

TOWN OF ARRIBA
BOARD OF TRUSTEES PUBLIC HEARING
Monday, February 12, 2018
Arriba Town Hall, 711 Front Street, Arriba, CO 80804

Call to Order Mayor Alex Flores called the hearing to order at 7:16.

Board members in attendance included Carolyn Steinsiek, Leigh Anna Andersen and Jack Petty. Troy McCue arrived later during the hearing. Bob Rush and Tom Rush were absent.

Public Audience included Marilyn Lightsey. Jay Spurling arrived later in the hearing.

Proposed Ordinance #143 'property appearance' The Board agreed that they didn't like calling it the 'property appearance' ordinance. The Board discussed calling it 'property nuisances' or 'property condition' or 'property upkeep' or 'land maintenance'. Mayor Flores said the ordinance is also for safety- public safety and fire safety. Clerk Hart said there wasn't a need to title the ordinance, she had put 'property appearance' by the ordinance number so that the public would know what the ordinance is regarding. There was discussion on how the ordinance addresses safety issues on properties.

Clerk Hart said if the ordinance gets passed it will just say 'Town of Arriba Ordinance No. 143'. Clerk Hart said the last changes made to the ordinance was the 2 junk vehicle exemption on page 3, under Exemptions (c). She said that the 2 junk vehicle exemption had been under Section 1.1 but she took it out of there and put it under Exemptions. She said that was the only change made at the last meeting. She said the Board discussed changing the last part of Section 3.1 on page 4, where it says "unless otherwise stipulated by the said Board of Trustees", but the Board had decided to leave that in because that was in regards to the 30 day deadline, and if someone needed an extension they could bring it up with the Board.

Trustee Steinsiek and Trustee Andersen said the ordinance looked good. Trustee Petty thought things needed to be removed. He felt that so much was added to it from the Council Bluffs Ordinance that it looks like a homeowner's association. He said that 'un healthful growth' was an example, he didn't want to put someone in the position of having to defend themselves on a charge of 'unhealthful growth'. Clerk Hart said that term was actually already in Ordinance #112. She said that Ordinance #143 wasn't replacing ordinance #112. Ordinance #143 defines a lot of the terms that are in Ordinance #112 and brings the fines up to date.

Marilyn Lightsey said she thought the ordinance looked good. She talked about the dangers and appearances of vacant houses in Arriba. The Board discussed fire hazards of large piles of old wood.

Trustee Steinsiek said Ordinance #143 is more specific and it brings the fines up to today's standards.

Trustee Petty said that a concern he heard is will the Board be checking vehicles to see if they have a working battery in them or if they have a working engine in them. There was discussion on how with a lot of vehicles it's pretty apparent if they're junk and don't run. There was discussion that a person can have as many cars as they want if they're behind a fence hiding them from public view. Trustee Petty said you can't force somebody to do something, he said he

didn't like a lot of government.

Trustee Andersen said one thing is that if you own property in Arriba and want to sell it it's going to be hard to sell it if the property next to you is a dump.

Trustee Steinseik said it also comes down to safety.

Trustee Petty said he doesn't want the ordinance to be overbearing.

Clerk Hart said some of the things in the ordinance will help the Municipal Judge make a ruling on issues that go to municipal court.

Marilyn Lightsey asked how the Board came up with 18 inches for a height limit for weeds and grass on properties, she thought that limit was too high. Clerk Hart said she thought that that height was pretty standard for other towns. Trustee Steinsiek said the Board did try to give people a bit of wiggle room with things. Mayor Flores said 18 inches was probably too much for a push mower to handle.

Trustee Petty said 80% of Ordinance #143 came from an ordinance from Council Bluffs, Iowa, which is a very large city. Clerk Hart said definitions and exemptions were the only thing from the Council Bluffs' ordinance, everything else is out of Arriba's Ordinance #112. She explained that the Board took Ordinance #112 and removed everything that had to do with structures. She said that ordinances from Seibert, Stratton and Lincoln County were comparable to the Council Bluffs' ordinance but Council Bluffs' ordinance had it worded in a way the Board liked.

Mayor Flores said all of this stuff affects insurance ratings too. He explained how the ISO (Insurance Service Office) will be out this week to go over all the records at the Fire Department and maintenance and upkeep of the hydrants in town and also what kind of ordinances the Town has for fire safety, he said all of it makes a difference. He said that 5 to 6 years ago an engineer came out and tested the Town's water pressure at the fire hydrants and the Town's rating went from a 10 to an 8 and a half, he said he hoped the Town will come down even more, he said a lower rating is good, a rating of 10 means no Fire Department. He said the lower the rating goes insurance companies will lower insurance rates.

Jay Spurling arrived and was informed that the hearing for Ordinance #143 was still in progress. Jay Spurling said he didn't know the hearing was on the Agenda. Mayor Flores said it's on the Agenda. Marilyn Lightsey said yeah, it was on the agenda. Jay Spurling said he didn't know it was on there. Trustee Steinsiek said it was at the top of the agenda. Clerk Hart told him a copy of ordinance #143 was on the table by the door. Jay Spurling asked where it was noted how many vehicles a person can have. Clerk Hart said its on page 3, under Exemptions (c). Jay Spurling asked what junk vehicles means. Clerk Hart said on page 2, under Definitions (e) it explains junk vehicles, she said so he's allowed to have 2 junk vehicles on his property, she explained that this is for properties that aren't fenced, and on a fenced property- like a privacy fence- you can have as many junk vehicles as you want.

Jay Spurling said this was the first time he'd seen this whole thing and it wasn't on the agenda. Mayor Flores said it was on the agenda. Trustee Andersen said it was on the top of the agenda. Clerk Hart said she did post separate notices around town about the hearing, but she didn't email those separate notices out, she just emailed the agenda out which had a note about the hearing at the top.

Jay Spurling asked if the vehicles that are already in Town will be grandfathered in. Trustee Steinsiek didn't think vehicles could be grandfathered in, but that Jay Spurling's fence would be

grandfathered in. Clerk Hart explained that in Section 1.2 it states that "Fence shall not stand more than 6 feet tall...".

Trustee Steinsiek said that Ordinance #112 discusses vehicles also and Ordinance #143 defines the vehicles more.

Jay Spurling asked why the height restriction on the fence? Mayor Flores said fire and safety reasons. Jay Spurling asked if that was per the fire department. Mayor Flores said that was per every other ordinance the Board has reviewed.

Jay Spurling said Colorado laws don't have fence height restrictions. Jay Spurling said he didn't have any time to read the ordinance and didn't know it was available. Marilyn Lightsey said that she'd seen the ordinance at meetings before. Trustee Steinsiek said the Board has been working on this ordinance for a while and made very few changes this last time, if any at all.

Mayor Flores adjourned the public hearing at 7:47pm.

Submitted by: Josie Hart, Arriba Town Clerk

Signed by: 

Mayor Alex Flores

Approved by the Board on:

Town of Arriba
Public Hearing
and
Board of Trustees Regular Meeting
Monday, February 12, 2018
7:15pm

Sign In Sheet

Martin Light
Jay Penby