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

MEETING MINUTES

Wednesday, December 9, 2015 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, December 9, 2015 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: Town Administrator Kent Brown, Town Clerk Cheryl Powell, Community Development Director Martha Perkins, Community Engagement Specialist/Planner Seth Hyberger, Finance Director Jennifer Nash, Parks Director Josh Roseberry and Assistant Town Attorney Kathie Guckenberger. Absent: Public Works Director Bill Landwehr and Town Attorney Linda Michow.

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

Trustee Jemiola requested to move Action item # 4, and # 5 to the Consent Agenda. Mayor Tokunaga added a Discussion Item to the agenda regarding a Resolution for I-25. The Town Board was in agreement with the items being placed on the Consent Agenda and the addition of the Discussion Item. Town Administrator Brown indicated that staff did not have any changes to the Agenda.

Presentation

Parks Director Josh Roseberry spoke of how the relationship with PDC Energy in regard to oil wells located on FBC Park and introduced Susan Fakharzadeh with PDC Energy, Inc.

Susan Fakharzadeh with PDC Energy, Inc. spoke of how important Northern

Colorado is to PDC Energy. Susan awarded the Town with a donation of $75,000 for Milliken's FBC Park.

The Town Trustees thanked Susan and PDC Energy for their donation and other ways in which PDC contributes to the community.

Citizen Comments

Richard Wiest, who resides at 4525 65th Ave., Greeley spoke to the Town Board about his concerns regarding Prairie Dogs that are migrating onto his property from the former Flack property. He informed the Board about the times he has come to the Town and filed reports in regard to Prairie Dogs. He referred to Ordinance # 687 regarding prairie dogs and asked why the Town has not enforced their own ordinance. The ordinance indicates there is supposed to be a 35 foot barrier where prairie dogs exist. He explained that he has had to mitigate the prairie dogs each year.

The Town Board asked Town Staff to investigate this issue and to provide a response to Mr. Wiest. Trustee Kidd asked if the Mr. Wiest had received any correspondence from the Milliken Police Department since he filed his reports. Mr. Wiest responded that he has not received any communication since he filed his report in July of 2015.

Biz West Article

Mayor Tokunaga spoke about the article in Biz West regarding Milliken. The Mayor asked the Town Clerk to email the article to the Town Board.

Minutes of Previous Meeting

November 23, 2015

Minutes approved as distributed.

CONSENT AGENDA

1. **Consideration and Approval of an Agreement between the Town of Milliken and Binder Family Farms, LLC for Ditch Crossings**

   To consider for approval an Agreement that allows the Town to cross sections of the irrigation ditch owned by the Binder Family Farms, LLC in order to construct the Milliken-Johnstown Trail.

2. **Consideration and Approval to Allow the Town Administrator to Sign the Contract on the Sewer Manhole Rehabilitation Project, RFP 8-2015**

To consider for approval the authorization for the Town Administrator to sign the contract on the Sewer and Manhole Rehabilitation Project so the Town can proceed.

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

Discussion: None.

Vote: All in favor, none opposed.

ACTION AGENDA

1. **Public Hearing for Consideration and Approval of an Amendment to Chapter 16 of the Milliken Land Use and Development Code**

Director Perkins asked for a continuation on the Public Hearing regarding an amendment to the Code to provide a process where expired Site Plans and Subdivision Plats may be ratified and reinstated upon request of an applicant subject to the approval of the Town based on specified criteria and to reduce legal notification timeframes to conform with state laws until a date and time certain.

Public Hearing Opened at: 7:23 P.M.

Trustee Jemiola commented that the County probably would be amenable to shortening the timeframe for publication.

Public Hearing Closed at: 7:27 P.M.

Trustee Jemiola motioned to continue the Public Hearing until January 27, 2016 at 7:00 P.M. Trustee Ehrlich seconded.

Discussion: None.

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

2. **Consideration and Approval of Resolution 15-25, Adopting the 2016 Budget and Amending the 2015 Budget**

Treasurer and Finance Director Jennifer Nash along with Town Administrator Brown asked the Town Board to review and consider for approval Resolution 15-25 to adopt and appropriate the 2016 Town of Milliken revenues, expenses and transfers for each fund. The budget year begins January 1, 2016 and ends on December 31, 2016. The Resolution also adopts the "Estimate" column in the 2015 Budget as the Revised Budget for 2015.

Trustee Beck moved to approve resolution 15-25 recognizing revenues, appropriating expenditures, and transferring funds for the 2016 and 2015 budget years. Trustee Kidd seconded.

Discussion: Trustee Ehrlich announced that he abstained from the Police Department portion of the budget since his wife works for the Police Department. He has also abstained from any discussion during the budget sessions in regard to this area of the budget.

Vote: All in favor, none opposed.

3. **Consideration and Approval of Resolution 15-24, Establishing the 2015 Mill Levy for the 2016 Budget**

Town Administrator Brown and Treasurer and Finance Director Jennifer Nash asked the Town Board to consider for approval Resolution 15-24, to set the Mill Levy for General Governmental Operations and Debt Service on the 2007 bonds issued to fund the construction of the Police Building and Meeting House. The Mill Levy must be certified to Weld County by December 15th of each year. Nash explained to the Town Board that the valuation from the County increased from $70,857,610 to $74,703,400 which increased the General Fund by approximately $110,000. The projected Property Tax revenue increased from $2,028,257.37 to $2,138,235.42.

Trustee Ehrlich moved to approve resolution 15-24 establishing the 2015 Mill Levy for the 2016 Budget. Mayor Pro Tem Measner seconded.

Discussion: None.

Vote: Trustees: Ehrlich, Onorato, Beck and Kidd, Mayor Pro Tem Measner and Mayor Tokunaga in favor. Trustee Jemiola opposed.

4. **Consideration and Approval to Allow the Town Administrator to Sign the Contract on the Augmentation Bypass Line Project, RFP 9-2015**

Town Administrator Brown asked the Town Board to consider for approval the authorization for the Town Administrator to sign the contract on the Augmentation Bypass Line Project so the Town can proceed.

Trustee Jemiola commented on the cost for the project. Town Administrator Brown explained that Mike Ketterling with KBN Engineers confirmed the pricing and that the company performing the project had a gap in their schedule and therefore was able to perform the project at a lesser cost.

Trustee Jemiola moved to approve the contract with Crow Creek as low bidder for the Augmentation Bypass Line Project for $195,842.89 and authorize the Town Administrator to sign the contract. Trustee Onorato seconded.

Discussion: Town Administrator explained that there is an additional cost associated with this project. There had been discussion with Kerr McGee to lower their gas pipeline in order to accommodate the area of the Bypass Line. The cost will be approximately $50,000.

Mayor Pro Tem Measner asked why one of the contractors came in at almost double the cost. Staff explained that the suggested contractor had a gap in their schedule and produced a bid that was far less than the other contractors.

Vote: All in favor, none opposed.

DISCUSSION AGENDA

1. **Stormwater Utility Fees**

Mike McMeekin with the Town's contract engineering firm, Lamp Rynearson discussed and presented a Power Point presentation regarding the Stormwater Utility Study. He explained what other community's in the area charge for residential properties and that those rates range from $3.00 per residential lot to $10.00 per residential lot. He also explained the fee's associated with non-residential lots and how those fees are determined. McMeekin explained that the determination on these lots are based on impervious areas. The fee is typically the same for all single family residential and the fee for non-single family is based on a rate determined by the impervious area. The reasoning for this is there is less non-single family properties in order to determine what the impervious areas are and it's more efficient for staff to provide this cost based on size, than to try and do this for single family residences.

Trustee Jemiola would prefer a flat rate for all non-single family properties. Town Administrator Brown explained that there are a couple of small businesses in Town that would be paying the same fee as the large businesses in Town.

Discussion from the Board was to continue discussion on the fee at a later date.

2. **Resolution of Support for Improvements to Interstate 25 (I-25)**

Mayor Tokunaga presented a draft resolution in support of improvements to the I-25 corridor and spoke to the Town Board about the need for improvements to Interstate 25. The Mayor explained the lack of funding for this project.

The Mayor would like to have the Town bring a resolution showing their support to the Town Board meeting on December 23, 2015.

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

Resume Regular Meeting

Adjournment

Hearing no further business, the Mayor adjourned the meeting at 8:34 P.M.

Prepared by:

Cheryl L. Powell, Town Clerk

Approved by:

Milt Tokunaga, Mayor