

**FOWLER TOWN COUNCIL  
TOWN COUNCIL CHAMBERS  
200 MAIN STREET  
DATE: June 14, 2010  
6:00 P.M.  
COUNCIL MEETING MINUTES**

Mayor pro-tem Chuck Hitchcock led the group in the Pledge of Allegiance and called the meeting to order at 6 p.m. Trustees present were Jason Hagerman, Chuck Hitchcock, Randy McKown, Monie Stites and Travis True. Trustee Jim Baldwin arrived at 6:35 p.m. Mayor Christensen was absent. Also attending were employees Snider, Rein, Klinkerman and Pagnotta.

Public Comment – None

Changes to the Agenda. Item D under new business was changed to include Tri-County Housing business.

Approval of previous minutes (May 10, and May 24, 2010). Trustee Stites moved and Trustee True seconded approving the minutes as presented. Motion passed unanimously.

#### Reports

Mayor's Report – Mayor Christensen was absent and had no report.

Committee Report – Trustee Hagerman reported that he is working with the school on the storm drainage issue for the football/track field.

Trustee McKown attended the golf course meeting, members of that board asked about the signs that are to be erected along the highway. Administrator Snider stated that we would need to get with CDOT on the details of the signs.

Trustee Stites reported that she met with the Library Board on June 1. They were pleased that they were able to keep the current by-laws. Town Attorney Hyatt will be drafting an IGA clarifying the responsibilities of the library board. The library board wants to serve as an advisory board only.

Trustee True reported that Planning and Zoning Committee held a hearing on the subdivision of the school on June 7. The committee approved the subdivision, contingent on the proper easements and storm drainage issues being resolved.

Administrator Report – Administrator Snider reported that the new chief of police will be sworn in on June 28<sup>th</sup> and will provide his schedule.

Snider stated that the portion of the backfeed that crosses the river will be completed tomorrow. Ronnie is meeting with Ken Young tomorrow. Snider is meeting with Honeywell and the architect to get approval on library so that we can move forward with the bid process.

Snider reported on the drainage issues with the school football/track field stating the drainage line will run down 13<sup>th</sup> Street to Gribble's property and then on the Hwy 50.

The engineers from the school had proposed to use a 2 inch line with a pressurized pump system for the drainage line.

Tori Harris reported on the pool and stated she has had a lot of questions as to why the pool is not open on Thursdays. She asked the council to reconsider opening the pool on Thursdays and changing the hours to be open at 1 p.m. Treasurer Klinkerman had made a few calculations and determined that if the pool opens at 1 instead of 1:30, the cost to the town will be about \$1,000, if the pool is open for 6 weeks. Trustee Stites made a motion to allow the pool to be open on Thursdays, with the hours of operation from 1:30 to 4:30, and the pool must have at least 20 swimmers by 2:30 or the pool will close. Motion was seconded by Trustee McKown and passed unanimously. Trustee True suggested Harris address the Park/Rec. committee with the suggestion of opening the pool at 1 p.m.

Treasurer Report – Treasurer Klinkerman presented council with financial statements and provided explanations for checks that were not a normal expense. She stated she was pretty happy with where everything is so far. She stated she continues to be concerned with the library budget, but she stated the library board is working on it.

Ordinance 652-10 (Burn ordinance) – A copy of this ordinance was available for those in the audience to read. Trustee Stites introduced Ordinance 652-10, an ordinance amending Fowler Municipal Code Chapter 8.04.030(4) regarding public burning, by title only. Trustee Baldwin stated his concern with subsection vi under paragraph h that stated the permittee shall not burn any materials within fifteen feet of any structure, fence, trees, bushes or shrubs. This paragraph was removed from the ordinance. Trustee Stites made a motion to approve Ordinance 652-10 with subsection vi under paragraph h being deleted. Motion was seconded by Trustee McKown and passed unanimously.

Pool party for summer reading program – It was stated that the pool party will be held for those children that have perfect attendance through the course of the program. It was estimated that about 50 children would be in attendance. Trustee Hagerman made a motion to allow the library board to hold the pool party for the summer reading program. Motion was seconded by Trustee Stites and passed unanimously. The party is scheduled for a Thursday afternoon. Arrangements will need to be made with pool managers to advertise that the pool will be closed on that Thursday.

## New Business

Liquor license renewal for Tank-N-tummy – Clerk Pagnotta stated that Tank-N-Tummy had paid the proper fees and the police have received no violations, therefore she recommended the license be approved. Trustee Baldwin made a motion to approve the liquor license. Motion was seconded by Trustee McKown and passed unanimously.

Missouri Day Association – Liz Lucero asked the city to donate swim passes for those children that participate in the parade as individuals. Trustee Stites made a motion to donate 15 swim passes. Motion was seconded by Trustee McKown and passed unanimously. Lucero also asked what streets were going to be blocked off this year. Trustee Hitchcock asked if the Missouri Day Association would be interested in having hot air balloons. Lucero stated she would ask the committee.

Approval of School Subdivision – Snider stated that the town and the school are

working together to develop a drainage plan. The drainage plan needs to be approved prior to passing the subdivision. Trustee True made a motion to postpone the approval until the next council meeting. Motion was seconded by Trustee McKown and passed unanimously.

Self Help Rehab – Trustee Stites requested approval for changing the date/extension of the Down Payment assistance program contract. Trustee McKown made the motion approving the date change/extension of the Down Payment assistance contract and authorized the mayor to sign. Motion was seconded by trustee Baldwin and passed with all voting yes, except Trustee Stites, who abstained.

Trustee Stites stated that the Town of Fowler has been the lead applicant for the self-help rehab programs in the past, but last year because the town feared they might exceed the \$500,000 threshold in grants received they were not the lead applicant. Trustee Stites requested the town be listed as the lead applicant this year in order to pass grant funding in the amount of \$204,319. Trustee Baldwin made a motion to be the lead applicant in the self help rehab program and authorized Mayor Christensen to sign the proper documents. Motion was seconded by Trustee McKown and passed with all voting yes, except Trustee Stites, who abstained.

Trustee McKown made a motion to accept Resolution 778-10, a resolution to apply and signatory authority and delegation of signatory authority in regards to all contracts and corresponding documents associated with agreements entered into by Town of Fowler and allowing Mayor Christensen to signs document. Motion was seconded by Trustee Baldwin and passed will all voting yes, except Trustee Stites, who abstained.

Trustee Stites requested the Mayor sign Attachment O stating the Town of Fowler as the lead party of Tri-County Housing Self Help Rehab. The parties to this agreement desire to cooperate in developing and carrying out various housing projects or programs. Trustee McKown made a motion to accept Attachment O and allow Mayor Christensen to sign document. Motion was seconded by Trustee Baldwin and passed with all voting yes, except Trustee Stites, who abstained.

Transportation proposal – Trustee Stites stated Otero County has money available to provide county wide transportation. They were trying to establish an agreement with Renzenberger Transportation to provide transportation to individuals. Attorney Hyatt stated Otero County could only provide transportation for 1 trip a week between Rocky Ford and La Junta. Hyatt stated that the city of Rocky Ford may contribute money and he felt if other communities could contribute funds, more transportation could be added.

E-Waste Disposal Day – Pagnotta stated that she had attended a meeting in la Junta were the county officials are planning an E-waste disposal day on September 25<sup>th</sup>. She stated that the town could look into having a disposal day prior to September 25<sup>th</sup> and all items collected could be taken to a dump site prior to September 25<sup>th</sup>. Snider is going to get more information to see if a truck could pick up items here in Fowler.

Snider asked Hyatt address the issues concerning allowing medical marijuana dispensaries. Trustee Stites made a motion to institute a moratorium to not take any action for 30 days. Motion was seconded by Trustee McKown and passed unanimously.

Executive Session – Trustee Stites made a motion to go into executive session for a

conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(6). Motion was seconded by Trustee True and passed unanimously.

Adjournment. Trustees came out of executive session and adjourned the meeting.

Patrick Christensen, Jr.  
Mayor

Shawn Pagnotta  
Town Clerk