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

MEETING MINUTES

Wednesday, September 28, 2016

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, September 28, 2016 at 7:00 P.M. Those present: Mayor Beau Woodcock, Mayor Pro Tem Linda Measner. Trustees: Elizabeth Austin, Katy Burack, LeRon Ehrlich, Nick Ehrlich and Ken Kidd. Also Present: Town Administrator Kent Brown, Administrative Assistant Gale Amaya, Community Development Director Martha Perkins, Public Works Director Bill Landwehr, Accounting Technician Courtney Diller, and Town Attorney Linda Michow. Absent: Town Clerk Cheryl Powell

Pledge of Allegiance

Mayor Woodcock called the meeting to order.

Roll Call

Trustee's: Austin, L. Ehrlich, Burack, N. Ehrlich and Kidd, Mayor Pro Tem Measner and Mayor Woodcock.

Agenda Approval

Trustee Austin asked to move Action Item #4, Approval and Authorization to Sign the Contract for RFP 5-2016 Street Improvements Project to the Consent Agenda.

All in favor, none opposed.

Citizen Comments

None

Minutes of Previous Meeting

- September 14, 2016

Minutes approved as distributed.

Trustee Austin motioned to approve the minutes as distributed. Trustee Burack seconded.

All in favor, none opposed.

Acknowledgement of the Paid List of Bills

- September 2016 List of Bills.

Trustee Austin asked about the billing for Lamp Rynearson & Associates, Inc. and if it was a typographical error stating it is Legal Fees. Finance/Accounting Manager Diller said it should have read Engineering Fees. Trustee Austin also questioned the Agfinity, Inc. billing and why the Police Department uses Cenex instead of fueling at Public Works and if it is cheaper to use Cenex. Finance/Accounting Manager Diller said that the Town pays $1.80 per gallon to Agfinity and $2.11 to Cenex. Trustee Kidd responded that he asked the same question three years ago and was told that the Police Department does not have keys to get into the gates at Public Works. Public Works Director Landwehr said that officers now have keys to get into the pumps. Trustee Nick Ehrlich informed the Board that it would be better to ask Chief Garcia what he would prefer.

Trustee Austin was concerned about the Utility reimbursements. Finance/Accounting Manager Diller stated that generally occurs when someone is selling their home and on occasion Title Companies pay from an estimate and we refund what is owed to the seller.

Trustee LeRon Ehrlich questioned the $28,000.00 to Lamp Rynearson & Associates, Inc. for the Milliken/Johnstown Trail. Administrator Brown responded that it was for CDOT to fulfil the rules of the project and it was also part of the Grant Fund. Trustee Nick Ehrlich asked if the project was over budget. Administrator Brown responded that it did not exceed the budget and actually ended up under-budget.

CONSENT AGENDA

1. **Consideration, Approval and Authorization for the Town Administrator to Sign the Contract for RFP 5-2016 Street Improvements Project**

Public Works Director Bill Landwehr asked the Town Board to consider for approval a contract with Simon Contractors Company for the Street Improvement Project as depicted in RFP 5-2016. The Town had budgeted $250,000 in the 2016 Budget for Street Improvements.

Trustee Austin motioned to approve the contract with Simon Contractors Company for the 2016 Street Improvement Project for $44,813. And authorize the Town Administrator to sign. Trustee Measner seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

The Town Board convenes as the Liquor Licensing Authority

2. **Consideration and Approval of a Liquor License Renewal for the Burnout Grill**

To consider for approval a Hotel and Restaurant Liquor License renewal for the Burnout Grill from September 14, 2016 until September 14, 2017.

3. **Consideration and Approval of a Liquor License Renewal for 7-Eleven**

To consider for approval a 3.2 Percent Beer Retail License (Off Premises) for 7-Eleven from November 01, 2016 until November 01, 2017

Trustee Austin motioned to approve the Liquor License on the Consent Agenda. Trustee Kidd seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

The Liquor Licensing Authority Adjourns and reconvenes as the Town Board

ACTION AGENDA

1. **Consideration and Approval of Ordinance 736, Amending the Loitering Code**

Town Attorney Linda Michow asked the Board to consider for approval Ordinance 736, which amends the loitering provision of the Milliken Municipal Code to bring it into compliance with the First Amendment and other constitutional law.

Trustee Kidd motioned to approve Ordinance 736 Amending Section 10-6-40 of the Milliken Municipal Code regarding loitering. Trustee Austin seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

2. **Consideration and Approval of Resolution 16-20, Setting the Town Board Meeting Date, Time and Location**

Town Attorney Linda Michow asked the Town Board to consider for approval Resolution 16-20, setting the Town Board Regular Meeting Date, Time and Location.

Town Attorney Linda Michow explained the Resolution and its contents. Trustee Nick Ehrlich suggested moving the meeting time from 7:00 p.m. to 6:30 p.m. and also moving the Work Session from 5:30 p.m. to 5:00 p.m. Mayor Woodcock indicated that would shorten Work Session too much. Mayor Pro Tem Measner is concerned that changing these times would eliminate the possibility of people who work out of Town to serve on the Board.

Trustee Kidd motioned to approve Resolution 16-20 moving the regular Town Board Meeting time to 6:30 p.m. on the second and fourth Wednesday of the month. Trustee Nick Ehrlich seconded.

Roll Call Vote: Trustee Austin – no, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – no, Mayor Woodcock – no, Trustee Kidd – yes. Motion carried.

3. **Consideration and Approval of Resolution 16-19, Amending the 2016 Budget to Recognize New Revenues and Additional Project Expenditures**

Finance and Accounting Manager Courtney Diller asked the Town Board to consider for approval, Resolution 16-19 amending the 2016 Budget to recognize revenues from the new Stormwater Fees and Capital Investment Fees and to appropriate funds to cover the cost of the R.O. Pilot Study and Surface Water Feasibility Study, and to reflect changes in the Capital Projects Fund to accommodate the completion of Lola Park.

Trustee LeRon Ehrlich moved to approve Resolution 16-19, recognizing revenues to the Town and appropriating funds to carry out activities and complete projects approved by the Town Board. Trustee Kidd seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

DISCUSSION AGENDA

Trustee Kidd is requesting volunteers for clean-up day.

INFORMATIONAL AGENDA

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

Future Agenda Items for the Work Session and the Regular Meeting

Adjournment

Trustee Burack moved to adjourn. Trustee Austin seconded.

All in favor, none opposed.

Hearing no further business, the Mayor adjourned the meeting at: 7:34 P.M.

Prepared by:

Gale Amaya, Administrative Assistant

Approved by:

Beau Woodcock, Mayor