

**TOWN OF MILLIKEN
BOARD OF TRUSTEES
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

MEETING MINUTES

Wednesday, October 14, 2015 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, October 14, 2015 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner Trustees: Linda Beck, LeRon Ehrlich, Jordan Jemiola and Lois Ann Onorato. Also present: Town Administrator Kent Brown, Town Clerk Cheryl Powell, Community Development Director Martha Perkins, Public Works Director Bill Landwehr, Parks Director Josh Roseberry and Town Attorney Linda Michow. Absent: Trustee Ken Kidd, Community Engagement Specialist/Planner Seth Hyberger and Finance Director Jennifer Nash.

Pledge of Allegiance

Mayor Tokunaga called the meeting to order.

Roll Call

Trustee's: Ehrlich, Onorato, Jemiola, Mayor Pro Tem Measner, Mayor Tokunaga and Trustee Beck. Absent: Trustee Kidd.

APA Award Presentation

Ms. Anne Johnson with Tetra Tech (formerly the Community Development Director with the Town of Milliken) spoke to the Town Board in regard to the Skate Park project which took place in 2012. She spoke of the many people that were involved in the project, especially the area youth and how much can be accomplished when a community and its leaders work together. Ms. Johnson spoke of the youth leadership team that was instrumental in fund raising events and the design of the skate park. She also spoke of the area businesses that contributed to the success of achieving the skate park that is in Town.

A video that was presented to the American Planning Association (APA) was shown.

Ms. Johnson presented the APA award to the Town Board and congratulated the Town.

Agenda Approval

Town Administrator Brown indicated that Staff had no changes to the Agenda. Trustee Jemiola would like to move Action Agenda items 4 (Milliken Sanitary Sewer Encasement Project Bid) and 5 (Land Purchase/Donation of the Lot Holding Development Land for the Town of Milliken South Side Water Storage Tank) to the Consent Agenda.

There was no opposition from the Trustees.

Citizen Comments

Tiffany Lang and Megan Sumner who are the owners of Rollin Smoke BBQ, introduced themselves to the Town Board.

Minutes of Previous Meeting

September 23, 2015

Minutes approved with correction.

CONSENT AGENDA

1. Authorization of the Town Administrator to Sign the Contract on Sanitary Sewer Encasement Project

The Sanitary Sewer Encasement Project that is for the sewer line that runs under the Little Thompson River. The project's Request for Proposals (RFP) was advertised in the Johnstown Breeze and the Greeley Tribune. The Town received a grant for this project in the amount of \$324,715. There is not a grant match requirement.

2. Land Purchase/Donation of the Lot Holding Development Land for the Town of Milliken South Side Water Storage Tank

Resolution 15-18, ratifying and approving a purchase and sale agreement with Lot Holding Investments, LLC and Temporary Construction Easement regarding the Town South side water storage site.

Mayor Pro Tem Measner moved to accept the Consent Agenda. Trustee Jemiola seconded.

Vote: All in favor, none opposed. Motion passed.

ACTION AGENDA

1. Public Hearing and Consideration and Approval of a Request for a Minor Subdivision and a Commercial Site Plan for Brookstone Phase I

Community Development Director Martha Perkins asked for these Public Hearings to be continued until October 28, 2015. Perkins explained that a document was missing at the time and has now been submitted.

Trustee Jemiola asked about copies of the minutes and which Commissioner had objected to the Administrative approval. Director Perkins explained that Commissioner Dave Bernhardt was the objector and that there was not any detailed minutes in regard to this specific case.

Trustee Ehrlich asked why a 24 acre parcel would be administratively approved.

Public Hearing Opened at: 7:33 P.M.

Trustee Jemiola moved to continue the Public Hearings until October 28, 2015. Trustee Onorato seconded.

Discussion: None

Vote: All in favor, none opposed. Motion passed.

2. Public Hearing and Consideration and Approval of a Request for an Amendment or Modification to the Final PUD Site Plan for Settlers Village in the Centennial Master Plan

Community Development Director Martha Perkins asked for this Public Hearing to be continued until October 28, 2015.

Public Hearing Opened at: 7:35 P.M.

Trustee Jemiola moved to continue the Public Hearing until October 28, 2015. Mayor Pro Tem Measner seconded.

Discussion: Mayor Tokunaga asked if the October 28, 2015 will provide enough time. Perkins replied yes.

Vote: All in favor, none opposed. Motion passed.

3. Acknowledgement of Receipt of the 2016 Proposed Budget

Town Administrator Kent Brown provided a Power Point presentation to the Town Board of the proposed 2016 budget for the Town of Milliken. He explained that there will be two (2) Public Hearings in November and the final budget approval in December. There will be Budget Work Sessions over the next month prior to the Public Hearings. Administrator Brown explained the separate funds and the revenues and expenditures that are attributed to those funds. The largest impact on the 2016 budget is the decrease in oil and gas property tax revenue and that the Town is not eligible in 2016 for a new oil or gas well exemption due to the TABOR limitations. The amount for the exemption has been approximately \$100,000 in the past and had been placed in the Town's Streets Fund for street improvements. Trustee Jemiola inquired about salary increases in particular the Police Officers. Administrator Brown responded that the company (Lee and Burgess) that produces the Town's Compensation and Classification Survey has provided an update and the wages for those in policing, indicated the greatest percentage increase overall.

Trustee Jemiola moved to acknowledge the receipt of the proposed 2016 Budget. Mayor Pro Tem Measner seconded.

Discussion: None.

Vote: All in favor, none opposed. Motion passed.

DISCUSSION AGENDA

1. November Town Board Meeting Dates

Dates were discussed with the Town Board concerning the Town Board Meeting that falls on Veterans Day, November 11th and the Wednesday before Thanksgiving November 25th.

Trustee Jemiola motioned to have the meetings on Monday, November 9th and Monday, November 23rd. Town Clerk Powell indicated that she would send the required notification to the Johnstown Breeze indicating the meeting date changes.

INFORMATIONAL AGENDA

1. Notice to Proceed for Great Western Oil and Gas Company's 13 Wells and Related Oil Facilities

Community Development Director Martha Perkins informed the Town Board that the Planning and Zoning Commission reviewed and conditionally approved a Special Use Permit for Great Western Oil and Gas Company's 13 wells and related oil facilities located on a site called the Dutton Annexation which is located at Section 22, Township 4 North, Range 67 West, 6th P.M., generally East of County Road 19 and South of County Road 44 on August 5, 2015.

Discussion from the Town Board was in regard to the impact on the roads due to the increased truck traffic. Trustee Jemiola suggested that the Town contact Weld County and speak to Janet Lundquist who works for the County and resides in the Town of Milliken.

Mayor Tokunaga requested a 10 minute recess.

Meeting resumed at 9:00 p.m.

Colorado Department of Public Health and Environment (CDPHE)

Town administrator Brown informed the Town Board of the Notice of Violations and the penalty associated with these violations. The final penalty amount has not yet been determined. Town Administrator Brown indicated that there have been conversations with CDHPE and hopes to have a final figure soon.

Trustee Jemiola asked Attorney Michow if there is any way to recover the costs from a particular party due to negligence from an employee. Attorney Michow responded that she does not have enough information in regard to this. Attorney Michow responded that she will look into matter.

Mayor Pro Tem Measner addressed those in the audience and explained that the Town had been in violation with the level of selenium that was being delivered to the river.

Town Treasurer

Town Administrator Brown asked for input on the appointment of the Town Treasurer position. Trustee Jemiola indicated that he was supportive of the Town Administrators recommendation.

Executive Session

Mayor Pro Tem moved to go into Executive Session pursuant to C.R.S 24-6-402(4)(b), for purposes of seeking legal advice regarding interpretation of Chapter 16 of the Milliken Municipal Code. Trustee Jemiola seconded.

Vote: All in favor, none opposed. Motion passed.

Executive Session commenced at: 9:14 P.M.

Executive Session ended at: 9:38 P.M.

Return to Regular Meeting

Regular Meeting resumed at 9:38 P.M.

ASSIGNMENT AND PROJECT UPDATE(S)

Other Business

Trustee Jemiola spoke regarding the inconsistencies of the Code and suggested that perhaps two members from the Town Board and Planning Commission plus staff met to review the code. Trustee Jemiola offered his services to help review.

Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)

Adjournment

Hearing no further business, the Mayor adjourned the meeting at 9:43 P.M.

Prepared by:

Approved by:

Cheryl L. Powell, Town Clerk

Milt Tokunaga, Mayor