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

MEETING MINUTES

Wednesday, May 27, 2015 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, May 27, 2015 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner, Trustees: LeRon Ehrlich, Jordan Jemiola, Ken Kidd and Lois Ann Onorato. Also present: Town Administrator Kent Brown, Administrative Assistant Gale Amaya, Treasurer & Accounting/Finance Director Patrick Murphy, Community Development Director Martha Perkins, Water Waste Water Director Don Stonebrink, Police Chief Benito Garcia and Town Attorney Sunita Sharma. Absent: Trustee Linda Beck, Parks and Outdoors Director Josh Roseberry and Town Clerk Cheryl Powell Community Engagement Specialist/Planner Seth Hyberger

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 absent and Trustee Kidd.

Agenda Approval

Town Administrator Brown indicated that Staff had no changes to the Agenda.

Trustee Jemiola requested to move Action Item 5 and Action Item 6 to the Consent Agenda.

Citizen Comments

Mr. Reid Hobler, who resides at 800 Mill Iron Rd., Milliken, commented on possible conflict of interest issue. He thanked the Town Board for listening to the public during this issue. Mr. Hobler also commented on how the Town speaks of beautifying the Downtown area and provided a few suggestions. To remove the snowflake banners off the street light poles and replace them with summer banners, to plant flowers in the pots along Broad Street and to sweep the streets

more than once a summer.

Minutes of Previous Meeting

Approved with correction.

Acknowledgement of the Paid List of Bills

May 2015 List of Bill's.

Trustee Jemiola asked about the payment to Go Play Inc. and questioned how much equipment was purchased. Finance Director Murphey stated that was Parks Director Josh Roseberry's purchases and the equipment has been delivered.

Accepted as presented

CONSENT AGENDA

1. **Consideration and Approval for the Town Administrator to sign Contract to Complete the Settlers Village Recharge Project**

   To authorize the Town Administrator to sign a contract with Redpoint Contractors to complete the Recharge/Refresh Irrigation Well.

2. **Consideration, Approval and Authorization for the Town Administrator to Submit a Proposal to the City of Greeley to Extend the Town's Water Service Agreement to be reviewed by Mayor Tokunaga.**

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

Discussion: None.

Vote: All in favor, none opposed. Motion passed

ACTION AGENDA

1. **Public Hearing/Meeting for the Purpose to Consider a Request from Lot Holding Investments, LLC to Approve the Final Plat of the Fossil Park Subdivision**

Community Development Director, Martha Perkins asked the Board for a Public Hearing/Meeting to consider a request from Lot Holding Investments, LLC. to approve the final plat for the purpose of developing the Fossil Park Subdivision

on Lot 2, Block 1 (Parcel ID# 105912441002) of the Settlers Village Final Plat Second Filing and Lot 1, Block 5 of the Settlers Village Final Plat (Parcel ID # 105912019001) in Milliken, Colorado. The area is approximately 50 acres in size and sits vacant.

Mayor Tokunaga read the Quasi-Judicial Hearing Procedures.

Town Attorney Sharma stated that she wanted to disclose the fact that she also serves as council for TRPR and she knows that part of this property will be designated to TRPR for the Field House so if it poses any conflict of interest she is required to disclose this to the Town Board. As long as Attorney Sharma's representation to both parties is not adverse to both parties and no claims from TRPR against the Town of Milliken and vice versa that conflict can be waived. Mayor Tokunaga said there should be no conflict of interest.

Community Development Director Perkins swore in:
Bret Hall, Manager of Lot Holding, 1845 Homestead Rd., Greeley, CO
Russell Lee, Ripley Design, Ft. Collins, CO

Public Hearing opened at: 7:16 p.m.

Bret Hall gave a presentation and indicated there have not been any changes. Mr. Hall provided the general concept of the Settlers Village Final Plat.

Community Development Director Perkins said the Town would like to add the need to work on a Development Agreement for the subdivision. She spoke about the costs and the need for a financial security to make sure the public improvements are to the Towns standards. Director Perkins added the long-term maintenance of each aspect or phase of the development is important too. The Metro District is responsible for the open space and the Town will accept the maintenance for infrastructure.

Mayor Pro Tem Measner asked Director Perkins if we had a Development Agreement. Director Perkins said it is being worked on.

Public Hearing Closed at: 7:24 p.m.

Trustee Jemiola, stated that the Board of Trustees after hearing testimony, examination of the documents presented and the findings of fact finds that the application meets the provisions of the Town's Municipal Code Chapter 16 sections of the Town of Milliken's Land Use Development Code and approves the Final Plat for the purpose of developing the Fossil Park Subdivision on Lot 2, Block 1 of the Settlers Village Final Plat Second Filing and Lot 1, Block 5 of the Settlers Village Final Plat in Milliken, Colorado. A development agreement will be put in place at a later date. Mayor Pro Tem Measner seconded.

Discussion: None.

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

2. **Public Hearing for the Review and Recommendation for Approval of Ordinance # 711, to Approve an Annexation of 152 Acres known as the Martinez-Hahn Annexation**

Community Development Director, Martha Perkins asked the Board to review and consider Ordinance No. 711, for the purpose of annexing approximately 152 acres of the land 100% owned by the Martinez Family into the Town of Milliken, located at 9333 CR 52. The annexation will take place in three separate applications known as the Martinez-Hahn Annexation 1, 2 and 3. In addition, with the annexation, the Martinez family is requesting to zone the land R-1 "Single Family Residential".

Mayor Tokunaga asked to continue the hearing on the Martinez-Hahn Annexation to a later date. Possible meeting date is June 24th.

Trustee Jemiola asked if there was anyone who had a comment on this particular Ordinance. There were no comments from the audience

Trustee Jemiola moved to continue the Public Hearing for the review and recommendation of approval on Ordinance No. 711, approving the annexation of 152 acres known as the Martinez-Hahn Annexation, to the Town Board's June 24th meeting. Trustee Onorato seconded.

Discussion: None.

Vote: All in favor, none opposed. Motion passed

3. **Public Hearing/Meeting for the Purpose to Consider a Request from Thompson River Parks and Recreation to Approve the Site Plan for the Construction of the Milliken Field House**

Community Development Director, Martha Perkins asked the Board for a Public Hearing/Meeting to consider a request from Thompson River Parks and Recreation District to approve the site plan for the construction of a 21,607 square foot building for the Milliken Field House on the property located at 320 Centennial Drive in Milliken, Colorado and a Use By Special Review for the Field House to be used as a Community Center.

Town Attorney Sharma disclosed a potential conflict of interest. Acknowledgement by Town Administrator Brown and TRPR.

Mayor Tokunaga said that both parties received notice of the potential conflict and both Town Board and TRPR acknowledged that they appreciated that Town Attorney Sharma brought it to their attention.
Sworn in by Community Development Director Perkins:

Clint Dudley, TRPR, 200 S. 8th Street, LaSalle, CO
Troy Spraker, Lamp Rynearson, 4715 Innovation Dr., Ft. Collins, CO

Public Hearing Opened at 7:31 p.m.

Mr. Dudley said they are at 90 percent design completion. A presentation was given by Mr. Dudley on the Field House. The new name is (MAC) The Milliken Athletic Complex at Centennial Park.

Mayor Tokunaga asked Mr. Dudley if the first payment is due in 2016. Mr. Dudley said that he would keep in contact with the Town's Finance Director, Mr. Murphy.

Community Development Director, Perkins said that the Field House is zoned R-1, Residential and allows by right a public recreational facility. It will be advertised publicly and noticed as a Use by Special Review so it can also be used as a Community Center. A black 6 ft. chain link fence is also requested for the equipment. The current code does not allow for a chain link fence 6 ft. high for this zone. The height of the building is also higher than allowed in this zone. The Development Agreement will be needed to make sure the Field House is built to the Town's standards and potential negative impacts on the neighborhoods can be addressed.

Mayor Pro-Tem Measner asked if certified letters containing the Notice will be sent to the people who live within 300 feet. Director Perkins stated that they were sent out.

Mayor Tokunaga asked if anyone had any additional comments. Reid Hobler, 800 Mill Iron Rd, Milliken asked if TRPR will be doing anything similar to the Field House in Johnstown. Mr. Dudley said no.

Public Hearing closed at 7:48

Mayor Pro Tem Measner motioned that the Board of Trustees after hearing testimony, examination of the documents presented and the findings of fact finds the applications meets the provisions of the Town of Milliken's Land Use Development Code Chapter 16 Sections et.seq and approves the plans for the commercial site plan and a use by special review for the Milliken Field House as a recreational and a community facility with conditions in the R-1, Residential Single Family Zoning District for property located at 320 Centennial Drive in Milliken, Colorado. The site plan and use by special review conditions are:

1. To allow a black vinyl chain link fence for the equipment yard;
2. To allow a building height over the height limitation of 35 feet in the R-1 "Single Family Residential" zone of 138.5 feet which was corrected as 38.5 ft.
3. To approve a development agreement at a future Board meeting that will address any potential negative impacts on the neighborhood and ensure quality public improvements and landscaping are obtained. Trustee Onorato seconded.

Trustee Ehrlich asked to include the Staff report per Community Development Director Perkins.

Vote: All in favor, none opposed. Motion passed

4. **Consideration and Approval of Ordinance 712, Adopting the NFPA 70 National Electrical Code, 2014 Edition**

Building Official, Jonathan Gesick asked the Board for Consideration and approval to adopt the current version of the National Electrical Code as mandated by the State of Colorado, effective July 1, 2015.

Trustee Kidd recused himself.

Jonathan Gesick explained to the Town Board that the Town is six (6) years behind in the Electrical Code and it should be renewed every three (3) years. Mr. Gesick explained the changes that will be made to the Electrical Code.

Trustee Ehrlich moved to approve Ordinance 712. Trustee Jemiola seconded.

Discussion: None.

Vote: All in favor, none opposed. Motion passed

DISCUSSION AGENDA

There were not any items.

INFORMATIONAL AGENDA

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 8:00 P.M.

Prepared by:

Gale Amaya, Adm. Assistant

Approved by:

Milt Tokunaga, Mayor