

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

MEETING MINUTES

Wednesday, May 14, 2014 – 7:05 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, May 14, 2014 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner; Trustees: Linda Beck, LeRon Ehrlich, Jordan Jemiola, Ken Kidd and Lois Ann Onorato. Also present: Interim Town Administrator/Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Development Director Anne Johnson, Administrative Assistant Gale Amaya, Public Works Director Jason Fowler, Parks and Outdoors Director Josh Roseberry, Town Attorney Bruce Fickel and Adm. Assistant /Receptionist Ashley Hunt.

Pledge of Allegiance

Mayor Tokunaga called the meeting to order.

Roll Call

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

Agenda Approval

Interim Town Administrator/Town Clerk Powell requested an addition to the Informational Agenda regarding an update on Windmill Gateway.

Trustee Jemiola requested an addition to the Discussion Agenda regarding a Resolution and Ordinance Committee

Mayor Tokunaga requested an addition to the Information Agenda to read a letter sent by Bayou Well Services.

Citizen Comments

David Bernhardt, who resides at 53809 WCR 25, shared items of concern with the Town Board. One item was regarding the augmentation ditch in which maintenance had not been completed prior to the Hillsboro Ditch water being

available. Chris, the Hillsboro Ditch Rider, called to see if the Town was ready to take the water and the Town said they were not ready. The second item was regarding road maintenance. Mr. Bernhardt asked what the road maintenance policies are on County Road 48 and 25. The Town has only maintained it three (3) times since the September flood. Mr. Bernhardt said he had to maintain and rebuild the road. Mayor Tokunaga responded that the maintenance of the roads is the Town's responsibility and that he will instruct Interim Administrator Powell and Public Works Director Fowler to set up a meeting with Mr. Bernhardt within the next week to determine what the maintenance policy is to be on Weld County Road 25. Trustee Ehrlich also mentioned the complaints and the lack of attention to the County Roads, especially Weld County Road 46.

Mr. Reid Hobler, who resides at 800 Mill Iron Road, and owner of Milliken Animal Clinic said that the alley behind the clinic needs to have potholes filled. Recycled asphalt is currently being used which works for about a week. He realizes that Jason has a road plan to work on the streets and would just like to ask that the Town look at the alley ways and how to incorporate those into the plan. The other item he asked is what the Town can do with West Roc and their facility. They are cutting up pieces of oil equipment and piling it up for a week or two and then they haul it away. This has been going on for about a month. Is there a way it can be hidden. We need to have both entrances to the Town look nice.

Mayor Tokunaga would like to know if West Roc has a landscape plan. Mr. Hobler asked if there is a code in place that we can enforce. Anne Best Johnson, Community Development Director said that West Roc is a new employer in the Town of Milliken and upon their arrival to Milliken they were sent a welcome letter from our Town Attorney as well as a visit from her. They were asked to file a Site Plan for review. A reminder will be sent to them to remind them to file a Site Plan Review with the Town.

Mayor Tokunaga stated he would get back to Mr. Hobler on the Site Plan Review along with an update on the alley potholes by the next meeting.

Trustee Kidd would like to know if the Site Plan Review should be submitted before the occupants occupy. Anne Best Johnson, Community Development Director said that traditionally yes, a Site Plan usually is submitted prior to occupancy. Trustee Kidd said that it did not happen that way. We need to take a look at that because it is harder to accomplish after the fact when you are looking at that much equipment. Anne Best Johnson, Community Development Director replied that the Town is taking the necessary steps to bring them back to compliance.

Mrs. Jerri Solomon, Business Owner of the Evergreen Mobile Home Park located at 103 N. Josephine, spoke to the Town Board about the 2003 Land Use Code that was found after the September flood which is being imposed upon their Mobile Home Park. Mrs. Solomon indicated that the Code needs to be

addressed. The Code was proposed and written for a new manufactured home community and does not pertain to an established and existing Mobile Home Park. Mrs. Solomon indicated that they have been given a variance to replace and repair the flood damaged homes. They were told that they could not use two (2) spaces post flood because they were not occupied the day of the flood. There are five (5) additional spaces that may not be able to be used post flood, since they are non-conforming and are now in the Flood Plain. Jim Burack, former Town Administrator and Director Johnson informed the Solomon's of this issue in September, approximately three weeks after the flood. This legal and non-conforming Land Use issue should not be imposed upon a well-established Mobile Home Park that has been in existence since 1969. As owners of the Mobile Home Park they asked that their park be grandfather into the Land Use Code. They respectfully ask that this issue be resolved by the June 11th meeting. This same issue has been brought to the Board of Trustees attention and then they were sent to the Planning and Zoning Board. It has been discussed since September. Between these two (2) Boards, within this Town, could they please find a way to resolve this issue? It has been nine (9) months of being put on hold and having their lives and business put on hold.

Mayor Tokunaga said this issue has been an ongoing, but stated that it has been a necessary discussion with the Planning Commission to review the Code and that staff will keep them apprised of the issue.

Kathleen Woodcock, who resides at 203 S. Pauline Ave., said that on behalf of the Milliken Business Association as well as the Chamber of Commerce, she would like to request a waiver for the business license for Farmers Market sellers who are coming June 7th. This is the first one this summer to be held in Milliken.

Mayor Tokunaga directed the question to staff for review.

The Chamber of Commerce holds a sales tax license and any manufactured goods sold at each market will be paying sales tax.

Ms. Woodcock also stated that there is a committee that has been planning entertainment for the Farmers Market. On June 7th, from 3 -7 pm they will have entertainment such as jazz night. They will have entertainment every other week.

Minutes of Previous Meeting

- April 23, 2014- Approved with Correction

CONSENT AGENDA

There are not any items

ACTION AGENDA

1. Consideration and Approval of Resolution 14-18, a Resolution Amending the Budget for 2014 by Appropriating Impact Fee Funds for a Stormwater Drainage Master Plan

Finance Director Murphy asked the Town Board to consider for approval Resolution 14-18, to amend the Budget for 2014 to appropriate Impact Fee Funds to match a grant from the Colorado Department of Local Affairs (DOLA) and reflect all revenues and expenditures related to this project in the Grants Fund.

The Resolution appropriates the matching funds from the Impact Fee Fund as a transfer to the Grants Fund, removes the Project revenue and expenditures from the Sewer Fund and recognizes the Grant Funding from DOLA of \$135,000, the Impact Fee transfer of \$45,000 and the project expenditures of \$180,000 within the Grants Fund.

Trustee Beck moved to adopt Resolution 14-18, appropriating funds from the Impact Fees Fund to match the DOLA Grant Funds for a Storm Water Master Plan Update Grant, record the activity in the Grants Fund, and remove this project in its entirety from the Sewer Enterprise Fund. Mayor Pro Tem Measner seconded.

Discussion: None

All in favor, none opposed. Motion passed.

DISCUSSION AGENDA

Trustee Jemiola requested to formulate a Resolution Committee that will review the following:

1. Review of Millikens Municipal Code
2. Review and update ordinances as necessary
3. Two (2) Trustees and the Town Clerk would be on the Committee

Discussion continued with questions on the committee and Mayor Tokunaga asked that this be put on the agenda for the next meeting.

Windmill Gate Update

Parks & Outdoors Director Josh Roseberry gave the Town Board an update on the Windmill Gate way.

Cost Estimates are \$136,945.00 for Demolition (Botterill Excavating), Site Grading and Drainage, New Sign Installation w/Solar Lighting, Final Landscaping and Installation of the three Windmills. A Request for Proposal (RFP) for the project needs to be completed.

After continued discussion on costs, irrigation, clean up and the time frame of completion, Director Johnson explained the proposed plant material that will be placed and that there will be markers in front of the plantings to serve as a learning environment.

Concerns from the Town Board were in regard to making sure that the Windmill Gateway be taken care of.

Josh Roseberry, Parks & Outdoors Director said the Windmill Gateway should be completed by the end of the summer.

The Town Board recommended to approve the Windmill Gateway landscape improvement plan.

Letter from Bayou Wells Services

Mayor Tokunaga read a thank you letter commending Director Johnson from Bayou Wells Director, Tom Tatham.

Historical Society Lease of the Heritage House

Discussion on the Historical Society lease was to replace the \$35.00 per hour rate with a "to be negotiated rate".

Public Works Director Fowler gave an update on the Interior repairs of the Heritage House.

INFORMATIONAL AGENDA,

1. Housing Needs Assessment

Community Development Director Anne Johnson informed the Town Board that the original award of the Housing Needs Assessment Contract to Novogradac & Company, LLP has been changed to RG & Associates a Colorado Company. The cost and timeframe will be the same as the proposal from Novogradac. Novogradac did not want to sign the Town's contract due to the indemnification clause within the Town's contract. Greg Thompson is the Principal at RG and Associates and is a former Planner for the City of Greeley.

Executive Session

Trustee Measner moved to go into Executive Session under C.R.S. 24-6-402(4)(e), for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. Trustee Jemiola seconded.

Discussion: None.

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

The time is now 8:29 pm

Updates on Staff Assignments

Other Business

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

Update on potholes and unpaved roads and Westroc site plan.

Update on land use for the mobile home park

Resume Regular Meeting

The regular meeting resumed at: 8:58 P.M.

Adjournment

Hearing no further business, the Mayor adjourned the meeting at 8:59 P.M.

Prepared by:

Approved by:


Gale Amaya, Admin. Assistant


Milt Tokunaga, Mayor