

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
JUNE 8, 2021 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, May 11, 2021, at 446 1st Street and via a hybrid meeting due to COVID. Mayor Gary Lagrimanta at approximately 6:01 p.m. called the meeting to order. Trustees present in person were Mike Theorine, Nathan Roth, Clay Luce, and Allen Salser. Trustee Michelle Vannest was attending virtually. Trustee Stan Sameshima was absent.

Town Staff present: Christian Morgan, Town Manager, Haley Curtis, Deputy Town Clerk, Barb Brunk, Town Planner (virtual), and Rick Zier, Town Attorney.

Pledge of Allegiance

Additions to the Agenda – Christian Morgan states there is a proclamation for Municipal Clerk's Week, as he missed that when he prepared proclamations for the May meeting.

Proclamation – Mayor Gary Lagrimanta reads aloud Municipal Clerks Week Proclamation, declaring May 3-9, 2021, as Municipal Clerk's Week in the Town of Kersey.

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the May 11, 2021 regular meeting, approval of bills paid, and approval of bills to be paid. Motion made by Trustee Theorine and seconded by Trustee Luce to approve the consent agenda. Motion carried with a 6-0 vote.

Public Invited to be Heard – Christian states there is no public to be heard on the WebEx call, and he has not received any emails. Chad Judge 806 Kohler Farms Road is present, but does not wish to speak.

New Business

1. Platte River Fort Liquor License Renewal – Hannah, general manager, attends virtually. Mayor Lagrimanta inquires how things are going? Hannah states, coming off of 2020 things are going pretty well. They have made some changes, they are doing mostly food trucks, light snacks and the bar. Hank's is open just once a week. Chief Gottschalk is absent this evening, so there is no Police Department report. Christian states there are no issues that he is aware of. Motion made by Trustee Theorine and seconded by Trustee Roth to approve the liquor license renewal for Platte River Fort. Motion carries with a 6-0 vote.
2. Approval of Fireworks Permit for Kersey Days – Christian states they do fireworks every year. Captain Buderus from Platte Valley Fire is appearing virtually. Captain Buderus says they are planning to have fireworks display very similar to what they have done in the past, he hopes it will be up to everyone's expectations. Trustee Roth inquires, if the Town should contribute some money? Captain Burderus states the Kersey Days Committee has covered about \$13,000 (thirteen thousand dollars), so he thinks it is covered. Motion made by Trustee Luce and seconded by Trustee Theorine to approve the fireworks permit for Kersey Days, carries with a 6-0 vote.
3. Discussion of Mixed Use Zoning – Barb Brunk (virtual), says we have talked about a mixed use district and a downtown district. Now we are trying to be proactive to create a residential mixed use so that when someone wants to expand beyond Berryman Farm or Cecil Farm there will be a plan in place. This is to establish the ground work for that. Town homes, apartments, patio homes, single family homes; there could also be a dentist, small tech company, a small coffee shop, a hardware store, and/or a grocery store with a farmers market, all within the same development. This is not meant for large community services (commercial operations) to be within residential neighborhoods. This is one more choice for how people could come to us with a proposal. The process would be the same; the applicant would meet with staff, it would go before the Planning & Zoning Commission, then come before the Board of Trustees. Barb goes on to say, this issue was in front of the Planning & Zoning Commission last week, and they had some questions. They were concerned about if a business is next door how it will impact the residential home. They were concerned about Police and Fire having access. Barb says Kersey is known for it's safe and quiet streets, so we want to make certain that we can retain that. Barb says the goal is to take questions and feedback from the Planning & Zoning Commission and

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from the Board of Trustees, make some adjustments and go through the process to pass an ordinance. Mayor Lagrimanta says the Planning & Zoning Commission talked about how other Town's in the area are growing very quickly. Kersey is growing but not as quickly as other places. The Planning & Zoning Commission thought it would be a good idea to have this in place, so when the time comes we have a plan in place. Mayor Lagrimanta goes on to talk about Eaton, they have a strip of offices that include a dentist along a newer development. The thinking is, where would we point people such as new home developers and other new businesses that don't necessarily fit in the downtown area? Mayor Lagrimanta goes on to state he recently attended a meeting at the City of Evans. They are building a new development for low-income housing, and they are concerned about how their roads are going to handle that kind of traffic. Mayor Lagrimanta states, his concerns about the roads handling multifamily home traffic, and how Police and Fire would have adequate access to those areas. Barb Brunk states, the Planning & Zoning Commission was also concerned about tall buildings looking into residential yards. She goes on to state, this plan calls for a maximum height of 35' (thirty-five feet), so that we are not allowing structures that are out of character for Kersey. Mayor Lagrimanta states, they discussed how taller buildings might fit in, toward the back of a development. One of the other concerns, was parking. Barb states the Planning & Zoning Commission thought this was a good idea, as long as these things were considered. Barb states, this is just the frame work, it does not change the application review process. Trustee Theorine inquires about the people setting up in the Kramer's parking lot to see propaganda? Barb states she thinks that probably needs a temporary use permit, because it is outside of the original site plan. Barb goes on to say, those people still need all the applicable licenses (business/ tax) and permission to be on the private property. Barb says, our goal here is to tell people where they can do things, not where they can't do things. Christian clarifies, this is new zoning, not what is already zoned. This would be applied to new annexations. Mayor Lagrimanta states, this is to stay ahead of what could be coming. Trustee Roth confirms, if someone is looking to annex, they would still have to come before the Board of Trustees. Christian states, this is designed so that if a doctor or dentist wants to come to Kersey and live in a new development and have their practice there as well, we could accommodate that. Rick states, this is putting in writing what you would like the community to look like. Mayor Lagrimanta states, the current zoning does not matter, this is laying the ground work for making sure that things will flow together. Mayor Lagrimanta asks, should we get ahead of the game and let Barb come up with a plan or just wait for the growth to come? Barb states this is about being able to walk to the dentist, or get coffee, ride your bike to the park, it's about mixing the use so that people can use new development within the community. Christian states, mainly we wanted to know if the Board of Trustees has strong feelings either way on this. Trustee Roth says Planning & Zoning Commission has some good feedback and has addressed the thing he would be concerned about, carry on. Mayor Lagrimanta states it's not if, it's when growth comes. Trustee Luce agrees this is headed in the right direction; it just needs to go through the process. Mayor Lagrimanta states if the Board of Trustees have ideas, email them to Christian or Barb. It was agreed that this issue should move forward.

Old Business

1. Project Updates

- a. Centennial Trail – Christian states phase one is just wrapping up. Some rough work to connect 9th Street is done. The only thing left in phase one is the signage. We are hoping to begin phase two this summer. Christian goes on to say, so far the reviews from people have been pretty good. He thinks the people in the Elder subdivision will really like it come school time.
- b. Union Pacific Acquisition – Christian states we have had some good conversations with Union Pacific. It is progressing, slowly. We are going through our due diligence, we will probably file an extension on the of the intent to purchase agreement. We are still working on it. Trustee Luce inquired of Christian, have you met with Dale (Dilka)? Christian says, yes he met with Dale. He has been here for a long time, it's like cracking open a history book when you sit and talk with him. Christian states, they parted ways agreeing to inform each other of new developments in the quest to decipher ownership. Christian says, we do not want to infringe but the building is out of compliance and we do want to hold the group or person with rightful ownership accountable for that. Christian finished by saying, it is slow progress but it is moving forward, new information is coming all the time.

Staff Communication

- a. Chamber of Commerce– Trustee Luce states they had a meeting last night. They are trying to figure out what to do regarding Kersey Days, what was presented to them seems like there is not much going on; some kids activities and farm equipment. They are not sure if a BBQ meal is something they want to do this year. It is hard to plan, because it is hard to know what kind of crowd there will be. They have also discussed doing snacks and drinks, more like a concession stand. Trustee Luce goes on to say, this event is a fundraiser and they try to put that money back into the community. They are waiting to see how things come together. Mayor Lagrimanta inquires, how long it would take for them to put something together? Trustee Luce says, he thinks they could do it in about 3 (three) weeks, the 70 Ranch is going to donate the meat, Trustee Roth inquires if the hesitance is because of COVID? Christian says he thinks its just uncertainty about what kind of crowd there will be. Trustee Luce says, the Kersey Days Committee starts planning in January, but they are just now getting guidance. They don't have time to plan this out. Christian states, having an itinerary of the day will help, he will ask James Neill about it. Christian states, he thinks there are bands and fireworks planned for the evening but he is not sure what the daytime festivities include.
- b. Tree Board – Before Trustee Salser says about 4 weeks ago from today we planted 14 trees. He is sure glad they had the help of the FFA because they did most of the hard work getting the trees in the ground. Trustee Salser goes on to say he is unsure of what is to come in the future. Christian states, there is a big water tank installed at Memorial Park, and we have a pump for it here at Town Hall. Trustee Luce inquires, how will that tank be filled? Christian says, they will use the jet truck to fill the tank. With the drip system that is out there, 1000 (one thousand) gallons will probably only need to be refilled 2 or 3 (two or three) time this summer.
- c. Town Manger – Christian states over the last couple of weeks he has met with department heads to get their input on staff level strategic planning. He is working to put all of the notes into a report that he can bring to the Board of Trustees, where he will ask them to do the same thing and see how the visions align.

Christian states, we are reviewing the current ordinances about chickens, which are allowed. It looks like it was probably adopted using the County's plan. Mayor Lagrimanta says, yes it was drafted using a formula from the County, a few years ago when they did the comprehensive plan. Christian states, there is not a problem; just reviewing it.

Christian states, as you notice there are quite a few golf cars in Town, and ATV registration is kind of unique in Kersey. The current process is to meet with the Police Department and pay a fee for the registration. Chief Gottschalk will be coming to you with more information, but we are looking at the possibility of having little Kersey license plates which could include a renewal sticker for that.

Christian says, CML (Colorado Municipal League) has an Effective Governance workshop coming up on June 18th. This workshop will cover a variety of things that maybe not everyone is aware of. We will need to get you enrolled by June 17th if you would like to participate. More information can be found on CML's website.

Christian states, this upcoming weekend is the cleanup day at Water Tower Park 9am-12pm on Saturday June 12, 2021.

Christian states, staff has begun looking at the 2022 budget. The normal retreat will be in late August or early September.

Christian says we are going to look within our own code at the setback rules for oil and gas. The state has regulations, but we will look at our code to see if it meets the new state minimum law.

Christian states the Federal American Rescue Plan includes funding for State, county and local governments. It's a direct distribution of funds, based on population. There are rules as to how

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the funds must be used, but you do not have to spend the money right away. It has to be allocated by 2024, and spent by 2026. We are slated to get \$422,000 (four hundred twenty two thousand dollars). Water and wastewater are specifically included in the allowed list. Christian says, he will come back to the Board of Trustees to decided how to spend those funds.

Christian says sales tax numbers are at about 85% (eighty five percent) of what our total projected budget was, and we are not even half way through the year. Mayor Lagrimanta states that the Kramer's parking lot and store were packed very early in the morning when he went by over the weekend.

Christian says, the CML conference typically held in June, will be held September 21-24 this year in Westminster. We will need to know soon who would like to attend. Mayor Lagrimanta asks, are we planning to drive back and forth, maybe carpool? Christian says, we can do that but if you want to stay (overnight) we will need to know very soon so we can make accommodations; enrolling in the conference is the easy part.

Christian says the comprehensive plan we have is coming up on 5 (five) years old, so we will look at refreshing that. It's good to refresh those type of documents about every 5 (five) years. We will look at a grant, like we did last time. The town has changed a lot in the last 5 (five) years, and will likely change much more in the next 5 (five years).

d. Town Attorney – No report.

Board of Trustee Communications

Motion made by Trustee Theorine and seconded by Trustee Luce to authorize the Town Attorney to prepare any required resolutions, agreements, ordinances, policies, letters, and memoranda to reflect action taken by the Town Board at this meeting and at any previous meetings, and authorizing the Mayor and Town Clerk to sign all such resolutions, agreements, ordinances, policies, letters, and memoranda. Motion carried with a unanimous vote.

Executive Session

Motion made by Trustee Roth, seconded by Trustee Luce, to enter into executive session for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of the City Council or any elected official; the appointment of any person to fill an office of the City Council or of matters personal to particular employees: Town Manager Employment Contract. Motion carries with a 6-0 vote.

At approximately 7:18 p.m., the Board of Trustee's entered into executive session.

Motion made by Trustee Theorine, seconded by Trustee Luce to exit executive session. Motion carries with a unanimous vote.

At 7:32 p.m., the Board of Trustee's returned to regular meeting.

Motion made by Trustee Theorine, seconded by Trustee Luce, to approve the employment agreement for Christian Morgan, effective 7 April 2021, for 3 years. Motion carries with a unanimous vote.

Adjournment

Mayor Lagrimanta adjourned the meeting at approximately 7:33pm.

Respectfully submitted,

Haley Curtis
Deputy Town Clerk

June 24, 2021