

**FOWLER TOWN COUNCIL  
TOWN COUNCIL CHAMBERS  
200 MAIN STREET  
DATE: June 22, 2009  
6:00 P.M.  
COUNCIL MEETING MINUTES**

Mayor Wards led the group in the Pledge of Allegiance and called the meeting to order at 6 p.m. Present were Trustees Christensen, Hitchcock, McKown, Stites and Vibber. Trustee Hobby was absent. Attorney Hyatt and employees Rein, Borrego, Klinkerman and Pagnotta were present. Trustee Vibber excused himself at 6:45 to attend another meeting.

Public Comments: Debbie Rogge stated that she was a member of the Relay for Life for the American Cancer Society and there are four teams from Fowler that will be participating in the Relay for Life. She presented a proclamation declaring July as American Cancer Relay for Life month in the Town of Fowler. Trustee Stites made a motion to proclaim July as American Cancer Relay for Life month. Motion was seconded by Trustee Vibber. Motion passed unanimously.

Changes to Agenda - Intergovernmental Agreement between the Town of Fowler and Crowley County regarding the Comprehensive Landuse Plan was added as item F under new business.

Approval of previous minutes (June 8, 2009). Trustee Christensen made motion to approve the June 8, 2009 minutes and Trustee Hitchcock seconded the motion. The motion passed unanimously.

Reports:

Mayor's Report: Mayor Wards: Mayor Wards attended the CML conference in Vail this past week. He reported that the CML will have a variety of classes that will benefit the employees of the town as well as the police officers. This information on these classes will be sent to the town.

Trustee Stites accepted a plaque on behalf of the Town of Fowler from the Otero County Historical Society, who listed Park School on the historical register for Otero County.

Trustee Vibber had no committee report, but questioned a few empty lots that needed yard maintenance. Mayor Wards stated that the police department has a code enforcement officer that has been issuing warnings for violation of the maintenance codes and will be following up on those warnings.

Administrator Snider was unable to attend the meeting, but Treasurer Klinkerman reported on his behalf that he had found pipe for both the backfeed line and sewer line for a total price of about \$29,000, which is about \$30,000 less than what he had originally thought.

Unfinished Business: None

New Business:

Pat Lowe gave an update on the library since she took over as Library Director on May 11. She reported that the library is now computerized. Currently there are 240 members with cards. The library has 10,987 to 11,000 books and 676 audio books. Since the library opened on May 11 the library has checked out 2,015 books. The summer reading program has begun and there are a total of 77 children enrolled in the program. Lowe asked if swim passes could be donated as prizes to the readers from the Town of Fowler. Klinkerman stated that in the past the town donated 20 swim passes and would do so again this year. Lowe asked if she could donate bottled water at the pool as a prize. The council agreed. Lowe asked about removing the gas range from the kitchen area at the library. The range could be removed and sold at Dorothy Bakers estate sale. Council members did not want the appliances removed from the kitchen area as this building is only a temporary location for the library. Lowe reported that 20 computers have been donated from Pueblo City/County library. Three of those computers are for office use and the others will be ready for patrons to use in 2 weeks. Lowe stated the 8,000 donated books have been delivered as well as the shelving for these books. The books are in pristine condition and are valued at \$81,756.

Honeywell Contract – Attorney Hyatt reviewed the contract and stated that legally he does not have an issue with the contract. Trustee Vibber asked if this contract was an agreement to conduct an energy audit of the Park School building rather than a construction grant. Hyatt stated that this was correct but, wanted to make sure council members understand that this contract has a price tag of about \$47,000 and that if the town did not do the performance contract the town would have to pay this amount out of pocket. If the town did the project the amount would be included in the entire package. Trustee Vibber made a motion that the contract be tabled for further review. Motion was seconded by Trustee Hitchcock. Motion passed unanimously.

Declaration of Covenants and Conditions from GOCO for Gerard Park project – Klinkerman stated that this is a requirement from GOCO in order to receive our reimbursement. The agreement states the amount of the project was \$299,000 and that for 25 years this property will be maintained and kept for the same use. Trustee Hitchcock made a motion giving the town clerk and Mayor the authority to sign the document for the Great Outdoors Colorado Declaration of Covenants and Conditions dated June 22, 2009. Motion was seconded by Trustee Stites and passed unanimously.

Backfeed line award letter – The Town received an award letter from the Governor's office as well as Susan Kirkpatrick offering to enter into a contract for a grant in the amount of \$164,221, as a result of a Tier I review project. Trustee Stites questioned the portion of the letter that reads "We anticipate these grant funds will be from state severance tax proceeds, which may cause you to go to election to receive these funds." Attorney Hyatt stated that he was unable to answer this questions as to whether this puts the town into a labor issue. Klinkerman state that we had looked into this, but she would double check it. The town had not received the contract as of yet, the issue was placed on the agenda to keep everyone informed.

Mayor's Climate Protection Agreement – Trustee Hitchcock reported that he had met with someone with the Pueblo County Health Department concerning the U.S. Mayor's Climate Protection Agreement a few weeks ago. This program states that the U.S. would try to reduce our carbon footprint by 7 percent by the year 2012. Currently under our master plan and the different avenues of renewable energy that the town has pursued we are going to far exceed these requirements by 2012 anyway. Trustee

Hitchcock said we have already committed to doing this through other programs that the Town is involved with. Hitchcock stated that since the town is already participating in such programs, if the town signed this agreement it could open the town up to some probable grant funding as well as lobby power with the Sierra Club for future issues. Hitchcock moved to turn this agreement over to Attorney Hyatt to have it word smithed to fit within our Master Plan and present it to council for approval and adoption. Motion was seconded by Trustee McKown. Motion passed unanimously.

Intergovernmental Agreement between the Town of Fowler and Crowley County regarding the Comprehensive Landuse Plan. Attorney Hyatt stated his concern with the agreement is that it does not designate the area being referred to. He would recommend that the council approve the agreement, but add an addendum that would designate where the area of growth is located. Trustee Hitchcock made a motion to adopt the IGA between the Town of Fowler, Colorado and the county of Crowley Colorado, cooperative planning efforts with an addendum attached describing the reference area to the Intergovernmental agreement. Motion was seconded by Trustee McKown. Motion passed unanimously.

Mayor Wards requested a special meeting to be held on July 6<sup>th</sup>. An issue with the Special Event Permit for the Valley Community Theater will need to be re-approved following the proper posting of the event.

Adjournment: Trustee Hitchcock made a motion to adjourn. Motion was seconded by Trustee McKown. Motion passed unanimously.

Ray Wards, Mayor

Shawn Pagnotta, Town Clerk