

Staff & Councilmember Reports

Police Chief Greg Tuliszewski wanted to thank the HPRB for the TIPS training for Hayden Daze and how well the night went. Parade went well and no problems with the change in route. Routt County Fair starts Friday, August 7 at 6:30 p.m. and the Hayden Police Department (HPD) will be doing the same as last year. HPD will be available and will have a booth providing iced water and first aid. The bigger events will have extra duty officers on site. There was a single engine plane accident, no casualties and the incident was taken care of effectively and efficiently.

Sam Barnes was not present and David Torgler provided an update. Town of Hayden (TOH) is close to finalizing all the paperwork for the state and will be going out for bid to complete the Outfall Project. Chip sealing is happening this week and the fogging will occur next week. The alley by the HiWay Bar that came up at the last meeting; Matt Elam and his brother are withdrawing their request and will work with the TOH on future project. Sam would like to get speed limit signs up prior to school starting. Compaction test summary will be available for the Seneca Hill Water Tank project. NWCC has been doing the compaction testing and CWRPDA and DOLA will not reimburse the TOH without passing the testing. TOH finally received the Augmentation filing.

Jill Delay recognized the Hayden Parks and Recreation Board (HPRB) for their hard work and dedication and for the 1st time Hayden Daze is in the black. We are up 230% for Hayden Daze and all the recreation programs are in the black. Tim Redmond spoke up about looking for additional money at budget. Mayor Haskins indicated that there are GOCO grant funds available. HPRB are working with somebody regarding the playground so they are not quite ready for the grant process.

Sharon Johnson reported that Town Hall administration continues work on the Caselle upgrade and finalized the 2014 Audit.

Bill Hayden reported nothing new from the airport; the runway is all wrapped up.

Mayor Pro Tem Robinson reported that the safety of Hospital Hill is still an issue; without a trail the safety of pedestrians are at risk. It was suggested that one lane be closed and use the other lane for pedestrians.

Richard Hagins requested an update on the jake brake signs.

Mayor Haskins reported on a conversation with somebody on the use of Town of Hayden water by oil companies and if it was legal to sell for that purpose. The individual was informed that it is legal for the oil companies to use bulk water for oil company needs.

Staff reports will continue at the end of the meeting.

Mayor Haskins called the regular meeting of the Hayden Town Council to order at 7:30 p.m. with Councilmembers Hayden, Redmond, Folley, and Hagins present. Councilmember Johnson arrived at 8:20 p.m. during the Public Hearing on Ordinance 666. Mayor Pro Tem Robinson present. Also present were Town Manager, David Torgler, Police Chief, Greg Tuliszewski, Recreation Coordinator, Jill Delay and Town Clerk, Sharon Johnson.

Opening Prayer

Mayor Haskins offered the opening prayer.

Minutes approved at the August 20, 2015 Regular Town Council Meeting.

Page 1 of 7

- Pledge of Allegiance** Mayor Haskins led the Pledge of Allegiance.
- Minutes – July 16, 2015** Councilmember Hayden moved to approve the minutes of the Regular Town Council Meeting held on July 16, 2015. Councilmember Folley seconded. Roll call vote. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Folley – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.
- Consideration of Bill Payment Voucher dated August 3, 2015** Mayor Pro Tem Robinson moved to approve the bill payment voucher dated August 3, 2015 in the amount of \$261,774.87. Councilmember Redmond seconded. Roll call vote. Mayor Haskins – aye. Mayor Pro Tem Robinson – aye. Councilmember Hagins – aye. Councilmember Folley – aye. Councilmember Redmond – aye. Councilmember Hayden – aye. Motion carried.
- Public Comments** None
- Proclamations/ Presentations** None
- Consent Items: Appointment of Municipal Judge and Assistant Municipal Judge** Councilmember Hayden moved to approve consent items. Councilmember Redmond seconded. Roll call vote. Mayor Pro Tem Robinson – aye. Councilmember Hayden – aye. Mayor Haskins – aye. Councilmember Hagins – aye. Councilmember Redmond – aye. Councilmember Folley – aye. Motion carried.
- Resolution 2015-16
Routt County/Town of Hayden IGA
Coordinated Election
November 3, 2015.**
- Resolution 2015-18
Waiver for Mammoth
Network/HSD RE-1**
- Resolution 2015-19
Lease Agreement
with West Routt Fire
District**

**Resolution 2015-21
Purchase of Walker
Ditch Water Rights**

Old Business

**Public Hearing:
Ordinance 666 An
Ordinance of the
Town Council of the
Town of Hayden,
Colorado, Permitting,
regulating and
licensing the
cultivation of retail
and medical
marijuana under
limited circumstances
and making
conforming
amendments to
subsection
8.08.080.A., to
Sections 8.35.010,
8.35.040,
16.03.040.I.3, and to
Titles 5 and 16 of the
Hayden Municipal
Code**

Mayor Haskins open the Public Hearing for Ordinance 666 at 7:38 p.m. Councilmember Johnson arrived at 8:20 p.m. during the Public Hearing. Eric Kishbaugh, 120 Hillside Drive, Steamboat Springs, CO, Mimi Moll, 137 Oak Ridge Circle, Oak Creek, CO, Adrienne Hearne, MSW, 2255 Valdiser Circle, Steamboat Springs, CO, Rodney Mc Gowen, 38825 Ridgeline Court, Hayden, CO, R.K. Walker, 179 N Walnut St, Hayden, CO, Linda Archuleta, 39475 RCR 51, Hayden, CO, Lyndsey Shaw, 23185 Schussmark Trail Unit A, Oak Creek, CO, Sean Rolando, 461 Enterprise Road, Hayden, CO, Jackie Heuer, 411 High Meadow Ct, Hayden, CO, Vance Fulton, 40100 RCR 80, Hayden, CO, Michelle Hoza, 295 Harvest Dr, Hayden, CO, Tracy Munden, 360 E View Dr, Hayden, CO, Brian Hoza, 295 Harvest Dr, Hayden, CO, Doug Zirkle, 304 Harvest Drive, Hayden CO, Tim Frentress, 101 2nd St, Hayden, CO, Bob Robinson, 185 Crandell, Hayden, CO, Jason Rolando, 461 Enterprise, Hayden, CO, Travis Mathey 279 Harvest Ct, Hayden, CO, Angie Robinson, 300 S. Spruce, Hayden, CO, Corey Hunter, 232 Harvest Dr, Hayden, CO, Lacey Ramos, 343 Honeysuckle Dr, Hayden, CO, Deb Watson, 11510 RCR 69, Hayden, CO, Frank Haughton, 23195 Schussmark Trail Unit A, Oak Creek, CO, Tim Krieger, 284 Harvest Ct, Hayden, CO, Paul Franklin, 43590 RCR 36, Steamboat Springs, CO, Nasia Chavez, 343 Honeysuckle Dr, Hayden, CO addressed the Hayden Town Council regarding their consideration of Ordinance 666. Both benefits and concerns were shared with the Town Council.

It would benefit the community with more options for jobs. Colorado legalized marijuana and this is very much an economic request. Industrial Park is 75% empty; there is a place for new industries. Other industries come with odor and other negative impacts; believe there is a right to open and build business.

Respect and support a trusted community member that is willing to take a risk. Parent's responsibility to instill values and morals to children. Don't believe his children will be influenced. Respect Rodney and he is a good part of the community. Should not approve due to that reason. Colorado voted yes. Hayden is a strong town and has opportunity grow marijuana within proper regulations. A lot of the statistics are for illegal traffic not regulated traffic. Lots of answers for questions can be answered. Not having regulated could

Minutes approved at the August 20, 2015 Regular Town Council Meeting.

cause problems. If worried about the number of companies then place a limit and regulate. Can generate six jobs per facility.

Concerned with legal and criminal issues and businesses leaving due to cultivation as happened in Oak Creek. Grand Futures provided statistics from the 2013 Healthy Kids Survey. 5% Hayden youth used marijuana in the last 30 days compared to 20% nationally; don't make it more readily available. Disbelief it will bring many jobs, high paying jobs. Impact in the community the biggest issue. Urged not to bring into town just because everybody else is; Hayden doesn't need to and should be known as the town not participating in the marijuana industry and take pride in it. Find unique ways to bring business in to town. Odors can't be stopped; only mitigated. Consider long term effect and not just short term gain. Discussed two years ago and Hayden said this not what the community wants. Concerned with the property value of residence which is near proposed facility site and concerned about smell. Work in service industry and experienced residences with residue of old marijuana, not good for property values. Responsibility is to this community and working with youth. The industry is evolving and moving towards more potent and extreme uses of marijuana; working in a professional position destruction of young lives is seen regularly. Important to look long term and Hayden shared their vision in Vision 2030 and we are moving away from the goals. People's lives are destroyed due to legal and illegal drugs. Against retail and recreational marijuana, medicinal has its place. Advise Town Council to look into the odor issue. A civil law suit to break a lease was won due to marijuana cultivation odor in a nearby business in Steamboat Springs. Look at this community and the town as a whole. Don't think we need in this in Hayden. Not in the Town's best interest. Concerned with marijuana and marijuana by products slipping into the community. Not right business and heritage for this town. Youth pot smoker for 1 year and has been clean for 2 years asked not to bring it to town and influence the youth.

Decision: 2nd Reading Ordinance 666 An Ordinance of the Town Council of the Town of Hayden, Colorado, Permitting, regulating and licensing the

Town Council discussed the ordinance and Mayor requested each of the councilmembers provide feedback. Adds to a business already in the state. Looking at the economics and with 5-6 employees to each facility it could bring more youth to our schools. Concerned with the control over plants in the home. Doesn't limit grow facilities to just Rodney and allows anywhere in town within 500 feet of our schools. All drugs are bad for human consumption but need to regulate the industry.

cultivation of retail and medical marijuana under limited circumstances and making conforming amendments to subsection 8.08.080.A., to Sections 8.35.010, 8.35.040, 16.03.040.I.3, and to Titles 5 and 16 of the Hayden Municipal Code

Councilmember Hagins moved to adopt Ordinance 666 An Ordinance of the Town Council of the Town of Hayden, Colorado, Permitting, regulating and licensing the cultivation of retail and medical marijuana under limited circumstances and making conforming amendments to subsection 8.08.080.A., to Sections 8.35.010, 8.35.040, 16.03.040.I.3, and to Titles 5 and 16 of the Hayden Municipal Code. Councilmember Johnson seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – nay. Councilmember Redmond – aye. Councilmember Folley – aye. Mayor Haskins – aye. Motion carried.

Public Hearing: Ordinance 669 An Ordinance amending Chapter 10.04 “Model Traffic Code” for the regulation of traffic by the Town of Hayden, Colorado and providing penalties for the violation thereof;

Mayor Haskins opened the public hearing at 9:04. There was no public address to the Town Council. The public hearing was closed at 9:05.

Decision: Ordinance 669 An Ordinance amending Chapter 10.04 “Model Traffic Code” for the regulation of traffic by the Town of Hayden, Colorado and providing penalties for the violation thereof;

Councilmember Hayden moved to approve Ordinance 669 An Ordinance amending Chapter 10.04 “Model Traffic Code” for the regulation of traffic by the Town of Hayden, Colorado and providing penalties for the violation thereof; Councilmember Folley seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Folley – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

New Business

Decision: 1st

Councilmember Johnson moved to approve Ordinance 668 An
Minutes approved at the August 20, 2015 Regular Town Council Meeting.

Reading Ordinance 668 An Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the coordinated special election to be held November 3, 2015, a ballot issue concerning the imposition of an excise tax of five percent (5%) on the wholesale of marijuana and, contingent upon elector approval, amending the hayden municipal code to provide for the same and setting a public hearing time

Ordinance of the Town of Hayden, Colorado submitting to the registered electors voting in the coordinated special election to be held November 3, 2015, a ballot issue concerning the imposition of an excise tax of five percent (5%) on the wholesale of marijuana and, contingent upon elector approval, amending the hayden municipal code to provide for the same with a change in the percent to 7.5%-15%. Councilmember Folley seconded. Roll call vote. Mayor Haskins – aye. Councilmember Hagins – aye. Councilmember Folley – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Mayor Pro Tem Robinson – aye. Councilmember Johnson – aye. Motion carried.

Councilmember Folley move to set a public hearing for September 3, 2015 regular council meeting on or about 7:30 p.m. Mayor Haskins seconded. Roll call vote. Mayor Haskins – aye. Councilmember Hagins – aye. Councilmember Folley – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Mayor Pro Tem Robinson – aye. Councilmember Johnson – aye. Motion carried.

Decision: Resolution 2015-20 Referred Ballot Question at the November 3, 2015 General Election regarding whether the Town may impose an excise tax on the wholesale of marijuana

Councilmember Folley moved to approve Resolution 2015-20 Referred Ballot Question at the November 3, 2015 General Election regarding whether the Town may impose an excise tax on the wholesale of marijuana. Councilmember Hagins seconded. Roll Call Vote. Mayor Haskins – aye. Councilmember Hagins – aye. Councilmember Folley – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Mayor Pro Tem Robinson – aye. Councilmember Johnson – aye. Motion carried.

Decision: Acceptance of the 2014 Annual Audit Report and 2014 Single Audit Report

Councilmember Hayden moved to accept the 2014 Annual Audit Report and 2014 Single Audit Report. Councilmember Johnson seconded. Roll call vote. Councilmember Johnson – aye. Councilmember Hayden – aye. Councilmember Redmond – aye. Councilmember Folley – aye. Councilmember Hagins – aye. Mayor Pro Tem Robinson – aye. Mayor Haskins – aye. Motion carried.

Decision: Appoint a Hayden Town Councilmember to bid at the Routt County Junior Livestock Auction Mayor Haskins appointed Councilmember Johnson and Councilmember Hagins to bid at the Routt County Junior Livestock Sale to purchase an animal.

Pulled Consent Items None

Staff and Councilmember Reports Continued None

Executive Session For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving; any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Mayor Haskins moved to move to Executive Session at 10:00 p.m.

Adjournment Mayor Haskins adjourned the meeting at 10:20 p.m.
Recorded by:


Sharon Johnson, Town Clerk

APPROVED THIS 20th DAY OF August, 2015.


James M. Haskins, Mayor

