about the situation. Mr. Reck inquired as to what was wrong with the current intersection, asking why it needed to be changed. Mayor Etheridge explained how the Town got to where they are today with the road. She stated originally the school district had planned for the current road (Ute Road) to access the new school, and was the plan until further inspection of the current road. She stated the County, the Rec. District, the Town and the School District came together in January/February to discuss maintenance, ownership of the road, and how to get kids safely to school on that road. She stated through those discussions, it was realized the current road was not wide enough, there were ownership issues, as well as right-of-way issues and would not hold the amount of traffic predicted, and they would not be able to create a proper road there. Trustee Mills added the structure of the road had also been considered.

Mayor Etheridge stated the Town decided to conduct a traffic study to determine what was needed and the traffic

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study recommended the roundabout for many reasons. Discussion focused on the traffic study, who was involved in the decision-making process, and the homeowners in the area/community having input. Mr. Lange inquired if he could obtain a copy of the traffic study, with Administrator Day stating it was in draft form and relayed to Mr. Lange it was currently in draft form, but the final should be completed soon. Mr. Lange stated the building that was being avoided; (pointing to the Rec. District/Sanitation District Shop on the display board) was a temporary building and felt it should be considered. Mr. Lange outlined a couple of concerns he had, regarding the difficulty in assessing if homeowners would be going all the way around the roundabout, the safety of backing in and out of their driveways into a roundabout, and the public being concerned about it also. He stated it would really clog up Sulphur Creek Road which is fairly dangerous now. Discussion focused on the amount of traffic on the road based on the fairgrounds activity and the Rec. District, as well as parents dropping/picking up students from the school. Mayor Etheridge stated one of the reasons the traffic engineer promoted the roundabout was it would be the least expensive of all options, and because it was a traffic calming feature, slowing traffic down, making people more aware, and helps direct traffic by not creating a bottleneck, particularly during peak traffic times. Mr. Lange stated it would be by so many homes, and there was open space up the road that would be better suited for a roundabout. He also inquired if the Town would assist them if their driveways needed to be re-oriented, and stated, regardless of the decision the Town made, (where to put the roundabout) it still would be an issue.

Mayor Etheridge stated the Town and School District were still waiting the decision regarding funding from the Energy Impact Committee, and as it is a new road, it is expensive and there had been a lot of cooperation among the entities to ensure kids arrive safely at school, and that the traffic in the area to be as smooth and safe as possible is the highest priority. She also stated the Town would look forward to having future conversations, but this is just the beginning of the process. Mayor Etheridge stated it was a good thing the school was going where it was, as it forced the Town to look at some things that were already a problem, such as Sulphur Creek Road being dangerous for the homeowners, and to make the road safer for all. Mr. Reck stated the sidewalks would direct children/people to their side of the street, including in the winter. Trustee Mills stated the reason for the location of the sidewalks was for snow removal on the opposite side of the street, and if mounded up on the homeowners' side (east side), they would have three to four foot curbs to deal with. Trustee Mills went on to say the low side of the street would be where all the snow would go, and was also the reason the sidewalk was proposed to be on the homeowners' side. Mr. Reck stated there is a walking path there now. Trustee Mills stated with the influx of pedestrian traffic, the study told them if they brought everyone up and down one side of the street, crossing the roundabout on the median, it would be the safest place for the kids to cross. Discussion focused on pedestrian traffic, placing all the traffic and people at the end of Mr. Reck's driveway, having to watch traffic from three directions versus one direction, and the homeowners being liable.

Mr. Lange inquired as to what other resources on the other side of the street were so critical to protect. He stated there was an old fence and a dirt road, and all the elevation issues were on the east side of the street and should be thought about in more detail. Trustee Mills stated the truck traffic at the County shop was the concern in the area, and they didn't want kids there. Discussion focused on the area around the fairgrounds, where utilities were located, considering a sidewalk on the fairgrounds side of the street, and the cost of fill to create that sidewalk. Mr. Lange suggested having a lower sidewalk down at the elevation of the fairgrounds. He inquired about the two roads (Hill and Cedar Streets) coming into Sulphur Creek Road that aren't currently being used and if the traffic study addressed them? Trustee Mills asked for what reason? Mr. Lange replied for providing access for kids to come down to the school. Day stated it is very steep. Discussion focused why the current Ute Road could not be used, i.e. adequate right-of-way, and the retention pond owned by the Rec. District (was a requirement because of the floodplain). Ms. Harris stated the roundabout will create more problems and people will find it a challenge to see how fast they can go through it. Mr. Reck stated a 3-way stop sign would help now, would slow traffic and be safer for the children. Superintendent Overton stated they would never get out of their driveways if stop signs were put up as traffic would be backed up.

Mr. Lange inquired if the roundabout decision could be re-visited, with Trustee Gerloff stating it was just proposed at this time. Administrator Day stated the road wasn't proposed to be built until spring. Discussion

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focused again on the current road and not enough right-of-way. Day suggested having the traffic engineer meet with everyone as he would be in a better position to answer their questions. Ms. Harris inquired if they could be notified when the traffic engineer visited as some ranchers aren't happy about the proposed roundabout and would probably attend as well. Mayor Etheridge stated the group had written eight important issues as well as ones discussed. She stated there would be further discussions regarding the planning, design, where and how the road would be and the Town would take into consideration all the issues brought forth and try to come up with answers, or solutions. Mr. Reck suggested another engineering study, with Mayor Etheridge stating it was an option, but would cost another \$30,000. Day suggested the first step would be for the homeowners to speak with the traffic engineer. Consensus from the Board was to have the traffic engineer come and speak with the homeowners. Day asked Ms. Harris to provide her their email addresses so she could send them the agenda. Mayor Etheridge thanked the group for coming and presenting their issues regarding the proposed roundabout.

Walt Proctor, 623 3rd Street stated he wasn't present for the roundabout discussion, but stated he disliked them as over time the rules change. He stated most of the accidents he had seen were in roundabouts, and the Town should consider that. Discussion focused on the safety of roundabouts, school bus traffic and where it would be directed, parent and Rec. District traffic.

Presentation concerning Associated Governments of Northwestern Colorado – Aron Diaz

Mr. Aron Diaz from the Associated Governments of Northwestern Colorado gave the Board an update on the work they were doing and spoke about the budget cuts from Governor Bill Ritter, just announced today. He stated he had an update from CML and outlined the proposed cuts, which would affect DOLA grants, freezing of funds and FML distributions to municipalities and counties. Mr. Diaz stated he was going to various communities to let them know Associated Governments was there to help them with their unique needs and to meet with the Boards directly. Mr. Diaz also invited the Board to attend the Associated Governments Strategic Planning session to be held on August 27, 2009, 9-4 p.m. in Meeker at Town Hall. He stated they had been successful in getting Senator Udall to re-sponsor a bill to bring reserved funding (not used for mill tailings cleanup) back to the four county region (Moffat, Rio Blanco, Garfield and Mesa) and if it is approved, Rio Blanco County would get about 40% of the \$17 million. He also stated there was a general understanding that some of that money should be used to assist municipalities, but was not specifically spelled out in the bill. Mayor Etheridge asked for comments or questions, with none noted. She thanked Mr. Diaz for his presentation to the Board.

NEW BUSINESS -

Public Hearing - Consideration of Ordinance #4, Series 2009, and Ordinance amending the "Meeker Model Traffic Code for Colorado Municipalities, Revised 1995" to prohibit parking on northerly side of Hill Street between 3rd and 4th Streets and parking within 30 ft. of Hill Streets intersection with Third and Fourth Streets on the southerly side and prohibit parking on the easterly side of Third Street from Cleveland Street to Hill Street.

Mayor Etheridge opened the Public Hearing at 7:50 p.m. Attorney Viscardi outlined the proposed ordinance for the Board, stating it was consistent with the concerns Public Works Superintendent Russell Overton had presented at the Board meeting on February 3, 2009, regarding parking on 3rd Street and Hill Street north of the hospital. He stated the ordinance set forth to restrict or designate a "No Parking" area on the easterly side of 3rd Street between Hill and Cleveland Streets, to restrict parking on the northerly side of Hill Street and to restrict the parking on the southerly side of Hill Street 30-feet from the intersection of Hill and 3rd and 4th Streets on the south side of Hill. Attorney Viscardi stated the other provisions of the ordinance had been adopted by other sections of the Model Traffic Code. He stated the primary purpose of the ordinance was for safety, visibility, and snow removal issues on the affected streets.

Administrator Day stated she had sent letters to adjoining property owners, and had tried to contact them by phone as well. Laurie Brooks inquired as to where hospital employees were to park, with Mr. Overton stating the

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hospital's parking lot could accommodate employee parking. Attorney Viscardi stated the lower parking lot on the southwest corner of Cleveland and 3rd Street (graveled) was parking for the hospital as well as the paved parking lot on the south side of Cleveland Street, immediately south of the hospital. Mr. Overton stated they had built the lower parking lot to accommodate hospital employee parking, and it wasn't being used. Day stated the reason the ordinance had come about was there had been too many near misses of accidents in the area.

Mr. Proctor inquired if the Town said "no parking" on east side of 3rd Street, would it be outside the curb or from inside of the curb to his property line? He stated there was approximately 20 feet belonging to the Town, from his curb to the property line and 20 feet of his new driveway also belonged to the Town. If the proposed ordinance didn't affect curb to property line, then this wouldn't affect him. He wanted to finish the area and it could be used as is, or the Town could put six to eight diagonal parking spaces on the property that would be available to him or others, off the present street. Discussion focused on where the "No parking" signs would go, and what the ordinance addressed. Mr. Proctor stated he was asking for clarification. Attorney Viscardi and Mr. Overton confirmed the ordinance only prohibited parking on the street side of the curb. Mayor Etheridge asked for additional comments or questions with none noted, closing the Public Hearing closed at 8:07 p.m.

A motion was made by Trustee Mills to approve Ordinance #4, Series 2009, amending the "Meeker Model Traffic Code for Colorado Municipalities, Revised 1995" to prohibit parking on the northerly side of Hill Street between 3rd and 4th Streets and parking within 30 ft. of Hill Street's intersection with Third and Fourth Streets on the southerly side and prohibit parking on the easterly side of 3rd Street from Cleveland Street to Hill Street, seconded by Trustee Strate. All ayes, motion carried.

Request from GJMCK LLC/dba White River Liquor for Retail Liquor Store license renewal, located at 606 Market Street.

Liquor Clerk Sizemore stated this was the annual renewal for White River Liquor and Janice Wilson, owner, was present. She stated there were seven calls for service at that address, but not necessarily at the business, all fees had been paid, and Staff recommended approval. Mayor Etheridge asked for comments or questions from the applicant and the Board with none noted.

A motion was made by Trustee Halandras to approve the request from GJMCK LLC/dba White River Liquor for Retail Liquor Store license renewal, seconded by Trustee Mills. All ayes, motion carried.

Consideration of Resolution #6, Series 2009. A resolution approving and authorizing the adoption of certain fees associated with the issuance of the Town's Excavation Permit.

Attorney Viscardi stated earlier in the year, the Town re-vamped the excavation permit, making it more specific regarding various items as the previous one was too general. He stated along with that revision came a revision to the fee structure. He stated the minimum fee would be \$50.00 or .25 cents per square feet of excavating surface, whichever was greater. He also stated the asphalt replacement fee would be \$6.00 per square foot with a two-inch thickness. Mr. Overton provided an example of a sewer project where they had drilled holes which required the Town to fill. He stated for the Town to inspect and fill those holes, they only received \$2.25 and was too low. Mr. Overton stated they were trying to get prices in line so the Town could afford to do the smaller projects left for them. Attorney Viscardi outlined Paragraph C, regarding inspection fees.

Trustee Gerloff inquired of Mr. Overton the \$6.00 per square foot, asking how they arrived at that figure? Mr. Overton explained if the asphalt was in town, it could be done for about \$2.50 - \$3.00 per square foot but if it had to be brought in from Rifle, the cost was more. Day stated the Town encouraged people to do their own patching. Trustee Mills provided an example of how the extra asphalt was utilized from entities such as the County or the Town. Mayor Etheridge asked for comments or questions, with none noted.

A motion was made by Trustee Halandras to approve Resolution #6, Series 2009, approving and authorizing the

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adoption of certain fees associated with the issuance of the Town's Excavation Permit, seconded by Trustee Strate. All ayes, motion carried.

Water Tank Paint Color Decision

Administrator Day stated the Town had received several calls regarding the color of the water tanks. She stated someone had suggested the Town take a bucket of dirt to the hardware store and have the paint matched to the dirt color. Day stated Mr. Overton had brought a sample of dirt so the Board could possibly match a sample. The Board reviewed the paint samples Mr. Overton provided and concurred to go with a tan color for the tanks to be painted.

MANAGER'S REPORTS

Rangely Visit August 25, 2009 – Day stated the visit with the Rangely Town Board and the Rio Blanco County Commissioners would be held at CNCC in Rangely at 6:30 p.m. on Tuesday, August 25, 2009. She stated the Meeker Streaker would be taking them to Rangely and the bus driver wanted to leave no later than 5:15 p.m.

Hydraulic Fracturing Letter to Representative Diane DeGette - Day stated if the letter met the Board's approval, she would send it out. The Board concurred to have the letter sent.

MAYOR'S REPORTS

None

ATTORNEY'S REPORTS

None.

OTHER TOWN BOARD BUSINESS

Trustee Gerloff inquired if there had been any response from State Patrol or the Sheriff's Office regarding their speeds through town when responding to a call. Trustee Mills stated he had spoken with Under Sheriff Mike Joos, who inquired as to what the problem was. Trustee Mills stated he shared with Mr. Joos the concerns of the Board regarding emergency personnel's speed through the Town when responding to calls, and to use some manner of caution. Administrator Day stated she had spoken with Sheriff Si Woodruff, who stated he had also been requesting them to slow down. She stated she had written a letter to the State Patrol, but had received no response to date.

ADJOURNMENT

Mayor Etheridge adjourned the regular meeting at 8:22 p.m.

Mandi Etheridge, Mayor

Attest:

Lisa Cook, Town Clerk