

**TOWN OF KERSEY
BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, JUNE 13, 2023 - Minutes**

The Kersey Board of Trustees met in a regular meeting on Tuesday, June 13, 2023, at Kersey Town Hall, 446 1st Street. Mayor Gary Lagrimanta at approximately 6:04 p.m. called the meeting to order. Trustees present were Michelle Vannest, Stan Sameshima, and Nathan Roth. Karen Dusin participated virtually. Trustee Donna Swyers resigned effective June 1, 2023.

Town Staff Present: Christian Morgan, Town Manager; Julie Piper, Town Clerk; Danna Ortiz, Town Planner, Kaylee Damrell, Recreation Specialist, Brandon Unruh, Recreation Director, and Rick Zier, Town Attorney (virtual).

Audience Present: Hunter Hoshiko, Caitlyn Sheehan, Allen Salser, and Haley Kennedy virtually.

Pledge of Allegiance

Additions to the Agenda – Christian adds #5 New Business Approval of Resolution 2023-0018 Creating the Kersey Seniors Advisory Committee and Establishing Bylaws for the Committee.

Consent Agenda

Approval of the minutes of the May 9, 2023 regular meeting, approval of the paid bills, and approval of bills to be paid. Motion made by Trustee Vannest, seconded by Trustee Roth to approve the consent agenda. Motion carried unanimously.

Public Invited to be Heard

None

Public Hearing – Centennial Commerce Center Annexation and Zoning

Mayor Lagrimanta opened the public hearing at approximately 6:08 p.m. Danna Ortiz, Town Planner, reviews her staff report to include the maps, resolution, ordinance, and proposed Annexation Agreement. She states the property is owned by Hoshiko-DJ Land, LLC and is a 71 acre lot to be annexed to the Town of Kersey. The applicant also requests zoning of the west half as D-Industrial and the east half as C-Business. She goes on to explain the relation to the Town's Comprehensive Plan and that this will further expand the economic development goals of the town. She explains the adjacent land uses being mostly agricultural. Public notice was sent out to the surrounding property owners with no conflicts returned or no response, which is considered a no conflict as well. The annexation public hearing notice was published in the Greeley Tribune for the four consecutive weeks as required by CRS. The annexation review criteria shows that noting that 49.7% of the boundary is contiguous with the Town of Kersey. She reviews the remaining criteria as well. The applicant will undergo the Site Plan review process when ready to develop. The applicant paid the deposit and signed the cost agreement. The Planning Commission reviewed the application on June 6, 2023 and recommended that the

Board of Trustees approve the application subject to an approval of the Annexation Agreement.

Trustee Sameshima inquires about the water rights and buildings 1 through 4. Danna states the water rights are for tributaries that are deep aquifers. She also states that this application is only for annexation and zoning and the buildings will be addressed at Site Plan review and subdivision processes.

Caitlyn Sheehan of Kimley-Horn gives a presentation of the annexation and zoning that the applicant is requesting. She states they currently have access to the property off of CR 49 and CR 47. They will request access from CDOT off of Highway 34. She also notes detention is planned for the NE corner of the property.

Trustee Sameshima asks about water and sewer connection. Caitlyn responds they will connect to Central Weld Water District's existing line in CR 49. The sewer extension will be to the Town's facility approximately 3 miles away.

Trustee Roth asks if CDOT has approved the access on Highway 34. Hunter Hoshiko states he hasn't started that conversation yet but that he worked with the county to add deceleration/acceleration lanes when they were constructing the Parkway.

Mayor Lagrimanta closes the Public Hearing at approximately 6:30 p.m. No further comments. Attorney Rick Zier states this annexation will fit into the town nicely.

Motion made by Trustee Roth and seconded by Trustee Vannest to approve Resolution 2023-0014 Setting Forth Findings and Conclusions of the Board of Trustees Concerning the Petition for Annexation of Certain Unincorporated Land in Weld County, Colorado Known as the "Centennial Commerce Center Annexation No. 1" into the Town of Kersey. Motion carried with a 5-0 vote.

Motion made by Trustee Roth and seconded by Trustee Vannest to approve Ordinance 2023-0002 Annexing Certain Unincorporated Land in Weld County, Colorado, known as the "Centennial Commerce Center Annexation No. 1" into the Town of Kersey as More fully Described herein, and Zoning Such Land D – Industrial and C – Business. Motion carried with a 5-0 vote.

New Business

1. Motion made by Trustee Roth and seconded by Trustee Vannest to approve Resolution 2023-0015 Creating a Policy for Exhibiting Flags from Town-owned Buildings and Property

Christian Morgan states that he has had conversations with other Town Managers regarding this subject and the policy will give guidance for future reference as to what type of flags. Motion carried unanimously.

2. Motion made by Trustee Vannest and seconded by Trustee Roth to approve Resolution 2023-0016 Renaming Porting of Weld County Road 55 in the Town of Kersey as Eighteenth Street or the next numerical street in that subdivision.

Discussion regarding numerical streets run north and south as this does. Trustee Dusin did explain to the Museum Board and they agreed the numerical would make sense. Motion carried unanimously.

3. Motion made by Trustee Roth and seconded by Trustee Sameshima to approve Resolution 2023-0017 Awarding the 2023-2024 Town of Kersey Comprehensive Plan Contract to PlanIt. Motion carried unanimously.

4. Motion made by Trustee Roth and seconded by Trustee Vannest to approve Ordinance 2023-0003 Creating a New Section 10-32 of the Kersey Municipal Code, Entitled Unlawful Sexually Violent Predator Residency. Christian Morgan states this ordinance is not currently addressed in our code. He explains that Sexually Violent

Predators are not the same as “sex offender”. These are being released from incarceration and are more likely to re-offend. The SVP’s have to register within the Town residing. There is a state website showing where they live. They are also closely monitored by parole. Municipalities cannot deny relocation but can define where, which this does, not within 1000 feet of any child based location such as schools, parks, daycares, etc. Motion carried with a 5-0 vote.

5. Motion made by Trustee Sameshima and seconded by Trustee Vannest to approve Resolution 2023-0018 Creating the Kersey Seniors Advisory Committee and Establishing Bylaws for the Committee. Christian Morgan states this is our best effort to address a large problem with and senior committee structure. Their group was set up quite some time ago as a 501C3. Kaylee has been working with them to understand they would have a separate account and become an advisory committee, and their funds would not count in our revenue. The bylaws would allow Kaylee to authorize payments. Kaylee Damrell states this will be beneficial and to get them organized and consistent. There is only one member left on the committee from the start. Trustee Sameshima asks about their tax exempt status if they discontinue the 501C3 for donation purposes. Christian states that would remain as the town is tax exempt as well. Motion carried with a 5-0 vote.

Old Business

None

Staff Communication

1. Chamber of Commerce – Mayor Lagrimanta was unable to attend the last meeting, however, minutes are attached.
2. Tree Board – Allen Salser states nothing was finalized at this last meeting. Trees were ordered to be planted in the fall. Trustee Dusin states forester, Donna Davis is retiring and the board would like to give her a gift as a Thank You. Irrigation has not been completed at Memorial Park due to the rain. The Tree Board is waiting for the construction schedule for the First Street project and tree plantings.
3. Town Manager – The Hill Street/First Street intersection project has been moved back to the fall due to the RFP date. Donna Swyers did have to resign as they are moving out of town. Julie Piper is working on the vacancy. Christian states he found a wagon with a cover and sturdy stairs that the board could use for parades and the town could use for other recreation activities at a cost of approximately \$12K. The board approves the expense up to \$20,000. Christian updates the board on the pothole repair schedule. He states the Main Street Revitalization grant Phase one was granted and thanks Brandon Unruh for his hard work. Also Sergeant Harding had a \$35,000 grant approved to help fund the SRO position. Christian notes that we had the biggest sales tax deposit ever which would be from April 2023. Champion X did apply for their building permit. We currently have 10 active community projects. The Union Pacific Railroad closing is scheduled for tomorrow. Rick Zier asks that with this new annexation, if the extension of the sewer line should be oversized to allow for future development and if there should be repay agreements in place. Christian Morgan states that could be an option and that he hasn’t had discussions regarding this but that the current applicant

is probably going to form a special district. Trustee Sameshima asks about the assessed valuation of property in town and the comparison to other towns in his report. Christian states that is based on the assessed value of property within town limits and that the town receives 17.205% of the assessed value of all property in town.

4. Town Attorney – No report

Board of Trustees Communication

Mayor Pro Tem Roth apologizes for the weeds in his alley. He will get them soon.

Mayor Lagrimanta thanks the staff for all their hard work. He also thanks the board especially with all the upcoming projects and thanks them for hanging in there.

Consideration of a motion authorizing 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 so moved by Trustee Roth and seconded by Trustee Vannest. Motion carries with a unanimous vote.

Mayor Lagrimanta adjourned the meeting at approximately 7:46 pm.

Respectfully submitted,

Julie Piper
Town Clerk