

# RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, November 1, 2016 at Town Hall.

Members Present	Mayor	Halandras
	Trustees	Conrado
		Creecy
		Gutierrez
		Kindall
Absent	Day	
	Gerloff	
Town Staff Present	Administrator	Meszaros
	Attorney	Massih
	Town Clerk	Cook
	PW Superintendent	Overton

Citizens Present : Bosshardt, Kelby; Hughes, Adam; Dustin, Josh; Hale, Chris; McCloud, Brad; Vanden Brink, Alden; Cook, Katelin; Turner, Niki; Rule, Keith and Kim.

## CALL TO ORDER

Mayor Halandras called the meeting to order at 7:00 p.m. and lead the Pledge of Allegiance.

## ROLL CALL

All Board members were present with the exception of Trustee Gerloff, Trustee Day joined by phone.

## APPROVAL OF THE AGENDA

Mayor Halandras asked for changes to the agenda. A motion was made by Trustee Gutierrez to accept the agenda as presented. Second by Trustee Kindall. All ayes. Motion carried.

## APPROVAL OF THE PREVIOUS MINUTES

Attorney Massih pointed out there were several typographical errors and changed the statement made in the second paragraph of Town Attorney's Report from "Attorney Massih stating" to "Administrator Meszaros". Clerk Cook added amendment "to the lease agreement" in the last sentence of the fourth paragraph in the same report. A motion was made by Trustee Kindall to approve the minutes of October 18, 2016 as corrected. Second by Trustee Conrado. Aye: Conrado, Gutierrez and Kindall. Abstain: Creecy. Motion carried.

## APPROVAL OF MONTHLY DISBURSEMENTS

Mayor Halandras pointed out the Municipal Court end of Attorney Massih's legal bill was higher than normal, Ms. Massih stated she and staff met with the Judge after Court to discuss recent legislation and ACLU action regarding issuance of bench warrants for failure to pay money. A motion was made by Trustee Creecy to approve the disbursements dated October 31, 2016. Second by Trustee Gutierrez. Ayes: Creecy, Gutierrez and Kindall. Abstain: Conrado. Motion carried.

## PUBLIC PARTICIPATION

Keith and Kim Rule of Krule Construction addressed the Board regarding a sewer line they installed for Jeff Eskelson's new building at Second Street. Ms. Rule explained they filed for an Excavation Permit with the Town last November, did a road cut into Second Street for the installation of the line and were told by Superintendent Overton not to patch the cut, the Town would finish it next year with a hot asphalt patch; after the Town completed the asphalt patch about a month ago we were notified by Mr. Overton that the excavation area had failed and it is now our problem after nine months to fix it. Mr. Rule added that cars have been driving over the area for the past nine months and it stood up to a snowy and wet winter, it wasn't until after the patch was installed that the area failed, and since the cut was made a roof has been installed on the building and now water runs directly from the building to this area and it will continue to be an issue. Ms. Rule stated they had come to Administrator Meszaros and offered to split the cost three ways, but he wanted us to take

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everything out, re-compact the cut and cold patch it, were told we would not be charged another permit fee, but that we would have to warranty the work for another year after the Town has accepted it, putting us right back into the same position we are in now, had we known we would not have left it all summer, but patched it ourselves.

Public Works Superintendent Overton replied; first of all we never tell a contractor the Town will do the patch, if they don't patch it we will and that is what the permit is for, because of the time of year last fall we recommended the cold patch as hot asphalt should be applied when it is above 40 degrees which is also when the hot plant is here; if Class 6 is properly compacted it will not move and I believe they put in too much Class 6 to begin with and tamped it with a track hoe, when more is added it causes bridging which appears to be hard for a while and then caves when moisture gets in. Mr. Rule disagreed stating all of the other trenches they excavated have held but this one and he believes it has been caused from drainage from the building.

Trustee Conrado stated the Town has to look at the fact it didn't fail until after it was patched, what is the legality of re-patching it in 30 days. Administrator Meszaros replied we don't allow it after a certain time of year. Attorney Massih commented there was no final acceptance of the work under the warranty. Superintendent Overton stated Public Works was never called to watch the compaction. Ms. Rule added nor were they called when the Town came to install the hot patch.

After more discussion a consensus was reached to allow Krule Construction to re-date the existing permit, excavate, compact, prove the compaction, and apply a cold patch; the Town will pave the area next summer at our cost; the warranty will run from the time of the cold patch through July 2017, if the area fails in that time the Town will contact them.

### **NEW BUSINESS**

**Urban Renewal Authority (URA) informational discussion.** Adam Hughes with Better City addressed the board to walk them through the steps on forming an Urban Renewal Authority, URA, before the public meetings. A URA is a governmental entity authorized by the State Legislature to provide tools, resources, and a framework to allow communities to invest in their downtowns through development and redevelopment and provides authority to establish and help foster economic development tools and private investment. One of the challenges Meeker faces is the lack of private sector investment, the URA focuses on strategic areas such as downtowns and industrial areas it will have a 13 member board, three of which are appointed by the County Commissioners and consist of a board member of a local special taxing district to represent the districts at large and an elected member of the school board, the remaining 10 positions are appointed by the Mayor, subject to approval by the Town Council, the Town Council can appoint itself as the URA Board if they choose to.

Mr. Hughes explained the process to establish the URA begins with a petition signed by 25 electors of the Town, it is then delivered to Town Council and a public hearing date is set, the Board can choose to adopt a resolution that establishes the URA and board members are then appointed. Mayor Halandras asked if the Town's URA could be the whole town or only a certain portion of it. Mr. Hughes replied the URA (Area) would be certain areas within the town and would be the TIF (Tax Increment Financing) end of it; the first step is the URA (Authority). RBC Economic Development Coordinator, Katelin Cook, said there is more to the URA than just the TIF. Mayor Halandras asked if the URA would be competing for grants with other entities. Mr. Hughes replied once the URA is established they will have their own funds that can be used as matching funds and would allow the URA to be an applicant, so they may have a source the Town would not, and wouldn't be in direct competition.

Mr. Hughes answered questions regarding a TIF explaining that it is usually project specific and creates financing for that particular project stating Better City doesn't recommend establishing a TIF without a project in mind. Trustee Gutierrez asked if other businesses located within the TIF area could also benefit from that funding. Mr. Hughes replied it is a possibility but cautioned TIF should be used for large demand drivers,

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communities get in trouble using it for small businesses or projects, you want to create a catalytic project that the other businesses will benefit from as it becomes more profitable and focus on projects that meet the goals and achievements of the community. Mayor Halandras asked what happens when someone new comes in to that district. Mr. Hughes replied other businesses can come in and we can work with them based on their level of participation in the TIF which would involve entering into an agreement and negotiating with the URA who will define how much tax increment and what area they will receive.

Administrator Meszaros stated at this point some or part of the taxing entities can be involved in the URA. Katelin Cook presented a sample of the petition stating we have not figured out who the circulators will be at this time. Trustee Gutierrez asked how value will be set on the property and will eminent domain be utilized. Mr. Hughes said we can but will want to place parameters around it, we are not proponents of eminent domain, there are other avenues to acquire those properties and we want to respect property owner's rights.

**Chris Hale presentation on Town Road Evaluations and Projects.** Chris Hale with Mountain Cross Engineering addressed the Board regarding ranking the upcoming street and water projects for the Town explaining how he and Superintendent Overton arrive at the priorities, water lines are based on need, paving is completed yearly but not on a set schedule and may be deferred until other work, such as sewer or water line projects, have been completed. Mr. Hale referred to the condition of the Northwest portion of Town stating there have been two studies there, the Armstrong & Associates report identifies the subsurface soils consolidate upon wetting; The Yeh & Associates also identifies there are geologic surfaces where an upper layer of soils is sliding on top of an impermeable lower layer; both reports recommend drainage improvements to help mitigate the settling but there is no recommendation or design on how to do that, Armstrong & Associates suggested a conveyance to keep storm water from ponding, Yeh & Associates recommended drainage of the surface water and anchors that would create a matrix to keep the soils from slipping. Mr. Hale suggested the Town come up with a scope of work that a budget could be fixed to and pave after those projects have been completed, we need to develop a plan to fix the subsoils prior to paving.

The Board questioned how projects are prioritized. Mr. Hale stated the street projects are determined by the cracks in the road as they pond and create bellies, they are not necessarily in the order of need, Superintendent Overton determines which streets on which years. Trustee Creecy asked how old the plan is that we are working from. Mr. Hale replied it was about eight years old. Trustee Gutierrez questioned whether the chip seal project this year was a project that could have been done somewhere else, are we doing it logically. Mr. Hale said there is complete flexibility in choosing the projects, sometimes a project gets delayed because of installation of water or sewer lines; chip seal is road maintenance and protects your investment; water lines that are in the need of the most repair are typically priority; in the future you will be seeing more chip and seal projects instead of reconstruction and repaving. Trustee Creecy stated he wants justification of the money the Town spends on streets. Mr. Hale replied, to Supt. Overton's credit he does a good job of overseeing the projects; he creates better drainage while doing these overlay projects which protects your investment; I have no doubt the streets on the list are the ones that need to be paved, and I recommend we come up with a plan on how to improve the subsoils in the northwest part of town before any paving project is done there.

Mayor Halandras stated the Board needs guidance or prioritization of the projects in the event we need to skip a year or two. Mr. Hale stated in the past the scope has expanded or contracted based on the budget and meeting the fiscal constraints of the Town; we can tailor the scope of work, there is no doubt the streets on the west side of town need the most work. Trustee Creecy asked if a portion instead of the entire street could be paved. Mr. Hale replied there is an economy of doing entire lengths of streets; the equipment is designed to do it that way. Administrator Meszaros commented one way to accomplish a large project could be bonding or debt. The Board concurred prioritization of the street and water projects should be done in the upcoming development of the Town's strategic plan.

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**Brad McCloud- update on Rio Blanco Water Conservancy District's Proposed Water Storage Project.**

Brad McCloud of EIS Solutions updated the board on Phase II of the proposed Wolf Creek Reservoir project stating they have narrowed it down to one and one half sites and have filed for off channel water rights, although there is an option for both off and on channel rights, off channel has environmental impacts and expense. Mr. McCloud stated Phase II objectives are continued refinement of the referred alternative and potential water conservation needs on the White River; community outreach, with several local communities including Meeker supplying letters of support; and preliminary reservoir sedimentation studies. Mr. McCloud said when we go back to the basin roundtable we need to show we have skin in the game and are asking for a contribution from the Town of Meeker for the next phase of the study, Rio Blanco County and the Town of Rangely have contributed for both phases; the cost of the study is \$325,000, our goal is to permit in 2018 and finish by 2024.

Administrator Meszaros suggested there is remaining money in Systems Development for this year and it could come from there. Trustee Gutierrez made a motion to contribute \$10,000 toward the proposed water storage project from the 2016 budget. Second by Trustee Conrado. All ayes. Motion carried.

**MAYOR'S REMARKS**

None.

**TOWN MANAGER'S REPORTS**

Administrator Meszaros reported KTS is here doing the downtown PA system and should be finished in the next three weeks; reminded the Board of the EDC event the next day and informed the Board he would be on vacation the following week.

**TOWN ATTORNEY'S REPORT**

Attorney Massih reminded everyone that email discussions should be kept brief as they are discoverable in the Open Meetings or Sunshine Law.

**ADJOURNMENT**

Mayor Halandras adjourned into a brief workshop session regarding a Business Grant Award for Hugus Building, LLC at 9:40 p.m.

  
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Regas K. Halandras, Mayor

Attest:

  
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Lisa Cook, Town Clerk