

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

**MEETING MINUTES**

**Wednesday, February 12, 2014 – 7:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Wednesday, February 12, 2014 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Julie Cozad; Trustees: Linda Beck, Reid Hobler, Jordan Jemiola, Linda Measner and Lois Ann Onorato. Also present: Town Administrator/Police Chief Jim Burack, Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Development Director Anne Johnson, Public Works Director Jason Fowler, Community Engagement Specialist Sandy Freeo, Town Attorney Bruce Fickel and Assistant Attorney Sunita Sharma. Absent: Parks and Outdoors Director Josh Roseberry.

**Pledge of Allegiance**

Mayor Tokunaga called the meeting to order.

**Agenda Approval**

Town Clerk Powell said that staff would like to add information items to the Agenda regarding an RFP and an Energy and Mineral Impact Grant, and to the Discussion Agenda an item about the Raw Water Cash-in-Lieu Rate.

Trustee Hobler requested to move Action Items 1, 2 and 3 to the Consent Agenda. Trustee Jemiola seconded.

No objections from the Town Board.

**Citizen Comments**

Kevin Paddock, who is a member of the Great Outdoors Milliken (GOMILL) Committee, and who is in charge of helping to raise the \$10,000 match for the shade structure at the Skate Park, addressed the Town Board. Mr. Paddock wanted to update the Town Board on the progress of acquiring the match amount. He has spoken to Linda Spreitzer the principal at Knowledge Quest Academy (KQA); Mike

Woodruff from Waste Management; Mike Barker, Manager with 7-Eleven; and Finance Director Pat Murphy will be drafting a letter to North Star Bank. Mr. Paddock informed the Town Board that the GOMILL Committee meets monthly. Mr. Paddock will keep the Town Board informed on the progress of the fund raising.

### **Minutes of Previous Meeting**

- January 22, 2014

Minutes approved as distributed.

## **CONSENT AGENDA**

### **1. Renewal of 3.2 Percent Beer Retail Liquor License Off Premises) for 7-Eleven**

The 7-Eleven Store # 39078 has submitted the Renewal Application and paid the required fees to renew the 3.2 Percent Beer Retail License (Off Premises) for the period of February 28, 2014 until February 28, 2015.

*Cheryl Powell, Town Clerk*

### **2. Renewal of Beer and Wine Liquor License for the Mad Russian Cafe**

Katherine Ehrlich has submitted the Renewal Application for the Mad Russian Café, LLC and paid the required fees to renew the Beer and Wine Liquor License for the period of March 24, 2014 until March 24, 2015.

*Cheryl Powell, Town Clerk*

### **3. Consideration and Approval of Resolution 14-06, Great Outdoors Colorado (GOCO) Mini Grant for the Heritage House Playground**

To consider for approval an application for a \$45,000 mini grant with GOCO for a playground at the Heritage House property location.

*Anne Johnson, Community Development Director*

### **4. Consideration and Approval of a Memorandum of Understanding (MOU) with the University of Colorado Denver (UCD) for an Intern**

To consider a request to contract with the Department of Local Affairs (DOLA) and UCD to retain an intern for 2014. The scope of work for the Intern includes review and proposed amendments to the Land Use Code

to make the Lot Line Vacation, Use by Special Review and Site Plan Review process more streamlined and “business friendly”.

*Anne Johnson, Community Development Director*

**5. Consideration and Approval of a Lease Termination with David Peters for Operation of a Coffee Shop/Deli at the Historic Town Hall and Police Station**

To review and consider a request from David Peters of Milliken to terminate the lease of the Historic Town Hall for a deli and coffee shop.

*Jim Burack, Town Administrator*

Mayor Pro Tem Cozad moved to approve the Consent Agenda. Trustee Onorato seconded.

Discussion: None.

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

## **ACTION AGENDA**

**1. Raw Water Cash-in-Lieu Rate**

Town Attorney Fickel addressed the Town Board stating that this item, discussion of the raw water cash-in-lieu rate, was spoken about during this evening’s Work Session. Attorney Fickel recommended that the Town Board place a moratorium on the cash-in-lieu fee until the meeting on February 26, 2014.

During this evening’s Work Session, Water Commissioner Dave Bernhardt explained to the Town Board that a unanimous recommendation was made at Town’s Water Commission meeting on February 3, 2014 to increase the raw water cash-in-lieu rate to the City of Greeley’s current rate of \$24,000. The Town’s current cash-in-lieu rate is \$13,500.

Director Johnson asked what should be communicated to those who are obtaining building permits. Mayor Pro Tem Cozad responded that it is for only those who are obtaining water through the cash-in-lieu. Director Johnson asked what if someone asks what the rate could be. Mayor Tokunaga responded that we could communicate that the rate could potentially be the same as \$24,000. There are other avenues that potential builders could obtain their raw water from. Trustee Hobler

suggested that could we communicate that our current fee is under the current market rate and that staff is investigating what the rate will be. Town Attorney Bruce Fickel read to the Town Board a Resolution 14-07.

Trustee Measner moved to approve Resolution 14-07. Trustee Hobler seconded.

Discussion: Mayor Pro Tem Cozad explained that the price of Colorado – Big Thompson (C-BT) water has been rising and these decisions should be made in a more timely manner.

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

## DISCUSSION AGENDA

### 1. Appraisal Expenditure for Properties Located in Flooded Areas

Community Engagement Specialist Sandy Freeo asked the Town Board for consideration and authorization for the Town Administrator to accept a bid proposal to have the Evergreen and Martin Mobile Home Parks appraised according to the requirements of the Hazard Mitigation Grant Program. Freeo explained that she has been looking at two (2) different grants and both the Martins and the Solomons have been spoken to in regard to having their properties appraised.

Town Administrator Burack explained that this is just a discussion; an action item will be brought to the Town Board at their February 26<sup>th</sup> meeting. He explained that it is a cooperative process that has been addressed with both the Martins and Solomons.

Mayor Tokunaga asked if an appraisal is completed will this be based on the preliminary water line mapping done by the State and would this grant be applicable even if this area is considered in a flood fringe area. Freeo responded, yes, the property has already flooded. This has to be a cooperative effort and the landowner has to sign off that they would be willing to sell their property. Freeo explained that the grant has a deadline of July 31<sup>st</sup> and there is a lot of work that needs to be completed prior to that date.

Trustee Hobler asked if a potential land swap would be an option. Freeo explained that this could be an option, but it is not as clean a process as just purchasing the land.

Mayor Pro Tem Cozad said that these are residents who have lived in the mobile home parks for many years and it may be difficult for them to leave their neighbors.

Mayor Tokunaga asked why other property owners that were affected have not been contacted and why not. Freeo explained that these areas could be added, but thought that the areas that are currently being resided upon are of greater urgency. Trustee Beck asked who the other property owners were. Freeo responded Brown Lumber and the Western International Grain property.

Freeo also explained that the Hazard Mitigation Grant states that buildings cannot be placed on properties obtained except for restrooms and open-sided gazebos in an open space area. Habitat for Humanity is looking at obtaining funding so that affordable housing can be built.

Trustee Hobler spoke to Mr. Solomon and Mr. Solomon wants to ensure that his residents have a place to live or if there is another area for him to place his mobile Home Park within the Town. Freeo explained that the Mitigation Grant provides help with relocation and the expense of relocation. Mayor Tokunaga asked how long the process would take. Freeo stated a year to two years. This would enable the Town to be able to address the relocation of the current residents within the mobile home parks.

Freeo explained that the pricing that would be offered to the owners of the mobile home parks would be a pre-flood pricing.

Trustee Measner spoke of the many different types of parks that could be placed on this property.

## INFORMATIONAL AGENDA

### 1. Housing Needs Assessment Request for Proposal (RFP)

Town Administrator Burack explained to the Town Board that staff will be issuing an RFP for soliciting bids to conduct a housing needs assessment on the Town of Milliken. This will be discussed further at the Work Session on February 26<sup>th</sup>

### 2. Announcement of Receipt of Energy and Mineral Impact Grant from DOLA

Community Development Director Anne Johnson explained to the Town Board that the Town is in receipt of a \$100,000 grant for conducting a

Storm water drainage plan. The Town has committed matching funds of \$25,000. If the study costs more than the \$125,000 DOLA has explained that the Town will need to submit a letter of explanation to receive the additional funds, without increasing the Town's match.

### **Executive Session**

The time is 8:13 p.m

Mayor Pro Tem Cozad moved to go into Executive Session C.R.S. 26-6-402(4)(e), for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators . Trustee Jemiola seconded.

All in favor, none opposed.

The executive session ended at 8:34 p.m.

Resumed the Regular meeting at 8:34 p.m.

### **Updates on Staff Assignments**

### **Other Business**

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

### **Adjournment**

Hearing no further business, the Mayor adjourned the meeting at 8:36 P.M.

Prepared by:

  
Cheryl L. Powell, Town Clerk

Approved by:

  
Milt Tokunaga, Mayor