

The August 2023 meeting of the Board of Trustees was held in regular session on Monday, August 7, 2023. Members present when this meeting was called to order by Mayor Hoschouer at 7:00 p.m. included Trustees Law, Campbell, Fraker, Sherman, Wilson and Mast as well as Clerk Hartwell, Manager Nein and Attorney Wells. A quorum was present, and the meeting could proceed after the Pledge of Allegiance. Guests included Larry Steele, Tanner from Hackel Construction, Rhonda Graham, Jess Smith, Jen Lanckriet and News Correspondent Vickie Sandlin.

The **Agenda** for this meeting was reviewed. Clerk Hartwell requested Miller & Associates and Hackel Construction be added as Guests for the swimming pool project and under New Business, to add CML District Meeting. Trustee Wilson made a motion and seconded by Trustee Campbell to approve the agenda additions as requested. Vote was unanimous.

A motion was made by Trustee Campbell and seconded by Trustee Mast approving the **Minutes** for the July 10, 2023 meeting as presented. Vote was unanimous.

Clerk Hartwell presented the July 2023 **Claims** for review and payment consideration. Trustee Sherman made a motion and Trustee Campbell seconded to approve the claims as presented. Vote was unanimous. Trustee Campbell made a motion and seconded by Trustee Wilson to approve the Capital Improvement claims for \$ 2,660.20 for items with the streets' seal coating. Vote was unanimous. Trustee Wilson made a motion and Trustee Mast seconded to approve the Pool Capital Improvement claim for \$18,100.00 as presented. Vote was unanimous.

	ELECT	WATER	SEWER	SANIT	GENERAL	TOTAL
TOTAL	87,854.39	16,730.70	14,029.94	19,826.05	56,657.82	195,098.90

Clerk/Treasurer Hartwell presented the June 30, 2023 **Financial Statement**. A motion was made by Trustee Sherman and seconded by Trustee Mast approving this report, as presented. Vote was unanimous.

Guest Steele presented the redesigned and scaled back pool project and stated Hackel Construction bid the job for \$ 3,740,000 and could begin as soon as the contract is awarded and will aim to have the project completed by June 1, 2024. Guest Steele stated with the anticipated engineering fees, the total project would not exceed \$ 4,181,800. Discussion ensued regarding how the Town could fund the overage and Manager Nein and Mayor Hoschouer stated they had spoken to the Foundation Directors to see if the local Foundations could give any financial support. Neither Foundation would be able to assist at this time but are willing to help soon. After further discussion, Trustee Campbell made a motion and seconded by Trustee Wilson to approve the proposed pool project bid up to \$ 4,181,800 pending Attorney Wells' approval of the

agreement and a design approval by Manager Nein. Vote was unanimous. Guests Steele and Tanner thanked the Board Members and excused themselves at 7:21 pm.

Guest Lanckriet requested the Town turn over the JREC youth sports program to SCOR. SCOR will be managing the former high school building for the County and intends to make this facility (Sedgwick County Community Center) a self-supporting entity and needs the youth sports program to further their entity's longevity. SCOR has not hired a Recreation Director yet but intends to have volleyball beginning shortly. This employee would be an employee of the County and paid for through SCOR since they have received some grant funding to get started for the first couple years. SCOR is aiming to expand the recreation offerings to adult leagues, have tournaments every weekend, and build an after-school program.

Guest Graham stated two food truck vendors for Cruise Night have not been able to satisfy the application requirements yet but requested the Board Members "pre-approve" their forthcoming applications. For the Chamber, they plan to have a Truck or Treat event, Fall Festival and a Chamber Bucks campaign of \$180,000 again this year. Guests Lanckriet and Smith dismissed themselves at 7:45 pm.

Under **Legal Matters**, Attorney Wells noted the School has yet to provide the invoices showing the true expenditures per the IGA so that the Town can make a payment to the School and he will reach out to Attorney Lowery to expediate this process. The Town needs to have backup documentation showing the School contributed their monies of \$ 160,000 per the IGA, and the actual invoices for the street installation to provide the Town's auditor. The Town needs these two items so that the Town can pay the School. The Town wishes to pay in full by the end of September and avoid the need for financing from the School. As included in the Board Member packets, Resolution 2023-05 clarifies the proper zoning for the School's new bus barn. Trustee Sherman made a motion and seconded by Trustee Wilson to approve the resolution. A unanimous vote was recorded.

TOWN OF JULESBURG
Town of Julesburg, County of Sedgwick, State of Colorado
Resolution No. 2023-05

ZONING CHANGE FOR BUS BARN

WHEREAS, the Town and Julesburg School District have been collaborating to bring a new K-12 Grades facility into the Campbell Subdivision; and,

WHEREAS, as part of the new build process of the K-12 Grades facility, the Town approved Resolution 2020-01 for the property exchange between the Town and Julesburg School District and approved the resolution on January 13, 2020; and,

WHEREAS, to correctly adhere to the Julesburg Code Ordinances, the area in Campbell Subdivision had to be changed from "A-1 Residential" to "A Residential" and this Zoning Hearing was conducted on February 24, 2020 to allow the school facility to be constructed; and

WHEREAS, at the time of the Zoning Hearing, the area within Campbell Subdivision had not been platted and a legal description was not available; and

WHEREAS, the Town has now platted and recorded 3rd Filing and 4th Filing of Campbell Subdivision and legal descriptions exist for the remainder of the lots.

NOW, THEREFORE, BE IT RESOLVED that the Julesburg Board of Trustees hereby authorizes the zoning change of Block 3 of the 4th Filing to be changed from “A-1 Residential” to “A Residential” to accommodate the bus barn at 1020 West 5th Street, Julesburg.

Adopted and approved this 7th day of August 2023 by the Town of Julesburg Board of Trustees.

TOWN OF JULESBURG, COLORADO

Mayor

ATTEST:

Town Clerk

Attorney Wells presented Resolution 2023-06 for the Board to consider retaining two irregular shaped lots in Campbell Subdivision 4th Filing as suggested by the Town’s engineer for any potential future use for storm water retention. Trustee Wilson made a motion and seconded by Trustee Campbell to retain Lots 7 and 8 in the 4th Filing of Campbell Subdivision. Vote was unanimous.

TOWN OF JULESBURG
Town of Julesburg, County of Sedgwick, State of Colorado
Resolution No. 2023-06

RETAIN LOTS 7 and 8 IN BLOCK 2 of 4th FILING IN CAMPBELL SUBDIVISION

WHEREAS, the Town recently platted and recorded the 4th Filing of Campbell Subdivision and designated lot sizes and lot numbers; and,

WHEREAS, during the platting process, certain lots are irregular shaped and could pose an issue for constructing a residence on such a lot; and,

WHEREAS, as suggested by the Town’s engineer consultant, the Town desires to retain two lots along West 5th Street within Campbell Subdivision due to the lots irregular shape and if in the future, a storm drainage modification should be necessary, the lots would be available for the Town to utilize.

NOW, THEREFORE, BE IT RESOLVED that the Julesburg Board of Trustees hereby authorizes the retention of Lots 7 and 8 in Block 2 of the 4th Filing for any future municipal need. A plat map is attached with the highlighted areas indicating Lots 7 and 8.

Adopted and approved this 7th day of August 2023 by the Town of Julesburg Board of Trustees.

TOWN OF JULESBURG, COLORADO

Mayor

ATTEST:

Town Clerk

Attorney Wells presented Ordinance 23-474 for the zoning overlay for our 'D' Business District which speaks directly to non-conforming uses within a zoned area. Currently we have two locations (111 Cedar Street and 121 West 2nd Street) that align with non-conforming uses. Following discussion, Trustee Campbell made a motion and seconded by Trustee Law to approve Ordinance 23-474 and to make sure the property owners of all properties are notified, the County Assessor is notified, and the two owners of the non-forming uses are requested to comply as much as reasonable although these two locations will be grandfathered in. Vote was unanimous.

ORDINANCE NO. 23-474

**AN ORDINANCE ADOPTING AN OVERLAY ZONE IN
THE 'D' BUSINESS DISTRICT OF THE ZONING CODE**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JULESBURG,
COLORADO:**

WHEREAS, the Town Board has authority pursuant to C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances and enact laws to govern and regulate the use of land within its territory; and

WHEREAS, pursuant to that authority, the Board previously adopted local land use regulations, codified in Chapter 17 of Town of Julesburg Municipal Code (the "Code") concerning zoning districts; and

WHEREAS, pursuant to that authority, the Board desires to adopt certain rules and regulations to create a new central business zoning overlay district in the downtown area of the Town to ensure it remains a viable commercial and historic area; and

WHEREAS, the Town Board of Trustees has determined that it serves the interests of the business district to allow residential uses in the Business District; and

WHEREAS, the Town Board has approved variances for residential uses in the Business District with limited conditions in the past; and

WHEREAS, it has come to the attention of the Board that there are individuals interested in converting some properties in the Business District to allow for residential; and

WHEREAS, the Board finds it in the best interest of the general health, safety and welfare of its citizens, customers and business owners to adopt this new section to Chapter 17 of the Code establishing a Central Business Zoning Overlay district, the boundaries of which include all areas currently zoned in the 'D' Business District.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JULESBURG, COLORADO:

SECTION 1. Findings. The above and foregoing findings are hereby incorporated by this reference as specific findings and determinations of the Board of Trustees.

SECTION 2. A new Section 17.24.060, concerning zoning overlay districts, is hereby established as follows:

Sec. 17.24.060 - Business District Overlay.

- (a) Purpose. This Section's intent and purpose is to ensure the quality of development in the zoning overlay districts by establishing regulations, design criteria and standards that will allow the Town to review and direct the development and redevelopment of properties within the zoning overlay districts. Zoning overlay districts shall be designated on the Town's Zoning Map. The provisions of this Section shall be applied in addition to any other applicable regulations of this Chapter.

- (b) Business Zoning Overlay District.
 - (1) Purpose. The purpose of the Business Zoning Overlay District is to establish standards to preserve and protect the downtown area as a viable commercial district, and to ensure that future development is designed and planned in a manner compatible with those goals.
 - (2) Applicability. The standards of the Business Zoning Overlay District shall apply to all development on parcels within the Business Zoning Overlay District.
 - (3) Areas. The boundaries of the Business Zoning Overlay District are shown on the Official Zoning Map.
 - (4) Standards. The standards listed below shall apply to development in the Business Zoning Overlay District. These standards shall be in addition to those of the underlying zone district in which the property is located and in addition to the other applicable standards of this Chapter.
 - 1. Residential Uses.
 - a. New residential uses shall not be permitted abutting the Business District store frontage on the ground floor unless at least fifty percent (50%) of the square footage on the ground floor is reserved for business use at the street-facing side of the building.
 - b. New residential uses in any other portion or floor of the building are allowed only by special use permit.

SECTION 3. If any section, provision, paragraph, clause or phrase of this Ordinance is held, or decided to be unconstitutional, invalid or enforceable for any reason, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this Ordinance.

SECTION 4. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. The Town Board of Trustees finds that this Ordinance is necessary for the immediate preservation of the public peace, health and safety of the residents of the Town.

Passed, adopted, signed and approved this 7th day of August, 2023.

Chad Hoschouer

Mayor

ATTEST:

Carrie Hartwell

Town Clerk

Attorney Wells will present the resolution for charges for excavation at next month's meeting.

For **Old Business**, Manager Nein noted he has been reiterating to Cobblestone Hotel that the Town can supply water flow to the property but that the hotel would have to boost their own water pressure for the property. Also, Brad Simons recently visited the Town's booster station with Manager Nein and as Brad has been informing us, our booster station needs to be upsized to support the anticipated usage. Currently we have two pumps and three pumps have been recommended. Trustee Wilson made a motion and seconded by Trustee Law to purchase the three pumps for \$ 71,000. Vote was unanimous.

The swimming pool project was discussed earlier in the meeting.

Trustee Law did not have a Cruise Night update.

Clerk Hartwell presented the food vendor application by Rems Concessions as a sno cone vendor for Cruise Night. Trustee Campbell made a motion and seconded by Trustee Mast to approve. Vote was unanimous except for Trustee Law who abstained from the vote. As mentioned earlier, Guest Graham believes two Mexican food trucks will be submitting their applications for Cruise Night. Trustee Campbell made a motion and seconded by Trustee Wilson to "pre-approve" the two vendors if the complete application is submitted by the close of business on 8-14-23. Vote was unanimous. UPDATE: On 8-14-23 the "pre-approved" Mexican food vendors did not submit their application but a new food vendor from Holyoke did apply for a wood fired pizza / Mediterranean food truck and was approved by Mayor Hoschouer.

Clerk Hartwell presented the signature page needed to participate in the IHOP (Innovative Affordable Housing Planning) grant program through the City of Wray as the grant agent. Trustee Campbell made a motion and seconded by Trustee Mast to participate. A unanimous vote was recorded.

Clerk Hartwell noted that last month the Board Members voted to opt-in for the housing program managed by DOLA and CHFA as part of Proposition 123. Guest Graham confirmed that our opt-in was submitted.

Manager Nein stated as a follow-up to Premier Energy's proposal last month, our energy wholesaler, NMPP (Nebraska Municipal Power Pool) thought the original scenario of a land lease would fit our needs and budget better. Manager Nein did confirm that our opt-in was submitted as agreed last month.

Under **New Business**, Manager Nein reported the street repairs continue and that Cedar Street is scheduled for fog coating on 8-16-23; (2) the nine days of the Town Hall Open House was well received, and numerous residents seized the opportunity to look at the Byways photos and see the building renovations; (3) the resignation letter by Mikelson was read. Trustee Wilson made a motion and seconded by Trustee Campbell to accept the resignation. Vote was unanimous; (4) with the rain and windstorm on Friday evening, the electricity was out for 4-5 hours. Discussion ensued regarding the protocol for an outage, if MEAN has recently surge tested our system, if a phone based platform would make it easier to communicate with residents rather than a social media platform and the responsibilities by WAPA and Highline Electric as a shared cost transmission utility; (5) the Board of Appeals approved a variance at 313 East 4th for one permanent sea container and one temporary sea container. Following discussion, Trustee Campbell made a motion and seconded by Trustee Wilson to approve the variance. Vote was unanimous; (6) three employees are working on acquiring their CDL license; (7) the storm drainage boxes at Campbell Subdivision need to be ordered since the project is progressing and the Town can move in our equipment; and (8) for the past couple years, the Town has been using a UTV personally owned by Manager Nein at the baseball field. Manager Nein stated he plans to sell the UTV. After discussion, Trustee Sherman made a motion and seconded by Trustee Wilson for the Town to purchase the UTV for \$ 8,500. Vote was unanimous.

Clerk Hartwell reported that LEAP (Low income Energy Assistance Program) received COVID funding to assist with residents water billings for the past two years. A portion of the program has become defunded, and LEAP will only offer electrical or gas energy assistance beginning this Fall. The Town will only be able to assist residents with electrical billings when they apply to LEAP and designate us as the energy provider.

Clerk Hartwell reminded the September Board Meeting will be delayed one day due to the Labor Day holiday and the CML District Meeting is September 20th in Sterling if anyone is interested in attending.

With the earlier request by SCOR to acquire all the Town's inventory of equipment and uniforms for the JREC youth sports program, Mayor Hoschouer asked for discussion. Concerns were voiced if the request was premature since SCOR has not hired a Recreation Director, would SCOR be purchasing the inventory or is this a donation, what happens to the program if for some reason SCOR does not keep the program going, what facilities will be used by SCOR, and if SCOR is able to sustain the program. Trustee Fraker made a

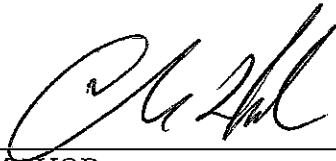
motion and seconded by Trustee Campbell to immediately turn over the inventory of equipment and uniforms for the JREC program to SCOR and to work out the details for an agreement for use of facilities and any reimbursement should SCOR not fulfill the obligations to keep the youth sports program solvent for the expense of the equipment and inventory. Ayes: Mayor Hoschouer, Trustees Campbell, Wilson, Fraker and Mast. Nays: Trustees Law and Sherman. Motion passed.

No **Correspondence** was received this month.

Trustee Concerns included a request to revisit the Zoom meeting availability next month and a concern that residents continue to drive too fast on the streets.

The next Board Meeting is scheduled for Tuesday, September 5, 2023 at 7:00 pm.

There being no additional business, a motion was made by Trustee Campbell and seconded by Trustee Wilson at 9:39 pm for adjournment.



MAYOR

Sept. 5, 2023

APPROVED

Carrie Hannell

TOWN CLERK