

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

MEETING MINUTES

Tuesday, November 25, 2014 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Tuesday, November 25, 2014 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner; Trustees: Linda Beck, LeRon Ehrlich, Ken Kidd and Lois Ann Onorato. Also present: Interim Town Administrator Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Engagement Specialist/Planner Seth Hyberger, Public Works Director Jason Fowler, Administrative Assistant Gale Amaya, and Town Attorney Bruce Fickel. Absent: Trustee Jordan Jemiola and Parks Director Josh Roseberry

Pledge of Allegiance

Mayor Tokunaga called the meeting to order.

Roll Call

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

Agenda Approval

Interim Administrator Powell requested that Consent Item #3, Consideration and approval of Resolution 14–30 for the use of Fireworks at the Town of Milliken's Annual Festival of Lights Event on December 5, 2014 be removed from the Agenda due to insufficient donations to fund the Fireworks.

Citizen Comments

None

Minutes of Previous Meeting

- November 12, 2014 – Approved as distributed.

Acknowledgement of List of Bills

List of Bills was acknowledged and accepted

CONSENT AGENDA

1. **Consideration and Approval of a Retail Liquor License Renewal for Milliken Liquors**
2. **Consideration and Approval of a Tavern License Renewal for JT'S Bar & Grill**

Trustee Ehrlich moved to approve the Consent Agenda. Trustee Onorato seconded.

Discussion: None.

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

ACTION AGENDA

1. **Consideration and Adoption of the Stormwater Master Plan**

To consider for adoption the Town of Milliken Storm Water Master Plan 2014. The Town received an Energy and Mineral Impact Assistance Grant in the amount of \$135,000 and a local cash match of \$45,000 to fund the \$180,000 Plan. The new Plan will replace the Town's existing 33-year-old Stormwater Management Plan.

Troy Carmann, Project Manager with ICON Engineering presented the Town of Milliken with the Stormwater Master Plan 2014. This will act as a guiding document as Milliken continues to grow due to population increases and industrial growth related to the oil/gas support services industry. The Plan identifies and prioritizes potential drainage projects community-wide by utilizing hydrologic analysis data. The Plan directs future development and provides developers with current data to consult and incorporate into their master drainage planning and development efforts. The Plan itself also provides the framework the Town needs to make it a more disaster resilient community and enable the Town to better mitigate against the flood hazard.

Mayor Tokunaga would also like to see the presentation for The Town of Milliken Storm Water Master Plan presented to the Planning Commission and the Water Waste Water Commission.

Finance Director Pat Murphy would like to know how often the Plan should be updated. Mr. Carmann commented about five (5) years with all the technology changes

Mayor Tokunaga commented that regardless of the 2013 Flood, the Storm Water Master Plan will assist the Town with future grant applications.

Reid Hobler, 800 Mill Iron, asked Mr. Carmann if the Town would have flooded, based only on the amount of rain that developed in Milliken. He asked if the drainage that the Town has in place, is sufficient for the amount of water that we received. Mr. Carmann commented that the local basins still had deficiencies from the September precipitation, however the local magnitude was much lower than the regional magnitude. Milliken was at the receiving end of a lot of the record breaking precipitation.

Trustee Beck moved to approve the Town of Milliken Stormwater Master Plan 2014. The Plan will act as a guidance document for all future storm drainage project improvements and activities. Mayor Pro Tem Measner seconded.

Discussion: None

Vote: All in favor, none opposed. Motion passed

2. Second of Two (2) Public Hearings on the Proposed 2015 Budget

Public Hearing opened at 7:32 P.M.

Finance Director Pat Murphy explained that there were a few changes on the 2015 draft Budget. (1). The recent Board approval of the 2014 transfer of \$36,000.00 to the Grant Fund for the balance of the cost for Phase I of the Highway 257 trail, and (2). A recommended change to defer paying off the loan to the USDA in the Water Fund. The Budget will be presented to the Board at the December 10, 2014 meeting for Adoption.

Public Hearing closed at 7:34 P.M.

3. Public Hearing and Consideration of Amendments to Sections 16-4-130 and 16-4-410 of the Milliken Land Use Code

For consideration and approval of Ordinance 699 amending the Milliken Land Use Code to allow for an administrative review process for the creation of a Minor Subdivision that will produce five or fewer lots. The intent is to provide a stream-lined process while adhering to the intent of needing a recorded document to replace a previously-recorded document.

Public Hearing opened at 7:34 P.M.

Mayor Tokunaga opened the Public Hearing for proposed changes to the following Land Use Code Section's 16-4-130 and 16-4-410 and 16-4-540

Community Engagement Specialist/Planner Seth Hyberger, asked the Town Board to consider passage of amendments to the Milliken Land Use Code to allow for an administrative review process for the creation of a Minor Subdivision that will produce five or fewer lots.

16-4-540 to consider passage of amendments to the Milliken Land Use Code to allow for an administrative review process for the vacation of interior lot lines, rights-of-way, easements, and municipal real property.

Reid Hobler, 800 Mill Iron, is concerned about withholding notice to the Public about what is going on and if a developer decide to build a five unit subdivision without providing notice to me or my neighbors, when will the public have a say as a citizen in the process. Even if the streamlining is nice, you are taking out Public input and that can be an issue. Trustee Kidd agreed with Mr. Hobler saying that a lot of municipalities have Administrative variances.

Mayor Pro Tem Measner asked if all minor subdivision still need to meet the regular requirements and zoning. Planner Hyberger confirmed that the requirements will still have to be met.

Town Attorney Fickel read Ordinance # 669 section D reads "If neither the Board of Trustees, nor the Planning Commission makes any written objection to staff's approval or denial, the applicant, if approval has been given, shall submit documentation to comply with Section 16-4-410(c)(2) through(6), as deemed applicable by staff."

Town Attorney Fickel also read Ordinance #702, section D, contemplates abandoning or giving up Town properties either through easements or through Town property or other assets you can't skip 2 through 6 code provisions you have to comply, and you have to provide Title work. The applicant will have to provide drawings so that people can look at those drawings. The Public hearing is essentially by written comment as opposed to taking up Staff, Town Board and the Planning Commission's time. If either entities have problems there is plenty of time for comment for the Commission members or Board members have 20 days to comment on the issue and bring it back to Planning Commission and go through the full process.

Mayor Pro Tem Measner stated that her understanding was that this was only for the vacation of interior lot lines, nothing to do with right-of-way, easements or municipal real property, but only to eliminate lot lines that exit in Old Town where you have twenty (25) and thirty (30) foot lots and someone has five (5)

of them and they want to make it one property. That was her understanding of what this ordinance was. Not easements.

Town Attorney Fickel said it was expanded and the initial document talked about easements and right-of-ways and Public Property. That document was taken to Planning Commission and they said that there are times when alleys are vacated.

Public hearing closed at 7:52 P.M.

Trustee Onorato motioned to find that the request for amending Sections 16-4-130 and 16-4-410 of the Town's Land Use Code Minor Subdivision process is consistent with the Comprehensive Plan and the Municipal Code and recommends approval of Ordinance 699. Trustee Kidd seconded.

Discussion: None

Vote: All in favor, none opposed. Motion passed

4. Public Hearing and Consideration of Amendments to Section 16-4-540 of the Milliken Land Use Code

Mayor Tokunaga asked for the consideration and approval of Ordinance 702 amending the Milliken Land Use Code to allow for an administrative review process for the vacation of interior lot lines, rights-of-way, easements, and municipal real property. The intent is to provide a stream-lined process while adhering to the intent of needing a recorded document to replace a previously-recorded document.

Mayor Pro Tem Measner motioned to find that the request for amending Sections 16-4-540 of the Town's Land Use Code Vacation of Right- of-Way or Easement process is consistent with the Comprehensive Plan and the Municipal Code and recommend approval of Ordinance 702. Trustee Onorato seconded.

Discussion: None

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

DISCUSSION AGENDA

There were not any items.

INFORMATIONAL AGENDA

There were not any items.

Executive Session

Mayor Pro Tem Measner moved to go into Executive Session under C.R.S. 24-6-402(4)(b), to confer with an Attorney for the Town for the purposes of receiving legal advice for specific legal questions. Trustee Kidd seconded.

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

Executive Session commenced at approximately 7:56 P.M.

Executive Session ended at 8:37 P.M.

Regular Meeting Resumed – The time is 8:37 P.M.

Schlosser sign – Board consensus is to leave the sign at the Windmill Gateway as it is and pay the remainder of the amount due to Schlosser.

ASSIGNMENT AND PROJECT UPDATE(S)

Other Business

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

Adjournment

Hearing no further business, the Mayor adjourned the meeting at 8:40 P.M.

Prepared by:

Approved by:


Gale Amaya, Admin. Assistant


Milt Tokunaga, Mayor