

The Regular Meeting of the Meeker Town Board was held Tuesday, April 7, 2009 at Town Hall.

Members Present	Mayor	Etheridge
	Trustees	Omer Mills Halandras Waldref Strate Gerloff
Town Staff Present	Town Administrator	Day
	Town Planner	Smith
	Town Clerk	Cook
	Chief of Police	Hervey
	Public Works Super	Overton
	Assist. PW Super	Wiley
	Town Attorney	Viscardi
	Admin. Assist.	Niemi
Citizens Present	Nikki Turner	RB Herald Times
	Travis Day	Meeker Sanitation District
	Jim Mense	Dr. Bob Dorsett
	Susan Sammons Meeker	Sanitation District
	Gail Frantz	Anita Peters
	Peggy Schmidt	

CALL TO ORDER

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

ROLL CALL

All Trustees present.

APPROVAL OF THE AGENDA

Mayor Etheridge asked if there were any changes to the agenda, with none noted.

A motion was made by Trustee Halandras to approve the agenda as presented, seconded by Trustee Waldref. All ayes. Motion carried.

APPROVAL OF VOUCHERS

Mayor Etheridge asked for questions or comments regarding the revised set of vouchers dated March 31, 2009. She inquired about Items 65 and 67 of the General Fund and if Circle Park restrooms were open. Public Works Superintendent Russell Overton stated there are no restrooms at Circle Park, but City Park was open. Trustee Gerloff inquired if the camera system was installed with Mr. Overton stating the camera was not operational yet. Discussion focused on what type of camera system it was, and how it recorded activity.

Mayor Etheridge inquired about Item #79 of the General Fund regarding the Meeker Elevation Point. Day stated for years, there had been an observation point on a fire hydrant that no one really knew where it was. She stated the Town's engineer had stated the Town needed to establish another elevation point. Day stated the County recently installed a bridge on their property, and everyone felt it was a good place for an elevation point. She stated Joy Surveying had been asked to do it several months ago, and is now completed. Trustee Halandras inquired where it was located, with Day stating it was on the new bridge in the County yard, behind the County shop. Discussion focused on what the elevation point does and how it could be used.

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Mayor Etheridge inquired about Item #80 of the General Fund the Circle Park Survey. Day stated the survey was being completed for the fish pond, which was a project started the previous year. She stated there would be additional information at a later date.

Trustee Gerloff inquired about Item #46 of the General Fund, reimbursement of mileage for four dogs to Glenwood Springs. Day stated there is a ño killö shelter there and the Town reimburses mileage to those who volunteer to take the dogs there.

Trustee Gerloff inquired about General Fund Item #51, PD Officer Advertisement, if it was for one ad and how expensive it was. Chief of Police Bob Hervey stated it was for one ad with the Grand Junction Sentinel, which included a week long website ad and three days in the newspaper. He also stated the Town was advertising for two positions in the ad.

A motion to approve the revised set of vouchers dated March 31, 2009 was made by Trustee Mills, seconded by Trustee Waldref. All ayes. Motion carried.

APPROVAL OF THE PREVIOUS MINUTES

Mayor asked for comments, questions or revisions to the March 17, 2009 minutes with none noted.

A motion was made by Trustee Strate to approve the March 17, 2009 minutes as presented, seconded by Trustee Halandras. All ayes, motion carried.

DEPARTMENT UPDATES

Police Department: Chief of Police Bob Hervey stated there were 197 reported calls for March, with seven Arrests, 12 Citizens Contacts, eight Criminal Summons, four Traffic Summons, and six Animal Control/Impounds. He stated it was an average month for March.

Public Works: Public Works Superintendent Russell Overton stated 8.8 million gallons of water had been pumped for March which is still low. He stated the crew had been cleaning the pipe yard, built 450 feet of fence at the pipe yard, worked to get the bathrooms opened at the park, cleaned pump houses, painted the floors and walls and conducted regular maintenance.

Planning: Town Planner Anna Smith stated she had meetings with potential applicants regarding their projects and zoning, extension of variances and new variances with nothing submitted as of yet. She stated April 27, 2009, is the scheduled date for a public hearing for the Thompson's regarding the re-zoning of parcel A, created in the Escondido Subdivision. She stated they were looking to incorporate the lot with their lots. Planner Smith stated all the RV issues had been resolved. Mayor Etheridge stated that was good news and inquired if there were any major complications. Planner Smith stated just with one individual with a time delay due to miscommunication.

PUBLIC PARTICIPATION

Dr. Bob Dorsett thanked the Board for hosting the workshop after the last meeting and the opportunity to attend and study the situation further. He stated he would like to comment on a couple of issues in the engineer's report and thought there were some questions that were not answered in the report. He stated the first concern was water flow down Sulphur Creek and flooding in the past, and felt it needed to be considered in further engineering studies. Dr. Dorsett stated the second item for concern was traffic flow, and understood no traffic study had been conducted, but felt it was important especially in routing traffic to and from the school. He suggested the Town should obtain advice regarding the traffic situation, stating if they don't know where the traffic currently goes, and there is no data to anticipate where the traffic would go, then a sound decision can't be made. He stated he hoped

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the Town would investigate more thoroughly the traffic patterns and anticipated traffic patterns.

Dr. Dorsett commented on the two proposed alternatives, stating alternative one seemed pretty narrow to channel flood waters and for alternative two, if the Town ops for it, is going to overreach the current setbacks in the zoning and the Town would be required to revise/override the current setbacks. He stated he also had a question on the current status of grant applications, if any have been received or approved. Mayor Etheridge stated there is no status as no grant requests had been made. She outlined the workshop held earlier in the evening with the School Board, the Rec. District, County Commissioners and the Board, stating the idea of a traffic study had been approached and could possibly be in the future. She stated a traffic study would be a wise move to compile data, but would have to be discussed by the Board if it was the next step. Mayor Etheridge reiterated there had been no requests for funding, or allocation of funding, as the project is still in discussion stage.

Dr. Dorsett stated that the January 8, 2009 paper had stated the Town had submitted some application for Federal funding or to get on a list for Federal funding, specifically for the 2nd Street project, and doesn't understand in what reference it was. Town Administrator Day stated around the time the presidency was changing, the Governor had asked for Municipalities to list potential infrastructure projects they thought might be coming in the next five years. She stated costs were unknown at that time, but set a ball park figure and submitted the information per what was asked. She also stated there was a movement both on the State and Federal level to see what the future needs were for infrastructure as they were trying to obtain some rough data. Day stated that is what that information was, reiterating again that the Town had not applied for any grants, it was just listing items the Board potentially would be doing in the next five years and there was no application process. Dr. Dorsett inquired there was no possibility of funding for the Town, with Day stating no.

Anita Peters stated she wondered for the future, if the road goes through, what would happen to her house and property and would she be compensated. Mayor Etheridge stated she couldn't answer at this time, as they are not sure how to move forward and as stated before, the project is in discussion stage. She stated Dr. Dorsett had mentioned one of the alternatives would be too wide and that Ms. Peters had spoken to her before about setbacks and zoning and a road being a certain width not being in compliance with the Town's ordinances, and those were the smaller components of the project that have not been reached yet. She reassured Ms. Peters when the project comes to the forefront, the Town will not turn a blind eye to her home or property. She also stated the Town recognizes that a project of this degree is not simple and is not unaffacting of citizens. Mayor Etheridge stated it is part of the reason for a lengthy discussion process. She stated the Board had come to a consensus that at this time, the focus needs to be on routes north of Garfield on Sulphur Creek Road before expanding south of Garfield. She stated the project has not been dismantled, but is something the Board will continue to discuss, and with neighborhood help, they have had a very wide perspective discussion, and there would be plenty of notification before the next steps are taken, even if it is another discussion.

Jim Mense stated he had a couple of comments regarding the last workshop. He stated he agreed with Dr. Dorsett's idea of conducting a traffic study. He also stated he had spoken with Administrator Day and that she had told him it was expensive and there wasn't a count of how many vehicles are utilizing Sulphur Creek Road. He inquired if the Town was planning on hearsay. Mayor Etheridge stated that the Town is not planning, they are discussing and there is a great difference. Mr. Mense stated he had heard that Sulphur Creek Road needs to be a major artery to funnel a great deal of traffic down to Market Street and seemed to him that turning Sulphur Creek Road into a major artery with all the schools funneling in, seemed contradictory. He stated he also heard at tonight's workshop about safety for children and to turn Sulphur Creek Road into a major artery is contradictory to that and doesn't make sense. He stated the Town needs a traffic study to find ways to redirect some of the traffic onto other streets either to the east or the west, and only can be done by a traffic engineer.

Mr. Mense stated he had been told several months ago that on the front of a house, there is a 25-foot zoning ordinance to the street. He stated if there is a street going down the side of the house, it was 12 ½ feet and there are several houses, including his, that makes alternative two impossible, unless the zoning laws were changed.

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Dr. Dorsett inquired if any consensus was reached at the workshop tonight. Mayor Etheridge stated no, as it was more of a workshop to open discussion with all four districts to realize they are all working on the same project. Dr. Dorsett inquired what the plan was, if any, for further discussion. Mayor Etheridge stated it would be up to the Board to decide where to go. She stated based on what was heard at the workshop, some of the possibilities would be a traffic study or looking at where sidewalks and bicycle paths would potentially go, working with the County, the Rec. District on how to design Ute Road, and other issues. Mr. Mense stated where Sulphur Creek goes by his house, there is a great deal of bicycle traffic going by and would get tough if a road was put in. Discussion focused on the possibility of a bike path, or pedestrian path, and many options to look at, more discussion in the future, and where the kids have crossed in the past.

NEW BUSINESS

Continued discussion concerning Meeker Sanitation District's request for waiver of fee for excavation permit.

Public Works Superintendent Russell Overton and Administrator Day left the room due to conflict of interest. Travis Day, Meeker Sanitation District presented a map of the project for 2009 and stated they would be working on 8th Street, Garfield and 4th and 5th Streets, showing the Board on the map the outlined area. He also provided an estimated cost for the excavation based on square footage of the project. Mr. Day stated they had estimated 59,400 square feet and at 25 cents a square foot (based on the current charge) would be \$14,850. He stated they weren't expecting the Town to waive the entire fee as the Town will have expenses incurred from the project. Assistant Public Works Superintendent Tobey Wiley stated the costs for the Town would be an average of three hours per day, not counting additional time for any problems. He stated the cost to the Town would be approximately \$13,000 for time on this project, as the engineer stated the project would take approximately 100 days. Mayor Etheridge stated there would be an estimated difference of \$1,850 and knowing how much Town Staff is involved in the project, it would be wise for the Town to cover hard costs. She stated it would be fair to cover those costs but no additional costs as they aren't looking to make a profit. Trustee Mills suggested the Town track their hours on the project and bill the Meeker Sanitation District per hour, not to exceed the actual excavation permit fee. Mr. Wiley stated that would be a fair way to handle it and if the Sanitation District gets a company that is good then the Town may not have to be up there as much, making the fee lower. Trustee Omer inquired if the permit fee was paid in advance with settlement paid at the end of the project. Mr. Wiley stated it was done at the end of the project. Town Clerk Cook stated they would come in and apply for the excavation permit at the beginning of the project, and once completed, the Public Works department measures the amount of disturbance and the bill is based on that. Trustee Omer inquired if there was a deposit required, with Clerk Cook stating no. Discussion focused on the Sanitation District having an idea of how much would be excavated, and the Town's time spent on a project. Board consensus was to allow billable hours during the project.

A motion was made by Trustee Mills to allow the Public Works department to log hours and bill on the project to the Sanitation District not to exceed the amount that it would cost at the end to pay the permit fee which is .25 cents per square foot, seconded by Trustee Omer. All ayes, motion carried.

Consideration of Ordinance 1, Series 2009 to adopt revision to Meeker Municipal Code Title 18, Chapter 7 (sign code) – Signs and Outdoor Advertising Devices to allow digital signs along Highway 13 in the Highway Commercial Zoning District. .

Planner Smith stated on March 17, 2009 a Public Hearing was held pertaining to the ordinance. She stated she would discuss the changes to the ordinance as well as two technical changes needed. Planner Smith stated at the last meeting, several suggestions were made, one of which regarded intensity measurement. She stated another suggestion regarded non-conforming signs and the possibility of conflicting with CDOT traffic signalization and the third suggestion regarded community notices. She stated Attorney Viscardi had contacted CDOT regarding non-conforming signs that may create a conflict with future signalization signs. Planner Smith stated that CDOT felt those signs would be located on private property and therefore could not envision those signs being in conflict

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with future signalization and is a non-issue.

Planner Smith stated the measurement of foot candles to determine sign intensity was more detailed and would call for measuring meters, and who would be certified to do the measurements (if the Town established a minimum foot candle to be met). She stated Staff decided it was not a step to take at this time. She also stated the draft ordinance does not implement or address "how do we make sure the foot candles or intensity of 20 percent is being met."

Planner Smith stated there was an amendment Attorney Viscardi had installed into the ordinance pertaining to political signs, noting for the Board, page 4. letter I, regarding the message display stating it "may display non-commercial public interest advertisement and messages relating to holidays, recognized by national or state law, political messages or messages relating to events sponsored by any federal or state or local government entity, the Meeker Chamber of Commerce or not-for-profit corporation or charitable organization, formed pursuant to the federal or state law." Planner Smith stated that would be the statement for those who wanted to say "Merry Christmas," or advertise their political stance.

Planner Smith stated there were two minor technical changes, stating page three under letter C, third line "in compliance with this chapter 7 or determine its is", the extra s at the end of it would be removed. Planner Smith stated the second technical change was letter B, third paragraph, line five "four seconds, or has an interval," stating the original version was "with an interval" between messages of less than one second and "or has" would be removed and have the word "with" inserted. She stated with those changes and the public input provided, the ordinance in its final version has been presented to the Board.

Trustee Omer inquired about page four letter I, saying those would all be permitted usages/messages that could be displayed? Planner Smith stated that was correct. Mayor Etheridge asked for additional comments or questions with none noted.

A motion was made by Trustee Halandras to approve Ordinance 1, Series 2009 repealing and amending portions of the Municipal Code Title 18, Chapter 7 regarding Meeker Signs and Outdoor Advertising, with the changes on page three as stated by Town Planner Anna Smith, seconded by Trustee Mills. Ayes: Trustee Omer, Waldref, Mills, Halandras. Nays: Trustee Gerloff. Motion carried

Consideration of Resolution to approve digital sign permit fees, if Ordinance 1, Series 2009 is adopted.

Trustee Halandras inquired if \$50.00 was the fee before. Planner Smith stated the current sign permit application is \$30.00 for any sign and is a one time fee. She stated if an individual has obtained a sign permit for their site, they don't have to pay that fee again. She also stated the digital sign permit is an additional fee of \$50.00. Trustee Halandras stated for a total of \$80. Planner Smith stated unless they already have a sign permit for the project site.

Trustee Omer inquired if there would be any new costs incurred by the Town and would the permit fee of \$50.00 be appropriate recovery of new costs in the implementation or overseeing. Planner Smith stated the additional time necessary from Staff would include going out and obtaining measurement (1,000 feet) as well as reviewing the manufactures specifications for the digital sign being proposed and are part of the new requirements the applicant would need to submit for the permit application. She stated she didn't believe Staff had broken down to a set cost to say what the fee would cover for the time, but felt it was equitable and fair compared to the existing \$30.00 permit fee for a standard sign.

Attorney Viscardi stated the fee would be done by resolution and if it turned out to be more time consuming then Staff could come back and have the Board consider something else. Discussion focused on not being more time consuming than a regular sign permit, past fees, updating of signs, the \$30.00 fee being a one-time fee, and if a

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business changes hands and the new owner wants to change the sign, not having to pay the fee again. Planner Smith stated the digital signs would be more time consuming for Staff as with previous signs they didn't worry about the 1,000 foot separation and the draft application for digital signs is more intensive and requires more documentation. Planner Smith outlined the application process for the Board. Additional discussion focused on the cost of the application fee, changing of an existing sign and the fees associated with it, and each time a business changes hands and signs, should it require another \$30.00 permit fee.

A motion was made by Trustee Mills to approve Resolution No. 2, Series 2009, setting the permit fees for Title 18 Chapter 7 of the Municipal Code of Digital Signs at \$50.00, seconded by Trustee Strate. All ayes, motion carried.

Bid Award for Town's crack seal project on specified streets.

Public Works Superintendent Russell Overton stated there were three bids for the project with the lowest bid being Bonneville Asphalt & Repair and recommended accepting the bid. Mayor Etheridge inquired where they were located, with Mr. Overton stating they were from Utah. Trustee Mills asked why their bid stated \$2,850.00, with Mr. Overton interjecting it was the per ton cost. Trustee Gerloff inquired where the crack filling would take place. Mr. Overton stated they didn't have a complete map, but would be a great deal of Sage and Sanderson Hills. He stated most of the lower portion of Town had been completed and they would be working on the upper portion.

A motion was made by Trustee Omer to approve the low bid of \$28,500.00 from Bonneville Asphalt & Repair for the crack seal project, seconded by Trustee Waldref. All ayes, motion carried

Board consideration of authorization for four day, ten hours per day employee schedule for the summer months beginning May 1st.

Administrator Day stated Staff had worked this schedule in the past and it has worked well. She stated the Public Works department would be participating as well as some of the Administrative Staff beginning May 1st 2009 to the end of September 2009. Discussion focused on ensuring the Town was staffed and work was completed. Board consensus was to approve the request for Staff to work the four day, ten hours per day schedule.

MAYOR'S REPORTS

None.

MANAGER'S REPORTS

Survey Results Administrator Day reminded the Board about the meeting on Friday April 10, 2009 at 8:15 a.m. at the County Administrative building (to discuss the County Master Plan). She stated if they couldn't attend, but had comments about the five questions sent to them, they could email them to her and she would get them to the others or they could email Colleen.

Interviews for Energy Audit: Administrator Day stated the interviews have been scheduled for April 16th to be held during the day and encouraged the Board to attend. Trustee Omer inquired if they would be interviewing all three companies in one afternoon with Day replying yes. Discussion focused on the possibility of phone interviews as none of the companies applying were local and required traveling.

Safe Routes: Administrator Day stated conversations had started this evening at the workshop about Safe Routes, but there are some issues on Ute Road the Board needed to discuss. Day stated she and Trustee Strate had spoken before the meeting, stating Trustee Strate has a track meet the evening of the scheduled drug workshop. Day suggested postponing that discussion until May so Trustee Strate could be present and possibly schedule a time for a discussion with the Board and Attorney Viscardi that evening or have a special meeting next week (to discuss Ute Road issues). Mayor Etheridge inquired if it was something they could discuss in workshop form,

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with Attorney Viscardi stating he preferred an Executive session. Mayor Etheridge inquired as to why. Attorney Viscardi stated because some of it dealt with providing the Board legal advice and for the Board to provide Staff some latitude if it came to negotiating some issues that may arise in the matter.

Trustee Halandras inquired as to what was being discussed. Day stated that she had not provided the Board with any information yet. Mayor Etheridge inquired if they could enlighten the Board now, or have the executive session now, with Attorney Viscardi stating it isn't on the agenda and some of the issues deal with legal positions of some of the other entities. He stated for those who didn't know what they were talking about, it was the issue Joe Nieslanik raised (in the previous workshop) regarding the Ute Road access from the intersection of Sulphur Creek and Ute Road up to the school building as it crosses two other owner's properties, none of which are the Towns as well as right of ways and those types of issues. Trustee Omer inquired if this needed to be discussed sooner than later with Day stating yes. Trustee Omer inquired if it should be within the next two weeks, with Day stating yes, and suggested the Board have a special meeting Tuesday, April 14, 2009 or discuss it during the meeting on April 21, 2009 by postponing the workshop, scheduling an executive session. Discussion focused on schedules for the Board, if an executive session had to be on an agenda, Staff not being prepared at this time and the Board needing background information to have a productive discussion.

Mayor Etheridge inquired of the Board if they were in consensus to schedule an executive session for the April 21, 2009 Board meeting, instead of having a workshop forum. Trustee Strate inquired if he could be filled in at a later time, with Day stating yes. Board consensus was to have an executive session at the next meeting instead of the drug workshop which would be moved to May.

Public Works Superintendent Overton stated there had been discussion about doing a survey (to determine the Sulphur Creek Right of Way location) in the prior meeting and wanted to know if a survey could be done now. Mayor Etheridge stated yes and the more information they had, the better future discussions would be. Mr. Overton stated it should be expanded to go from Garfield north to Shults, across Shults into Sanderson and around to Wall Street. Day asked if the Board would like to take the money out of the Feasibility Study line item, with Mayor Etheridge stating "absolutely." Trustee Halandras stated the traffic study should be done, but some discussion should take place with the School Board, maybe the Rec. District and possibly the County about cost sharing the project. He stated it isn't the Town's fault the study needed to be done. Discussion focused on cost sharing with the school, getting an independent company/consultant for the study.

ATTORNEY'S REPORTS

None.

OTHER TOWN BOARD BUSINESS

Trustee Halandras stated he had attended the Technical Advisory Group (TAG) meeting and they had named entities or groups for a stakeholders group. He stated they had come up with approximately 50 different names of entities, whether it be the Town of Meeker or the Masons Lodge. Trustee Halandras stated they have come back with approximately 25 names and will have another meeting on April 9, 2009 which will be more in-depth, but that he will be unable to attend that meeting.

ADJOURNMENT

Mayor Etheridge adjourned the meeting at 8:11 p.m.

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Mandi Etheridge, Mayor

Attest:

Lisa Cook, Town Clerk