**TOWN OF CHEYENNE WELLS REGULAR MEETING COUNTY OF CHEYENNE**

**MUNICIPAL COMPLEX MAY 12, 2020 STATE OF COLORADO**

**151 SOUTH 1ST WEST STREET 6:00 P.M.**

**CALL TO ORDER**

Mayor Mireles called the Regular Meeting to order at 6:00 p.m. then led the group in the Pledge of Allegiance.

There being present the following persons:

Council: Syl Mireles, Erica Kern, George Unruh, Kara Uhland,

and Marion Henderson.

Absent: None

Members of the Staff present:

Cindy Hoffman Town Clerk/Treasure

Patty Hevner Deputy Town Clerk/Utility Clerk

Mike Buchanan Cheyenne Co. Undersheriff

Mark Werts Cheyenne Co. Deputy

Absent: None.

Visitor: Nancy Bogenhagen-the Range Ledger, Via GoToMeeting-Virgil George-Rocking X Realty, and Caitlin Adkins-Vaquero Ventures.

**APPROVE AGENDA**

The agenda was approved as amended upon motion from Councilwoman Uhland and seconded by Councilwoman Kern. All in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**SHERIFF’S REPORT**

Undersheriff Buchanan and Deputy Mark Werts joined the meeting in person at 6:15 p.m.

Councilman Unruh inquired if the address of 91 East 1st North is the sheriff’s office due to the 33 response calls to that address. Undersheriff Buchanan verified that 91 East 1st street is the Cheyenne Co. Sheriff’s office and that these are test pages. There are two test pages that go out daily. Councilman Unruh explained that during the negotiation for the Sheriff’s contract it was discussed that because Cheyenne Wells has a higher number of response calls the rate the Town pays Cheyenne County should be higher. Discussion followed.

Councilman Henderson inquired about the vehicles parked on the street that are not tagged and camper/RV’s parked on the streets hampering street views and the Public Works sweeping of the streets. Clerk Hoffman reminded Council that due to the current contract citation for the Town ordinances cannot go into County Court and as the contract states all tickets written go to the County.

Clerk Hoffman shared that the Cheyenne Co. Sheriff’s office agreed to help the Town with dog calls as we currently have no Public Works employees. This is until we add more staff.

Undersheriff Buchanan shared with Council that per request from Councilman Henderson they have added the Town Water Tower to their security checks.

The Sheriff’s Report was approved upon motion from Councilwoman Kern and seconded by Councilman Unruh. All in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**April 2020, Municipal Court Report**

Clerk Hoffman reported to Council that we have received no paid tickets for April 2020 per the current Cheyenne County Sheriff’s contract agreement.

**APPROVE MINUTES FOR APRIL 14, 2020 REGULAR MEETING AND APRIL 20, 2020 SPECIAL MEETING**

The minutes for April 14, 2020 Regular Meeting and April 20, 2020   
Special Meeting were approved as amended upon motion from Councilman Henderson and seconded by Councilwoman Uhland. All in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**BILLS FOR ALL FUNDS**

The bills for all funds and payroll were reviewed and approved upon motion from Councilwoman Kern and seconded by Councilman Unruh. All in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**1st Qtr. Financial Report**

Clerk Hoffman presented Council with the 1st Quart Financial report. Discussion followed.

**K.C. Electric Franchise Payment**

Council reviewed the K.C. Electric Franchise Payment in the amount of $3,387.84.

**APPOINT TOWN ATTORNEY AND COMMITTEE SELECTION**

**Town Attorney Tallman-Campbell**

Brooke Tallman-Campbell was appointed as the Town’s Attorney upon motion from Councilwoman Uhland and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**Committees**

There will be a Committee for Public Works consisting of Water, Streets, Equipment, and a committee for Administrative consisting of Library and a committee for Parks.

Councilman Henderson was appointed to the Housing Board committee upon motion from Councilwoman Kern and seconded by Councilwoman Uhland. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Councilman Henderson and Councilwoman Uhland were appointed to the Public Works committee upon motion from Councilwoman Kern and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Councilman Unruh and Councilwoman Uhland were appointed to the Administrative committee upon motion from Councilman Henderson and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Councilwoman Kern and Councilman Unruh were appointed to the Parks committee upon motion from Councilman Henderson and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Council tabled the ECCOG position until new Councilmembers join.

Mayor Mireles and Council appointed the Council to the following committee positions:

**Reorganization of Committees**

**Housing Board** Councilman Henderson

**ECCOG Board** Tabled until new Councilmember joins

**Public Works** Councilwoman Uhland and Councilman Henderson

**Administrative** Councilwoman Uhland and Councilman Unruh

**Parks** Councilman Unruh and Councilwoman Kern

**BUILDING PERMITS**

James Bushnell Shed & Car Port

Bart & Rayetta Addy Garage

Steve Donnelly 5 Storage Containers

Robin Donnelly Storage Container

Cheyenne County Waiver Request-Storage Container

Brian Kemp Garage

Dannie McMillan Carport

Danny Carroll Rental Fence

Robert Taylor Carport & Driveway

The building permit for Bart & Rayetta Addy, was approved upon motion from Councilman Henderson and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permit for Brian Kemp, was approved upon motion from Councilman Henderson and seconded by Councilman Uhland. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permit for Dannie McMillan, was approved upon motion from Councilman Unruh and seconded by Councilwoman Kern. All voting for; Kern, Unruh, and Uhland. All voting against Henderson. The motion approved 3-1, motion carries.

The building permit for Dannie Carroll rental house, was approved upon motion from Councilman Unruh and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permit for James Bushnell, was tabled for further information upon motion from Councilman Henderson and seconded by Councilwoman Uhland. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permit for Rob Taylor was tabled for further information upon motion from Councilman Henderson and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permit for Cheyenne County was tabled for further information upon motion from Councilman Henderson and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The building permits for Robin and Steve Donnelly were tabled for further information upon motion from Councilman Unruh and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**PUBLIC HEARING FOR REZONING FOR LYLE & KAREN MILLER PROPERTY**

The Public Hearing for rezoning the property at 635 US Highway 40 formally known as Nan’s Convenience Store from Commercial to Residential began at 6:40 p.m.

The rezoning of Nan’s Convenience Store from Commercial to Residential was approved upon motion from Councilman Unruh and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

The Public Hearing for rezoning the property at 635 US Highway 40 formally known as Nan’s Convenience Store from Commercial to Residential ended at 6:45 p.m.

**APPROVE CONTRACT FORM LEEVI NESBITT**

Council reviewed the Certified Water Operator contract from Leevi Nesbitt from the City of Burlington to assist the Town of Cheyenne Wells with water sampling, State Water regulations and violations. Discussion followed.

The contract with Leevi Nesbitt to be the Certified Water Operator was approved upon motion from Councilman Henderson and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Clerk Hoffman presented Council with a contract from Ernie Espinoza from Hydrologic Consultants a member of COWARN to assist the Town in compliance with the State of Colorado, assist with employees becoming certified as a Water Operator, and organize records at a rate of $4,000.00 per month upon motion from Councilwoman Uhland and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**DISCUSS PUBLIC WORKS POSITION**

Mayor and Council approved hiring Jeffrey Myles as the full time Public Works Employee upon motion from Councilman Henderson and seconded by Councilwoman Uhland. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**FIRST READING OF ORDINANCE #271 “WATER BACKFLOW & CROSS CONNECTION DEVICE”**

The first reading of Ordinance #271 “Water Backflow & Cross Connection Device” was approved upon motion from Councilman Unruh and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

**FIRST READING OF ORDINANCE #272 “VACATING OF PORTIONS OF EAST 5TH SOUTH STREET”**

Virgil George, owner of Rocking X Realty and Caitlin Adkins, representative of Vaquero Ventures joined the meeting via GoToMeeting to answer any question concerning the vacating for the property at 440 Highway 40 East.

The First reading of Ordinance #272 “Vacating of Portions of East 5th South Street” was approved upon motion from Councilman Unruh and seconded by Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

The First reading of Ordinance #273 ” Vacating of Portions of South 5th East Street” was approved upon motion from Councilwoman Kern and seconded by Councilwoman Uhland. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

The First reading of Ordinance #274 “Vacating of an Alleyway in Block 32” was approved upon motion from Councilwoman Uhland and seconded upon Councilwoman Kern. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

The First reading of Ordinance #275 “Vacating of an Alleyway in Block 45” was approved upon motion from Councilman Unruh and seconded by Councilman Henderson. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries.

Let the record show that no Public comment for or against was heard.

**ADMINISTRATIVE STAFF UPDATE**

**13TH Street DOLA Enhancement Grant Update**

Clerk Hoffman reported to Council that she currently has a report due. Clerk Hoffman will reach out to see if the DOLA offices are open to submit the reports.

Clerk Hoffman reported to Council that she has no new correspondence to report on the Grants.

**Water Sales Report-Deputy Hevner**

Deputy Hevner reported to Council that there were 9 meters read for the month of April with no meter’s repaired. The hand held reader is not working.

Deputy Hevner request from Council to list the Doty Well as an emergency well only. The Doty Well is only turned on to perform the State required tests. The Doty Well is our well that test the highest for Nitrates and Arsenic. When visiting with the State authorities it was suggested to list it as emergency only and lock and tag it out. Discussion followed.

Council would like to research solutions for the Doty Well before listing it as an emergency well.

Deputy Hevner reported that Dana Kepner representative, Gary McMillan will schedule a time to come out and train our new Public Works employee to read and repair meters. Mr. McMillan will also work on the programmer for the meters as it is not working.

Deputy Hevner reported the current water sampling results are as listed;

North Well Nitrates 6.6 within limits

Doty Well Nitrates 11.5 over the normal limit of 10

Feyh Well Nitrates 11.0 over the normal limit of 10

Snyder Well Nitrates 6.8 within limits

Doty Well Arsenic 0.003 within limits

Snyder Well Fluoride 0.45 within limits

Doty Well Fluoride 0.40 within limits

City Shop E.coli Absent within limits

**HOUSING REPORT**

Councilwoman Kern reported to Council that she was unable to attend.

**EAST CENTRAL COUNCIL OF GOVERNMENT REPORT-TABLED TO 5-12-2020**

No report given at this time.

**FYI**

**Re-opening of Town Hall Document**

Clerk Hoffman shared with Council that the Library Director Vicki Henderson and Library Chairperson Mary Weed have signed off on the re-opening document. The Town will re-open following the recommendations of the Cheyenne County Public Nurse.

**MAYOR, COUNCIL, AND STAFF COMMENTS**

Mayor Mireles, Council, and Staff listened to comments made.

**EXECUTIVE SESSION FOR PERSONNEL REASON**

Mayor, Council, and Staff went into Executive Session upon motion from Councilwoman Uhland at 7:35 p.m. and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

Mayor, Council, and Staff came out of Executive Session upon from Councilwoman Uhland and seconded by Councilman Unruh at 8:28 p.m. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

The Town of Cheyenne Wells will offer the Superintendent Positon to B.J. Potts at a starting salary of $60, 000 per year upon motion from Councilwoman Kern and seconded by Councilman Unruh. All those in favor state “aye,” all those opposed state “no.” The “ayes” have a unanimous vote, the motion carries

**OTHER**

**Building Complaint Correspondence**

Mayor Mireles shared with Council an issue of the building at 237 South 1st East with part of the building falling down. Discussion followed.

Mayor Mireles will contact the owner of the property to find a solution for the building and surrounding neighbors.

**The Next Regular Meeting will be Tuesday, June 9, 2020, at 6:00 p.m.**

The Next Regular Meeting will be Tuesday, June 9, 2020, at 6:00 p.

**ADJOURN**

Mayor Mireles adjourned the meeting at 8:27 p.m.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Syl Mireles Mayor**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Cindy Hoffman Town Clerk**

\*DOLA 13th Street Water Line Grant Project