

**Town of Mead
Minutes of the Regular Meeting
Board of Trustees
June 27, 2011
7:00 p.m.**

The Board of Trustees for the Town of Mead met for a regular meeting on June 27, 2011. The meeting began at 7:00 p.m.

Members Present:

Mayor Richard W. Macomber
Trustee Robert J. Acker
Trustee Debra Brodhead
Trustee Richard E. Kraemer
Trustee Liz Knapp

Members Absent:

Trustee Kim Heard

Staff Present

Town Manager Dan Dean, Town Attorney Rick Samson, Town Planner Steve Stamey, Town Engineer Trent Marshall, Public Works Director Dan Dennison and Town Clerk Charlene Reed.

Pledge of Allegiance to the Flag

The assembly pledged allegiance to the flag.

Consent Agenda

Board members considered the consent agenda consisting of the minutes of the regular meeting on June 13, 2011, the bills list dated June 17, 2011, the bills supplement dated June 27, 2011, and the financial statement for May 31, 2011.

Motion was made by Trustee Kraemer, seconded by Trustee Knapp, to approve the minutes of the regular meeting on June 13, 2011. The motion passed unanimously.

Motion was made by Trustee Kraemer, seconded by Trustee Knapp, to approve the bills list dated June 17, 2011 and the bills supplement dated June 27, 2011. The motion passed with a 4-0 vote with Mayor Macomber and Trustees Acker, Kraemer and Knapp voting yes.

Motion was made by Trustee Kraemer, seconded by Trustee Knapp, to approve the financial statement for May, 2011. The motion passed unanimously.

Audience Participation

There were no items presented from the audience.

Old Business

Main Street Improvements

Mr. Marshall presented the proposed drawings for the Main Street Improvements.

Board members reviewed the plans, discussing the use of bump outs and diagonal parking along the street. Board members discussed making benches or bricks available to the residents to purchase “in memory of,” to allow the residents to have a part in the project. Mr. Dean noted that is part of the fundraising that will be done by Larry Gloss of Gloss and Company.

Board members asked Mr. Marshall to provide cost estimates for the project and to put together a phasing plan that would allow the Town to do the project in phases as funds become available. Mr. Marshall noted he will also need to do a detailed utility locate and discuss this project with the Little Thompson Water District to see if they want to replace their water lines, which are located in the middle of Main Street.

Board members discussed plans for trees and plants in the area and discussed whether it is possible to include drip irrigation for any plants along the street. Mr. Dean noted it would be good to include drip lines for any plants to maintain consistent care for the plants.

Trustee Kraemer suggested the Board meet and discuss the aesthetics of the area at a future meeting to allow the Board to make decisions regarding the appearance of the benches, and what type trees and plants will be included. He suggested that issues regarding the project should be resolved before dealing with the aesthetics of the project.

Trustee Brodhead arrived at 7:20 p.m.

Highway 66 and 3rd Street

Mr. Marshall reported that he plans to provide further information, including cost estimates, for the potential changes to the Highway 66 and 3rd Street intersection.

Third Street Crosswalks

Mr. Marshall noted he talked with a contractor that did the different types of sidewalks. The cost for the thermoplastic street print ranges from \$18-\$25 per square foot. The materials used for the white and colored materials are the same. The red material is thicker and has aggregate, which makes it last longer. The white material is just the thermoplastic material and would have to be replaced every three to four years.

Mr. Marshall noted the contractor explained that pavers cost from \$30-\$40 per square foot, but were not recommended, since they are difficult to maintain and do not stand up to heavy traffic. Mayor Macomber noted another alternative is to paint the crosswalk, which would cost around \$5 per square foot. The crosswalk on 34 ½ was painted and has done well.

Motion was made by Trustee Kraemer, seconded by Trustee Acker, to paint the crosswalk on Third Street. The motion passed unanimously.

Third Street Change Order Request

Mr. Campbell provided an update on the recommendations made at the last meeting. The original recommendation made at the last meeting was to use fly ash along the length of the project to resolve the moisture issues that have been identified. The cost to use fly ash would be an additional \$94,385.00.

Mr. Campbell explained that the second option is additional subgrade scarification. The subgrade would be scarified to approximately 15", which is deeper than the 9" that was originally called for in the soils report. The proposed cost for the additional subgrade preparation is \$30,442.00 with additional cost for soft spot removal. If fly ash is utilized, there would not be an issue with soft spots. With the additional subgrade scarification, there would be the potential for a need to mitigate any soft spots that are identified. The soft spots can be corrected by installing geogrid and 12" of recycled concrete. The contractor has provided a price of \$5.45 per square yard for geogrid and \$16.50 per ton for recycled concrete.

Mayor Macomber asked Mr. Campbell for a recommendation. Mr. Campbell noted that the contractor prepared three test holes on Third Street, using the additional subgrade scarification. The result was acceptable, and will work to stabilize the subgrade for portions of the road. He explained that there is no way to predict how many soft spots there will be in the road. Depending on the number of soft spots identified, the cost can exceed the amount to use fly ash for the entire project.

Mayor Macomber noted soft spots have been a problem in the area. When First Street was paved, a number of soft spots were identified.

Trustee Knapp expressed concern that the contractor is asking for additional funds for this project. Mr. Campbell explained that this request did not come from the contractor. The issue was identified by CTL Thompson, the company who was hired to do soil testing for the project. He noted that the need for this change came from the changes in the soil moisture from the original soil testing which was done in 2009 to the current conditions.

Board members asked if using fly ash is a superior solution for this problem. Mr. Campbell agreed. When asked if it is possible to tighten up the pricing on the scarification to include the cost to repair the soft spots, Mr. Campbell explained that there is no way to predict where soft spots will be located until the road is opened up and the paving begins.

Mr. Campbell explained that fly ash will provide a more stable road for a longer period of time and that the road will not be affected as much by any moisture in the area. If the Town goes with the scarification option, then moisture can come back at a future time, causing maintenance issues for the road.

Motion was made by Trustee Acker, seconded by Trustee Kraemer, to approve the use of fly ash along Third Street for an amount not to exceed \$94,385.00. The motion carried with a 5-0 vote with Mayor Macomber and Trustees Brodhead, Kraemer, Knapp and Acker voting yes.

Mr. Dean noted there is an additional cost of \$5,000 for testing and project management. Mr. Dennison has asked that the Board approve the use of collars around the manholes and water valves to stabilize the area and prevent sinking for an additional cost of \$7,100.

Motion was made by Trustee Kraemer, seconded by Trustee Brodhead, to authorize an amount not to exceed \$12,100 for testing and project management and collars around the manholes and water valves. The motion passed with a 5-0 vote with Mayor Macomber and Trustees Kraemer, Knapp, Acker and Brodhead voting yes.

New Business

Town Park Request – Philip Roemmich, Jr.

Mr. Roemmich explained that his family is holding a reunion in Town Park on Saturday, July 23, 2011 and he is asking the Board to allow them to serve beer at the reunion. He explained that there will be from 40-50 people ranging in age from two to 85.

Motion was made by Trustee Kraemer, seconded by Trustee Brodhead, to allow the Roemmich family to serve beer at a family reunion scheduled for the Town Park on Saturday, July 23, 2011. The motion passed unanimously.

Old Business (Continued)

I-25 Business Park - Zeek Partnership – Pre-Annexation Agreement Proposal

Mr. Dean presented a response to the Board's questions on the proposed pre-annexation agreement for Zeek Partnership, LLLP.

Board members asked if the applicant will be required to provide proof that the annexation has been excluded from the East I-25 Sewer District's 208 boundary. Mr. Dean explained that the applicant intends to apply for exclusion concurrently with the annexation to the Town. Mr. Samson explained that there is a public hearing process that must be followed for exclusion from the East I-25 Sewer District. The Pre-Annexation agreement will say that the annexation will not be approved until they are removed from the East I-25 Sewer District.

Board members asked what is proposed for Lot 3, Block 2 in the I-25 Business Park. Mr. Dean explained that the applicant plans to put in mini-storage units on this property. This would be an acceptable use in the Light Industrial zoning that the Town and the applicant have agreed to for this property.

Board members asked about the recommendation regarding Camelot Circle. Mr. Dean explained that staff is recommending that the Town only include that portion of Camelot Circle from the south side of Lot 5, Block 2 of the I-25 Business Park, north and west to the East I-25 Frontage

Road. Only lot 11 would abut Camelot Circle on the south side, and it is staff's recommendation that the southern portion of Camelot Circle be annexed and accepted for maintenance when several of the abutting property owners annex to the Town.

Mr. Dean and Mr. Wright have already started working on getting the sewer line in the area scoped, but that cannot be done until the pre-annexation agreement is signed. Mr. Samson noted the applicant understands that the agreement with the Town hinges on the line being acceptable.

Motion was made by Trustee Acker, seconded by Trustee Brodhead, to redraft the pre-annexation agreement to include the revised conditions and present the revised agreement to the applicant for consideration. The motion passed unanimously.

New Business (Continued)

School Resource Officer

Mr. Dean presented the current agreement between Weld County, the St. Vrain School District and the Town. The Sheriff's Department has asked if the Town wants to renew the contract for another year, from August 1, 2011 through July 31, 2012.

Motion was made by Trustee Knapp, seconded by Trustee Acker, to renew the contract with the Weld County Sheriff's Department for a School Resource Office for the period from August 1, 2011 through July 31, 2012. The motion passed with Trustee Brodhead abstaining.

Reports and Comments

Dan J. Dean, Town Manager

Board members reviewed Mr. Dean's activity report.

Red Barn Update

Mr. Dean reported that he has had discussions with Attorney Bruce Fickel and Ryan Sword of Colorado East Bank regarding the red barn. According to Mr. Sword, the bank is pursuing acquiring the red barn if the owners are unable to complete a third party sale. In either case, the bank will insist that the building be removed. Mr. Dean noted that Mr. Sword asked if the bank acquires the property, if the Town would honor the same proposal that was offered to the property owners, to front the money to have the building demolished.

Board members noted this offer was made to encourage and entice the current owners to remove the building. Trustee Acker objected to the Town loaning taxpayers money to the bank to remove the building. Mr. Dean explained that the bank is asking the Town to help with the demolition because they do not want to put any more money into the property.

Mr. Samson suggested that there are ways this can be accomplished so that the Town could participate in the removal of the building and then get the money back in the next tax period.

The Town would not be loaning money to the bank. Instead, the Town would hire the contractor to do the demolition. Mr. Samson will come back with possible solutions for the Board to consider.

Oil and Gas Revenue Options

Mr. Dean reported he spoke with Don Sandoval regarding new oil and gas revenues. Mr. Sandoval indicated that the Town would need to have an election to exempt the Town for the 5.5% limit to insure that the revenues could always be collected. He provided the name of an associate to come to a Board meeting and provide information for the Board regarding how this can be done.

Trustee Kraemer noted the Town needs to develop a strategy in anticipation of having an election in November 2012 to allow the Town to collect these tax revenues. Mr. Dean noted the first step in this process is to have the person from DOLA to come out and outline a plan for the Board. Once the Board has a clear understanding of this process, then it is important that the voters be educated to understand that this will benefit the Town and the residents.

Welker Avenue Stakeholders

Trustee Kraemer asked if a meeting has been scheduled with the Welker Avenue Stakeholders to discuss the proposed water line. Mr. Dean noted that the Town's Economic Development Specialist, Linda Martin, will be meeting with Jim Birdsall when he returns from his vacation to discuss the Welker Avenue Water Line and encourage his involvement in a stakeholder meeting to discuss this issue.

Westridge Property Donation

Trustee Kraemer asked if anything is being done to get title to the five acre parcel that Westridge committed to the Town. The Town has impact funds that need to be spent for both municipal facilities and the recreation center, or those funds must be returned to the developers. Mr. Dean explained that Mr. Birdsall has indicated that the property will not be signed over until the proposed wells on the property are formally approved.

Trustee Kraemer noted there was no condition in the original annexation agreement about oil wells needing to be approved before the property would be signed over to the Town. Mr. Samson suggested there was no time limit for the donation in the original annexation agreement. He suggested the seven year time limit be removed from the ordinance regarding impact fees to allow the Town to keep these funds.

Trustee Kraemer noted the Town made a commitment to the developers that those funds would be used or refunded. He noted he would vote against extending or removing the deadline for refunding the impact fees. He also noted he is not convinced that the Town Hall should be located on the Westridge property. He previously proposed a debate among the Board regarding whether to move Town Hall to that property or keep it at its current location and remodel. He suggested the Westridge property should be considered for a recreation center.

Board members asked Mr. Samson to review the annexation agreement to determine if it is possible to require Westridge to go forward with the donation. Mr. Samson agreed to provide a confidential memo addressing this issue.

Air Conditioner

Mr. Dean presented a bid from K. J. Thomas Mechanical to install a replacement air conditioner for the Board room. Bids were solicited, notice was published, and Mr. Thomas was the only one to provide a bid. Mr. Dean noted replacing this unit was included in the 2011 budget, and this unit would also provide air in the new storage area.

Board members suggested finding additional bidders and tabled this request.

High Point at Mead

Mr. Dean reported that he met with Bonner Gilmore and came up with a plan to reduce the impact to develop in Mead to \$1.2M utilizing their impact fees for their intended purpose on their property and reducing building permit fees. When the building permit fees were initially approved, the Board approved a 15% increase across the Board on the fees. Mr. Dean will distribute the summary and if the Board is comfortable with the reductions, Mr. Gilmore will present this proposal to his boss.

Richard Samson, Town Attorney

Board members reviewed Mr. Samson's project report.

Steve Stamey, Town Planner

Board members reviewed Mr. Stamey's activity report.

Board members discussed the vendor cart that is operating out of Mead. Mr. Dean noted they did apply for a business license with the Town. Mr. Dennison noted they also have their health certificate from Weld County.

Ritchie Brothers Digital Sign

Mr. Stamey noted he had a second conversation with Vince at Visual Electronics regarding a digital sign for Ritchie Brothers. The sign that is proposed is similar to the one at American Furniture off Highway 119 in Longmont, and if that is not allowed in the Mead sign code, they can come to the Board and ask for a variance.

Trent Marshall, Town Engineer

Board members reviewed Mr. Marshall's staff report.

Mr. Marshall reported on his meeting with Paul Hanson. His main issue is that there is an irrigation ditch that comes from Mulligan Lake and runs north of the storage units next to I-25,

under the interstate and then south to his property. There is a ditch easement that was approved in 1890, and Ritchie Brothers and CDOT have put up a fence that prevents him from maintaining the ditch. Mr. Marshall noted he is trying to find the easement, and will continue to work with Mr. Hanson. Further information will be provided as it is made available.

Dan Dennison, Public Works Director

Board reviewed Mr. Dennison's request for approval for infrared work to patch around valve boxes, and manholes. The low bidder for the project was Rocky Mountain Paving for \$5,238.00.

Motion was made by Trustee Acker, seconded by Trustee Knapp, to approve the bid from Rocky Mountain Paving to patch around valve boxes, manholes and drainage areas for an amount not to exceed \$5, 913.00. The motion passed with a 5-0 vote, with Mayor Macomber and Trustees Kraemer, Knapp, Acker and Brodhead voting yes.

Mayor Macomber

Mayor Macomber noted he was in Town Hall on Tuesday, before leaving for CML, and Deputy Town Clerk Sandi Sugden was working with people who were interested in using the library computers. He commended Ms. Sugden for doing a nice job taking care of the local residents.

Town Trustees

There were no reports from the trustees.

Adjournment

Motion was made by Trustee Acker, seconded by Trustee Knapp, to adjourn. The motion passed unanimously.

With no further business before the Board, the meeting adjourned at 8:50 p.m.

Charlene Reed, CMC, Town Clerk

Richard W. Macomber, Mayor