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

MEETING MINUTES

Wednesday, April 8, 2015 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, April 8, 2015 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Trustees: Linda Beck, LeRon Ehrlich, Jordan Jemiola, Ken Kidd and Lois Ann Onorato. Also present: Town Administrator Kent Brown, Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Parks and Outdoors Director Josh Roseberry, Police Chief Benito Garcia and Attorney Matthew Gould. Absent: Mayor Pro Tem Linda Measner, Community Development Director Martha Perkins, Community Engagement Specialist/Planner Seth Hyberger and Town Attorney Bruce Fickel.

Pledge of Allegiance

Mayor Tokunaga called the meeting to order.

Roll Call

Trustee's: Ehrlich, Onorato, Jemiola, Mayor Tokunaga, Trustee Beck and Trustee Kidd.

Agenda Approval

Town Administrator Brown indicated that staff did not have any additions to the Agenda. Trustee Jemiola requested an addition to the Agenda to recognize staff for grants received and for tasks performed. Trustee Jemiola also asked to move Action Agenda items #2 GOCO Grant for the Heritage House Park and #5 the Lease Agreement with Northstar Bank for the Town's Economic Development Specialist Walt Elish to the Consent Agenda.

Trustee Kidd had a question regarding the Northstar Bank Lease with regard to the insurance mentioned on the Agenda Memo. Town Administrator Brown explained that the Town needed to add the leased office space as an addition to the Towns insurance policy.

Proclamation

Mayor read a Proclamation regarding the National Service for Weld County Retired Senior Volunteer Program (RSVP). See attached Proclamation.

Recognition

Mayor Tokunaga on behalf of the Town Board recognized Town Clerk Cheryl Powell for her contribution to the Town serving as the Interim Town Administrator during the transition period from April through December of 2014. Mayor Tokunaga presented a plaque and gift card to Powell. Mayor Pro Tem Measner who was not in attendance provided the Mayor with a statement that he read in her absence. (See attached). Trustee Jemiola stated that Powell had done an exceptional job during the transition and spoke of all the projects that were initiated and completed during this time. He also spoke of the Department of Local Affairs (DOLA) Grant recently received that was approximately $800,000.00, which was coordinated with Cheryl Powell, Patrick Murphy and Seth Hyberger for a water loop line for the east side of Milliken. Trustee Onorato spoke of knowing Powell since she began with the Town and watched her "Grow-up" and grow into her position. Trustee Ehrlich spoke of being neighbors for a duration and knowing Powell prior to her employment with the Town and thanked her for a job well done.

Mayor Tokunaga spoke of the DOLA Grant and the parts that were played by Powell, Murphy and Hyberger in obtaining the grant. Mayor Tokunaga also spoke about Chief Garcia and the article that ran in the Greeley Tribune on April 3, 2015 regarding Community Policing. Trustee Jemiola spoke of the monthly police reports that are being provided by Chief Garcia and how the Board appreciates this. Trustee Ehrlich commended Maria Zuniga for her work regarding the Community Easter Egg Hunt that was held on Saturday, April 4, 2015. He mentioned there were over 264 participants in the Easter Egg Hunt.

Town Clerk Powell thanked the Town Board for the plaque and gift card and for the opportunity to serve as the Interim Administrator. Powell commended Town Staff stating that they are a phenomenal group of people to work with.

Citizen Comments

Jerrie Solomon who is the Mobile Home Park owner with her husband at 103 N. Josephine. Ms. Solomon stated that questions that she and her husband have asked at Town meetings for the past 18 months have still not been answered. She believes that many of their questions or comments have been ignored or forgotten. Ms. Solomon said that post flood all mobile homes that were in their Park have either been repaired or replaced. The flood debris has been removed and they have six (6) brand new Manufactured Homes in their Park. They currently have 23 mobile homes in their park and, at the time of the flood, there

were 33 mobile homes. Ms. Solomon spoke that after the flood, the Mayor and several of the Town Board Members and some of the Town employees all told Ms. Solomon and her husband that the Town will decide what the Town wants to do with their property. The two (2) Mobile Home Parks have been left in limbo for eighteen (18) months. The Town's extremely good intentions at the beginning has now led to serious consequences for both of the Mobile Home Parks and for all of the tenants in the Parks. She and her husband have to continue to operate their business since it is their only source of income. Ms. Solomon asked if the Town does not receive the grant money to purchase the property or if the owners decide not to sell what plans are in place to allow the Parks to rebuild. They have not been given and answer to this question. She would like to have some answer from the Town Board within the next thirty (30) days.

Mayor Tokunaga understands that the Town's Attorney and the Solomon's Attorney have had discussions. Ms. Solomon replied that they have had no discussions. Mayor Tokunaga stated that the Town has received the completed appraisals of the property as well as the Mineral Appraisals. Town Administrator Brown stated that the applications for the Hazard Mitigation Grant Program (HMGP) funding have been submitted. FEMA has not yet responded to any submittals for the state of Colorado as of yet. Mayor Tokunaga stated that the Town is in limbo as well in regard to the HMGP funding. Ms. Solomon reiterated that the two (2) attorneys have not spoken and that the Town had the Mineral Appraisals for four (4) months prior to her receiving them. Mayor Tokunaga asked Administrator Brown to speak with Bruce Fickel, the Town's Attorney, regarding the status.

Trustee Jemiola wanted to know about the safety of the current Mobile Home Park area, since it is in a flood plain, and the status of access to the area. He would like to set a time in which to evaluate all the circumstances, code and mitigating factors to try to figure out a solution so that a business owner can continue doing business and bring it to a pre-flood level. He would like to set a time line in order to establish some sort of normalcy for the Mobile Home Park. He would like to expedite a solution. Trustee Jemiola suggested perhaps a Work Session in order to discuss this. Ms. Solomon stated that she does not know how to respond to people wanting to put a new home into the Mobile Home Park and she does not know what to tell them. The questions are; are they staying a park or is this still temporary and/or are you still going to leave? Ms. Solomon stated that people do not want to invest in a new Mobile Home with a twenty (20) year mortgage if it is temporary. Ms. Solomon cannot answer these questions. Trustee Ehrlich spoke in reference to the fact that the Solomons have indicated that they are a willing seller and that the Town helped compose a letter with the Solomon's to provide their tenants regarding that if the Town does purchase the property they will be given six (6) months to relocate. Trustee Ehrlich said if they are not going to sell, then it needs to be reviewed. Ms. Solomon stated that the Town has not provided them with an offer for their property so they don't know if they are going to sell. Trustee Ehrlich said that until the Town knows if they are

going to receive the funding, it is difficult to make an offer. Town Administrator Brown explained the difficulties in the Town making an offer prior to knowing whether or not the funding transpires.

Ms. Solomon wants to know if, in the meantime, she can continue to rebuild. Administrator Brown explained that there needs to be a certification of elevation on each mobile home site. He explained that this would generally be addressed by the Building Official. Brown explained that the Town Engineer and the Building Official have more knowledge in regard to this, but he believes that the site needs to be one (1) foot above flood elevations and it needs to be certified and surveyed indicating this. These items would be a part of the qualifications on bringing a new home onto the site.

Minutes of Previous Meeting

- March 25, 2015 – Approved as distributed.

CONSENT AGENDA

1. **Consideration and Approval of a Renewal of a Retail Liquor Store License for McCutters**

   Melissa McLavey of McCutters, LLC had submitted the Renewal Application and has paid the required fees to renew the Retail Liquor Store License for the period of June 16, 2015 until June 16, 2016.

   Cheryl Powell, Town Clerk

2. **Consideration and Approval of a Lease Renewal with the Johnstown-Milliken Chamber of Commerce and Milliken Business Association for use of the Historic Town Hall, 1109 Broad Street**

   To review and consider for approval a Renewed Lease Agreement with the Johnstown-Milliken Chamber of Commerce and Milliken Business Association (MBA) to provide the Chamber and MBA the use of the Historic Town Hall, 1109 Broad St. This lease renewal does not have any substantial changes from the initial lease approved in 2014.

   Kent Brown, Town Administrator

3. **Consideration, Approval and Authorization for the Town Administrator to Sign for the Purchase of the Heritage House Musical Play Equipment per the Great Outdoors Colorado (GOCO) Grant**

Consideration, approval and authorization from the Town Board to authorize the Town Administrator to sign for the purchase of the musical equipment for the Heritage House per the GOCO Grant.

Director Roseberry explained that the Town applied to GOCO for a mini grant for the site amenities, shuffle board court and the musical play equipment for the Heritage House. Three (3) bids were obtained and after discussion and consideration for the best warrantied product, low maintenance, locality, and installed price, the Town awarded the bid to Go Play Inc. and incorporated their proposal in the grant application to GOCO.

4. **Consideration and Approval of a Lease Agreement for the use of One Office at the Northstar Bank Building**

Consideration and approval from the Town Board to consider for approval a lease agreement for the use of one (1) office on the first floor of the Northstar Bank Building in Milliken, to be used by the Economic Development Specialist under contract with the Town. The lease is to provide sufficient office and meeting space for Walt Elish. Staff approached Northstar Bank about the possibility of providing an office and access to their conference room facilities. The bank is not asking for rent, although the Town will be responsible for phone and computer lines and connections. The bank does not allow cross-connection for security reasons.

Trustee Jemiola moved to approve Consent Agenda. Trustee Ehrlich seconded.

Discussion: None.

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

ACTION AGENDA

5. **Public Hearing and Consideration for Approval of a Coordinated Planning Agreement with Weld County**

Town Administrator Kent Brown asked the Town Board for consideration of adopting a Coordinate Planning Agreement (CPA) with Weld County.

Trustee Jemiola recused himself from the discussion and left the meeting room, due to his serving on the Weld County Board.

Public Hearing Opened at: 7:30

Administrator Brown informed the Town Board that on Tuesday, March 24, 2015 that the Mayor and Staff met with Weld County to discuss the adoption of the CPA. The County is asking all the municipal governments to participate. The CPA requires County staff to provide the Town with notice of any pending land use application within a three (3) mile radius of the Town's boundaries. The County must provide a referral notice within 21 days or less. The referral process encourages cooperation between Weld County and the Town of Milliken regarding the development of land while serving the public's health, safety, general welfare and property rights. This agreement would provide notice to the County if there is an interest between a property owner and the Town of Milliken for annexation, the Town would need to provide notice within 21 days. This is a formal process to provide the Town of Milliken know when there are developments proposals submitted to Weld County, the County would then notify the Town.

Administrator Brown informed the Town Board that the Planning Commission has already reviewed the CPA and had recommended at their April 1st meeting that the Town Board of Trustees approve the Weld County Coordinated Planning Agreement.

Trustee Ehrlich asked if the Town had done a resolution last year in regard to this. Mayor Tokunaga explained it was discussed, but there were problems with the original agreement regarding the TIF and URA. Those items were removed from this Agreement and will be offered as a separate agreement. Mayor Tokunaga explained that the dialog regarding the CPA began with the Mayors group, this was due to notification occurring after the process had gone through the County's development process and the municipality receiving notification after the fact. The Mayor explained that the CPA provides notification to other municipalities that are within that three (3) mile boundary, and it provides them with an opportunity to pursue a possible annexation, all that municipality is required to provide, is notification that this is their intent. An annexation agreement is not needed at that time. The Mayor explained that the County would like all 34 jurisdictions agree to the CPA.

Public Hearing Closed at: 7:36 P.M.

Trustee Onorato moved to adopt Resolution 15-11, approving Weld County's Coordinated Planning Agreement for purposes of regulating land use, growth and development and authorize the Mayor to sign on behalf of the Town. Trustee Beck seconded.

Discussion: None.

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

6. **Consideration and Approval of Resolution 15-10, Appropriating Funds from the Grant Fund for the Completion of the Hwy 257 Trail Project**

Finance Director Patrick Murphy asked for the Town Board to consider the appropriation of funds from the Grant Fund to pay for the additional costs associated with the construction of the trail extension to Hwy. 257. Director Murphy explained that after the project was approved by CDOT, there was a requirement to have a full-time, on-site inspector throughout construction, which was not included in the original budget estimate. The cost of this full-time inspector, and some additional design and contingency costs, necessitated a re-evaluation of total project costs. These additional costs are estimated to require an additional $50,000 beyond what has previously been appropriated for this project. Director Murphy explained that there are surplus funds remaining in the Grant Fund from previously unused appropriations that can be allocated to this project without requiring additional General or Capital Improvement Funds. Hwy 257 grant, Safe Routes to School grant.

Trustee Jemiola asked if the sidewalk will be on all four (4) sides. Director Murphy responded there will be improvements on all four (4) sides but not a sidewalk on all sides.

Mayor Tokunaga asked a question regarding the Grant Fund in regard to expenditures that were not allocated to any specific project. Director Murphy explained that in 2014 $50,000 was placed in the Grant Fund from the General Fund as seed money for future grants but was never expended. Parks Director Roseberry explained that the Town is not eligible for any GOCO Grants this year due to the grant received in 2014 for the Skate Park and the grant received in 2015 for the Heritage House Musical Garden and Shuffleboard Court.

Mayor Tokunaga asked if CDOT will expect an on-site inspector on their projects. Director Murphy is not certain, but believes whenever we are within CDOT right-of-way they may require an on-site inspector. Director Murphy explained that the Town may encounter this again with the Milliken-Johnstown Trail.

Trustee Jemiola moved to adopt Resolution 15-10 revising the total appropriation for expenditures for the Highway 257 trail extension along Highway 60 to $352,116, all of which will come from existing funds within the Grant Fund. Trustee Onorato seconded.

Discussion: None.

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

7. **Consideration and Approval of First Amendment to Water Service Agreement with Central Weld County Water District**

Town Administrator Brown asked the Town Board for consideration and approval the amendment to the Water Service Agreement between Central Weld County Water District and the Town of Milliken.

Administrator Brown explained that due to the shutdown of the Town's Reverse Osmosis (RO) Plant, the Town initiated discussions with Central Weld County Water District. Central Weld has agreed to increase the total volume that the Town currently receives and the peak demand rate that is allowed in the agreement. During this discussion Central expressed that the rate for treated water will increase for the remainder of the existing contract. This increase was already scheduled to increase in 2015. The annual delivery amount has been increased to 145,000,000 from 93,108,000 gallons. The peak demand will be 1,500 gallons per minute (GPM) from 600 GPM. The rate to the Town for water treatment will increase to $2.24 per thousand gallons from $1.20. This rate is still below the amount that the Town is being charged by the City of Greeley. Central Weld is also requiring that the Town install a water storage tank on the water delivery system, so the Town can accommodate the water delivery. The effective date on this agreement is January 1, 2015.

Trustee Jemiola asked if there is a timeframe when the storage tank needs to be installed. Administrator Brown explained that Town has contacted companies which was discussed during tonight's work session. There are two (2) companies that the Town has received information and proposals from. The storage tank will potentially be installed this summer.

Trustee Beck moved to approve the First Amendment to Water Service Agreement with the Central Weld County Water District for 2015 and authorize the Mayor to sign on behalf of the Town. Trustee Jemiola seconded.

Discussion: None.

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

DISCUSSION AGENDA

There were not any items.

INFORMATIONAL AGENDA

Milliken Police Department Monthly Report

Information was provided in the Town Board Packet.

Trustee Beck asked who was filling in this Board meeting during Town Attorney Fickel's absence. Attorney Matthew Gould introduced himself and provided some background regarding his experience as a municipal attorney.

ASSIGNMENT AND PROJECT UPDATE(S)

Other Business

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

Lois Ann is sending out sympathy cards to family's who have had a family member passed away within Milliken. Trustee Onorato sent out 34 cards last year in 2014.

Adjournment

Hearing no further business, the Mayor adjourned the meeting at 7:52 P.M.

Prepared by:

Cheryl Powell, Town Clerk

Approved by:

Milt Tokunaga, Mayor

Resolution on National Service for Weld County Retired Senior Volunteer Program from the Town of Milliken

NATIONAL SERVICE

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and
WHEREAS, the Town of Milliken is increasingly turning to national service and volunteerism as a cost-effective strategy to meet town needs; and
WHEREAS, the Corporation for National and Community Service, which administers AmeriCorps, Senior Corps, the Social Innovation Fund, and the Volunteer Generation Fund, shares a priority with the Town of Milliken to engage citizens, improve lives, and strengthen communities; and
WHEREAS, national service participants address the most pressing challenges facing our cities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and
WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and
WHEREAS, national service participants serve in nearly 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and
WHEREAS, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and
WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and
WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service- a commitment that remains with them in their future endeavors; and
WHEREAS, the Corporation for National and Community Service leads President Obama's Task Force on Expanding National Service through which it is partnering with the public and private sectors to solve problems and create more national service opportunities; and
WHEREAS, annually more than 300,000 Senior Corps volunteers serve children, the elderly, and veterans,
WHEREAS, Weld County RSVP volunteers provide over 150,000 hours annually to Weld County serving children, seniors and veterans,
NOW, **THEREFORE, BE IT RESOLVED,** that The Town of Milliken supports the following policy priorities:

- Support National Service as a critical and effective solution to community challenges facing Milliken; and
- Commit to working with RSVP of Weld County in Milliken that partners with the Corporation for National and Community Service to further their impact in Milliken and across the nation; and
- Encourage Milliken to continue its partnership with the Corporation for National and Community Service to create additional sources of funding for national service through other local government agencies; and
- Recognizing RSVP of Weld County as a valuable asset to the Town of Milliken

Respectfully submitted,
Marcia Shafer, MA
Director, RSVP of Weld County

I asked Milt to read this at the meeting since I can't be here tonight.

Although all of the staff stepped up and worked hard to make sure the town continued to run properly during the transition period between Town Administrators, there is one staff member who went above and beyond what was expected.

I have known Cheryl Powell since she started working for the town. She has always given 110% to her job and the town. More projects were completed, more grants were received and other projects were started during the time she served as interim Administrator. The town is extremely fortunate to have such a dedicated professional working here. Thanks, Cheryl