

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
February 08, 2022 – MINUTES**

The Kersey Board of Trustees met in a regular meeting on Tuesday, February 08, 2022, at Kersey Town Hall, 446 1st Street. Mayor Gary Lagrimanta at approximately 6:02 p.m. called the meeting to order. Trustees present were Nathan Roth, Allen Salsler, Clay Luce, Michelle Vannest, Stan Sameshima, and Mike Theorine.

Town Staff present: Christian Morgan, Town Manager, Haley Curtis, Deputy Town Clerk, Tracy Moore, Interim Police Chief, Barb Brunk, Town Planner via WebEx and Rick Zier, Town Attorney via WebEx.

Audience Present: John Boyd, Ed Voltolina and Steve Kramer.

Pledge of Allegiance

Swear in Chief Moore – Haley Curtis, Deputy Town Clerk, administers the oath of office to newly appointed Police Chief , Tracy Moore. Chief Moore has been filling the position as Interim Police Chief since mid-November.

Additions to the Agenda – Christian Morgan states there are no additions, the agenda is complete.

Consent Agenda

1. Approval of the consent agenda to include approval of the minutes of the January 11, 2022 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 7-0 vote.

Public Invited to be Heard – None

Public Hearing – Kersey Collar General Site Plan Review and Exceptions

Mayor Lagrimanta opens the public hearing at approximately 6:08 p.m.

Barb Brunk – Town Planner, states this is a public hearing to review the Site Plan and exceptions for the Kersey Dollar General. The public hearing was published, posted, and referred out. Only four referrals were received back with no conflicts. Dorsey Development DC, LLC is requesting to build a Dollar General on Hill Street. The property is owned by CNS, Inc.

Barb displays a map of the lot, situated between Highway 34 and Hill Street, to the North and South; Family Dollar and Cobblestone Inn, to the East and West. The applicant worked with us to upgrade the architecture to include stucco and brick. Barb displays a map of the right of way and drainage concepts; this application meets the criteria.

Dorsey Development has requested four exceptions with this project: 1. Reduce the number of parking spaces from 54 to 35, 2. Reduce separation from curb cuts from 250' to adjacent for the driveway access location, 3. Reducing the Highway 34 setback from 50' to 31', and 4. Reduce the south side setback for the Parking Lot from 30' to 5' along Hill Street. We (staff) worked with the applicant to find a common entrance with either the existing Family Dollar or Cobblestone Inn. However, it didn't work to share with the Cobblestone Inn and the applicant is very hesitant to share with a direct competitor. Barb displays concepts for the entrance, landscaping and the structure. This application meets the criteria for landscaping, near the building and the roadways.

The Planning and Zoning Commission looked at this last week. They strongly suggested the applicant make a pedestrian right of way between Cobblestone Inn, to both stores, without having to walk on Hill Street. Planning and Zoning Commission determined this meets the criteria, and forwarded to the Board of Trustees for approval with conditions; water demand analysis and site plan agreement. Barb states, the water demand analysis is done, it just needs to be approved internally.

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Staff recommendation is that the Town approve the application and site plan subject to the following conditions; 1. The applicant make any suggested revisions to the site plan, and provide updates to staff, 2. The applicant provide the water demand analysis, that we are in the process of reviewing, 3. The applicant is responsible for revegetation of the right of way along Hill Street, and 4. The applicant shall enter into a site plan agreement with the Town. Resolution 2022-0003 reflects the conditions, and there is a draft site plan agreement in your packet.

Ed Voltolina, Dorsey Development (the applicant) is present to speak. As Barb said, we are requesting some variances to make this lot work. The first is parking requirement, Dollar General has done a study nationwide for stores this size, and 35 parking spaces is more than enough. Ed states, he believes about 8,800 square feet will be used for the merchandise floor; the rest will be offices, bathrooms and the receiving area.

The second is the access. Originally, they looked at doing it to the East, sharing with the Cobblestone Inn. Then they looked at doing it in the middle. Neither of those worked very well for safety, and would have included using Hill Street for access to back in. Access on the West side, although not shared with Family Dollar, worked the best. The applicant expresses their hesitation in sharing an access with their direct competitor. They conducted a traffic study, and it says this will work and still meet the goals.

Setback to Highway 34; it's tight again because of the size of the lot. This all lines up on the same line as Family Dollar. Most of the area will be detention. The fourth and final variance request is the area between the parking lot and Hill Street. There will be a nice landscaped area there.

Mayor Lagrimanta calls for Trustee input and questions. Trustee Sameshima inquires is there a sidewalk running east and west? Ed, yes it runs along the building. Trustee Sameshima confirms, it connects Cobblestone to Dollar General? Ed, confirms yes it will. Trustee Sameshima inquires, you can walk but not drive between. Ed confirms, that is correct. Trustee Roth states, he understands not wanting to share access with a competitor, but that is tight. He is okay with the parking lot and buffers. He likes the idea of having a place to walk between the establishments. Mayor Lagrimanta states, a sidewalk connecting all 3 businesses becomes an issue of liability; if someone were to be injured whose responsibility, is it? Mayor Lagrimanta states, the access is where it is, so they can get trucks in easily. Christian states, we cannot force Family Dollar to do the shared pedestrian walkway. That should not be a consideration as part of this application. Maybe at some point we can approach Family Dollar. Trustee Theorine inquires about the 31' setback and sidewalk along Highway 34 that we have discussed for other applicants along Highway 34. Christian states, those businesses are set back much further. There will not be a sidewalk to the North. That area is for drainage and a safety barrier for vehicles that leave the roadway. Trustee Theorine points out some clerical error, Barb thanks him for noticing.

No public comment.

Mayor Lagrimanta closes the public hearing at approximately 6:37 p.m.

Approval of Resolution 2022-0003 Approving A Site Plan and Variances for Dollar General
Motion made by Trustee Vannest, seconded by Trustee Theorine, to Approve Resolution 2022-0003 Approving A Site Plan and Variances for Dollar General. Motion carried with a 7-0 vote.

The Board of Trustee's took a short break following the approval to allow Chief Moore, his family, and the public present to leave the meeting.

Mayor Lagrimanta called the meeting back to order at approximately 6:44 p.m.

New Business

1. Approval of 2022 Vector Disease Control (mosquito control) contract
Christian states this is the new 2022 contract. It is the same company we have used for several years. There was a 3% increase, coming in at \$5.390. Our revenues are still exceeding the expense, we do not need to increase the rate. The excess is what we use for administrative costs (mailing, etc.). In a couple of years, we might need to look at a rate increase. Christian states, this is informational only; no action needs to be taken.
Mayor Lagrimanta says mosquitos and trash are a very touchy subject. Christian states in another (local) community they say when they switched from Northern Colorado Disposal, their rates went up significantly. We negotiated a very good deal.
2. Approval of Resolution 2022-0004 Amending the Kersey Tree Board, and Establishing Membership Qualifications, Terms, and Vacancies

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Christian states, this just cleans up the 2020 resolution. It currently says that members cannot serve on any other boards for the Town. Mostly the Planning and Zoning Commission, the would like to remove that so someone can be on the Tree Board and another board. Roberta Smith and Tharon Vannest are the new officers appointed today at their meeting. Christian went on to say, we presented Kathy (Berryman) with a plaque today, in thanks for her service.

Approval of Resolution 2022-0004 Amending the Kersey Tree Board, and Establishing Membership Qualifications, Terms, and Vacancies Motion made by Trustee Theorine, seconded by Trustee Vannest, to Approve Resolution 2022-0003 Approving A Site Plan and Variances for Dollar General. Motion carried with a unanimous vote.

Old Business

1. Project Updates

- a. Highway Safety Improvement Program – We were successful in our application of a \$300,000 grant for improvements at 1st and Hill. We were awarded \$270,000, because we do have a match obligation. These funds have to be spent in the CDOT 2023 fiscal year, which starts in July 2022. We will bid this out. We have to keep an extraordinary paper trail as these are federal funds. This will be used to change the parking along 1st and Hill streets, so that cars are not backing into traffic. Barb displays a concept map – and explains curb and gutter, signage, striping, cross walk, and improved parking, part of it being parallel. We did a cost agreement in 2020, we will have to update it. We discussed this a lot when we applied for the grant in 2020. Mayor Lagrimanta asks, we will get in the pedestrian cross walks when we get into the process? Barb confirms, yes we will. We will bid out the full design, and we will bring the actuals when the time comes. What she is displaying today is just a concept. Mayor Lagrimanta asks about having crosswalk signs that have a button to flash, because always flashing signs are usually ignored. Barb says, we will have to look into the logistics of that, they probably need to be closer to the intersection. Mayor Lagrimanta finishes by saying, we have flashing crosswalk signs that are always flashing, and people just ignore them now.
- b. Affordable Housing Tool Kit- We were awarded \$145,000, do not have a match fee because we do not have the funds. We have money for a housing needs assessment, a building and tap fee analysis, fee waiver guidelines, review of our raw water dedication requirements, review of our code, complete water and sewer rate studies, and review of the land use code. This will give us a comprehensive look at how we can make ourselves look good for affordable housing. The housing needs assessment is a key piece needed for application for further grants. We have to get started and bid out, once we get the official notification the real paper trail will begin.

Christian thanks Barb for writing these grants. Trustee Sameshima says he thinks we are ahead of the game for affordable housing. Barb says, it is a problem all along the front range. We are ahead, you're right. Kersey will be leading.

Staff Communication

- a. Chamber of Commerce– Trustee Luce states they had a meeting last night. They made approximately \$80 after expenses at the Holiday Festival. They are starting to plan to help for Kersey Days. Mayor Lagrimanta asks, how much time do we have to get someone to fill your spot at the Chamber? Trustee Luce says probably about another month or so.
- b. Tree Board – Trustee Salser states they met today. Second Tuesday of each month. Have a lot of trees to replace. They voted to change not being on 2 boards. Next meeting is on the second Tuesday in March.
- c. Town Manger – Christian thanks the Board and citizens for putting up with the water issues. Two very unexpected events happened at once, at the water tower. The altitude valve frequently has issues, and it was not the problem this time. IT was an internal piece, that failed to call for water. It was a large process to reroute water. Yes, there was a large amount of water leaking out of the tank. Years ago, they installed a “clean out” plug, to be able to sweep things out from inside the tank. The wrong kind of plug was installed. The only way to fix that is to hire a crew specifically geared for that, because it involves going inside the tank and welding from

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the inside. The closest team that could do that, is in South Dakota. There was a lot of strategic water moving, so this does not happen again. We are looking at some software to tell us how much water is in the tank. We currently have no way of knowing, until it overflows. There is no way to plan for a situation like this.

Snow plowing, we did what we could to make everyone happy. Turns out, no one is happy. We contracted with M&M today to pick up snow. We got compliments on the condition of County Road 53. Christian says, he drove that road everyday himself; it was in great condition up to 60.5. Christian states, he asked Josh to start building another small truck. Christian is going to look in to getting another big truck as well because the one we have is aging (it's a 1991).

He spent yesterday helping judge FBLA competition at UNC.

Christian states he would like to look into what it would take to have a secondary water supply connection, a second master meter. We are dependent on one master meter, so we are vulnerable if something happens to that one meter. He would like to start looking at what it would take to do something like this, as he is not sure it is totally realistic to ask developers to do this. Christian inquires of the Board of Trustees, are you okay with me spending time on this? It is agreed, that it is a good idea and a must to have a backup. Christian states, as of now our only back up is hauling water in, he will move forward.

Christian congratulations Haley on obtaining her human resources certification, SHRM-CP.

It is in the packet, though not very clear. November sales tax (received in January), 25% over our highest year ever. We are off to a good start. Hopefully that will continue. We will see revenue for Dollar General in 2023. Christian states, he had 4 development calls today, things are happening.

Trustee Vannest inquires about the drive through coffee shop coming sign on Highway 34. Christian states, there is an interest party, but no application yet.

He is planning to bring the storm water master plan to the February 22, 2022 work session.

He met with the school last week. There is an impact fee for the that is very antiquated. They are looking to revamp that. That is how the school off sets the costs of new students, a new home assumes that at household of 4, means 2 students. The Fire District has looked in to this in the past as well. Mayor Lagrimanta inquires, has the school planned for what they will do for major growth? Christian, says he asked that very question and they say they have a master plan.

Christian says, we met with Weld County Engineering and Public Works to talk about the bridges on County Road 53. There was a lot of data presented. Anything more than a 20' span are automatically done by the State as far as inspections. We will get additional highway tax funds, he asked Julie to open a separate account just for that, for bridge maintenance. Weld County taught them what to look for in unofficial bridge inspections. We now have a total of 4 bridges. We will be annexing some roadway along 1st Street. Storm water and bridges are a big deal, and Josh is up to the challenge. Trustee Sameshima inquires, did they say anything about flood control? Christian says, it's built for a 100 flood we would need to watch for debris. Trustee Roth inquires, where do you go to get under the bridge? Christian says, there are entry points along the bridge, there is a small road and gate with access. Christian says, it would be a good field trip for us to go look at it, in the daylight.

Christian says, he has a long to do list.

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Trustee Sameshima asks about still building a truck stop at County Road 49 and Highway 34. Christian says there is interest, but we don't find out much until they are ready to go through the process. Stores like that choose a location and then figure out the process.

Trustee Sameshima inquires, is there really a clause that state there cannot be another bank at the abandoned FNB location? Trustee Luce says yes there is, there cannot be another bank for 5 years.

- d. Town Attorney – Rick Zier says he doesn't have any legal updates. The affordable housing grant has a lot of really good things included. He is very interested in seeing the studies of utilities. He sees that as a protection for the Town, in the cost of water and sewer utilities.

Board of Trustee Communications

Trustee Luce – Says he will be here for one more month

Trustee Sameshima – Thanks to staff and Christian and Barb for all the progress Kersey has made. Affordable housing is a really important thing. Mayor Lagrimanta says, it is a very interesting process.

Trustee Vannest – has defended the staff regarding snow removal. People are complaining. She says, good job to the Town. Christian states, we had to wait for it to unthaw before we could try to pull stuff up without destroying the pavement.

Trustee Salsler- He will be here through April.

Trustee Roth – there was an incident near his home last Friday, he thought the response from the Town staff was great, thank you.

Trustee Theorine – Nothing

Mayor Lagrimanta – Congratulations Haley. Thanks to Christian and Mark and Josh. Christian had already had a long week when the water tower issue stated, he made calls and plans moving. Thanks for jumping in, Christian. He is glad everyone is feeling better, and back to work. He had numerous phone calls and visits over the water. He told them we are very lucky to have the staff we have now, no one before ever maintained the water tower. We have a capital improvement plan, for things like this. We are fortunate to have the foresight that Christian has.

Motion made by Trustee Luce and seconded by Trustee Theorine 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.

Adjournment

Mayor Lagrimanta adjourned the meeting at approximately 7:43 p.m.

Respectfully submitted,

Haley Curtis
Deputy Town Clerk