



# MINUTES

## Timnath Town Council Meeting

6:00 PM - Tuesday, December  
11, 2018

4800 Goodman Street, Timnath,  
Colorado

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- PRESENT:** Mayor Jill Grossman-Belisle, Councilmember Bill Neal, Councilmember Lisa Laake, and Councilmember Rick Collins
- EXCUSED:** Mayor Pro Tem Aaron Pearson
- STAFF:** Contracted Town Attorney Robert Rogers, Contracted Town Attorney Megan Murphy, Town Clerk Milissa Peters-Garcia, Contracted Town Engineer Don Taranto, Contracted Community Development Director Matt Blakely, Contracted Town Planner Brian Williamson, and Contracted Town Planner Kevin Koelbel
- PUBLIC:** Timnath Residents Phil Goldstein and Randall Black and Boy Scouts

**1 CALL TO ORDER AND ROLL CALL 6:08 P.M.**

**2 AMENDMENTS TO THE AGENDA**

**3 PUBLIC COMMENT**

**4 CONSENT AGENDA**

- a) Approval of the November 13, 2018, Town Council Meeting Minutes
- b) November 30, 2018 Check Register
- c) December 11, 2018 Check Register

Councilmember Bill Neal made a motion to approve the consent agenda. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

**5 REPORTS**

- a) Mayor and Councilmember Reports

Mayor Grossman-Belisle welcomed the attending Boy Scout Troop.

Councilmember Collins asked about change orders on the Town Center and Mr. Williamson explained that some change orders had been approved and within the total budget and included in the monthly staff reports.

- b) Engineering & Public Works Report  
Included in the packet

- c) Community Development Report  
Included in the packet
- d) Timnath Police Department Staff Report  
Included in the packet
- e) Town Manager Report  
Included in the packet

## **6 BUSINESS**

- a) ORDINANCE NO. 17, SERIES, 2018, An Ordinance Amending and Restating Chapter 2, Article 7 of the Timnath Municipal Code Pertaining to Local Licensing Authority

Ms. Murphy spoke to Council about the proposed ordinance.

Mayor Grossman-Belisle opened the public hearing at 6:28 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:28 p.m.

Councilmember Bill Neal made a motion to approve ORDINANCE NO. 17, SERIES, 2018, An Ordinance Amending and Restating Chapter 2, Article 7 of the Timnath Municipal Code Pertaining to Local Licensing Authority. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- b) ORDINANCE NO. 18, SERIES 2018, An Ordinance Amending Chapter 10, Article V, Section 50 of the Timnath Municipal Code Regarding Panhandling

Ms. Murphy spoke to Council about the proposed ordinance.

Mayor Grossman-Belisle opened the public hearing at 6:30 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:30 p.m.

Councilmember Lisa Laake made a motion to approve ORDINANCE NO. 18, SERIES 2018, An Ordinance Amending Chapter 10, Article V, Section 50 of the Timnath Municipal Code Regarding Panhandling. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- c) ORDINANCE NO. 19, SERIES 2018, An Ordinance Amending the Town Budget for the 2018 budget year.

Ms. Harwell spoke to Council about the proposed ordinance.

Mayor Grossman-Belisle opened the public hearing at 6:31 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:31 p.m.

Councilmember Bill Neal made a motion to approve ORDINANCE NO. 19, SERIES 2018, An Ordinance Amending the Town Budget for the 2018 budget year. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- d) ORDINANCE NO. 20, SERIES 2018, An Ordinance Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for The Town of Timnath, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019.

Ms. Harwell spoke to Council about the proposed ordinance.

Councilmember Collins asked about budget increases and asked that undesignated funds be moved into the reserve fund.

Ms. Harwell explained the increases and that all increases were discussed at previous budget work sessions and that the reserve funds did increase to 25% per policy up from 15% in previous years, per council direction at prior work sessions.

Councilmember Collins asked about current loans and Ms. Harwell explained that the Town did not have any current loan but the TDA did. Ms. Harwell also noted that the Town has one outstanding certificate of participation in connection with the Town Center.

Mayor Grossman-Belisle spoke about the request to increase the reserve fund and stated that she did not support a further increase due to previous discussions at previous budget work sessions that moved it from 15 to 25%. She also noted, that undesignated funds are available in the event they are needed upon council approval so although not in the line item, can be used if needed.

Ms. Harwell explained that the Town has balanced budgets estimated for the next 3 years, and that after the three-year mark the Town will need to make some long-term prioritization decisions regarding use of revenues, since the estimated capital needs are greater than the current revenues projected in future years. Ms. Harwell also noted that this is a very common issue for municipalities.

Council discussed the factors that may or may not affect the outcome after 3-5 years and the assumption that projects, community needs, and revenue will continue in a positive manner, although the priorities may change as the years progress.

Mayor Grossman-Belisle opened the public hearing at 6:32 p.m.  
No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:32 p.m.

Councilmember Collins read the following statement:

"I am old school when it comes to matters as important as the passage of a Budget. I served as Chief of Staff for Arizona Governor and Legislature for many years. In all those years we included all elected members and agency heads in the process. At times it was ugly. But in the end...we always passed a balanced budget.

The process leading up to this vote is far different than any I have seen or been a part of.

I will chalk it up to being a new member on this Council.

I walk away from the vote hoping the path that we have started down doesn't bankrupt this town. Yes, it feels good to have the biggest and best Town Center, the most community parks, acres and acres purchased for town development, and one of the largest fireworks shows in Northern Colorado.

But everything comes at a price. I worry about the town debt.

Tonight I will vote for the budget because it includes Harmony Road and the bypass around old Town as promised.

But I warn anyone that will listen...do not expect me to support another town loan or go to voters for more money until we have a budget process that convinces me that the town can spend at this level.

Thank you."

Councilmember Bill Neal made a motion to approve ORDINANCE NO. 20, SERIES 2018, An Ordinance Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for The Town of Timnath, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- e) ORDINANCE NO. 21, SERIES 2018, AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF TIMNATH, COLORADO, FOR THE 2019 BUDGET YEAR.

Ms. Harwell spoke to Council about the proposed ordinance.

Mayor Grossman-Belisle opened the public hearing at 6:34 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:34 p.m.

Councilmember Collins asked about the appropriated budget and Ms. Harwell explained that monies are appropriated on a fund, as opposed to line item basis, meaning that, upon future council approval, monies can be shifted from one line item within a fund to another without the need for a budget amendment, so long as the monies are not being moved from one fund, such as the general fund or capital projects fund, to another. A move from one fund to another would require a budget amendment. Ms. Harwell noted that this practice of the Town is consistent with state law, generally accepted accounting practices, and statewide practices among most other municipalities, many of which she has worked with throughout her career.

Councilmember Neal asked about State Laws regarding budget practices for municipalities and Ms. Harwell explained the standard for keeping a balanced budget, and she noted that the town has had a consistent practice of maintaining a balanced budget and has a strong record of clean annual third-party audits acknowledging good and best practices of budget management.

Councilmember Bill Neal made a motion to approve ORDINANCE NO. 21, SERIES 2018, AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNT AND FOR THE PURPOSE AS SET FORTH BELOW, FOR THE TOWN OF TIMNATH, COLORADO, FOR THE 2019 BUDGET YEAR. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- f) RESOLUTION NO. 82, SERIES, 2018, A Resolution Approving Levying General Property Taxes for the Year 2018 to Help Defray the Costs of Government for the Town of Timnath, Colorado, for the 2019 Budget.

Ms. Harwell spoke about a proposed amendment regarding Town properties located in Weld County.

Mayor Grossman-Belisle asked for an amendment to include the Weld County property.

Councilmember Bill Neal made a motion to approve RESOLUTION NO. 82, SERIES, 2018, A Resolution Approving Levying General Property Taxes for the Year 2018 to Help Defray the Costs of Government for the Town of Timnath, Colorado, for the 2019 Budget, as amended, by adding the Weld County Property. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- g) ORDINANCE NO. 22, SERIES 2018, An Ordinance Approving an updated version of the Town of Timnath Employee Handbook.

Mr. Williamson spoke to Council about the proposed ordinance and noted that most of the changes were necessary to reflect current state law and best practices amongst other municipalities in the state.

Mayor Grossman-Belisle opened the public hearing at 6:42 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:42 p.m.

Councilmember Collins stated his opposition to the accrual of 8 weeks of vacation and Mayor Grossman-Belisle stated that an employee would have to have 28 years of employment with the Town before receiving a full 8 weeks of vacation.

Councilmember Lisa Laake made a motion to approve ORDINANCE NO. 22, SERIES 2018, An Ordinance Approving an updated version of the Town of Timnath Employee Handbook. Councilmember Bill Neal seconded the motion.

CARRIED. 3-1 (opposed: Councilmember Rick Collins).

- h) RESOLUTION NO. 73, SERIES 2018, A Resolution Approving a First Amendment to the Contractual Agreement between the Town of Timnath and CorKat Data Solutions, LLC**

Chief Wagner spoke to Council about the proposed resolution.

Councilmember Rick Collins made a motion to approve RESOLUTION NO. 73, SERIES 2018, A Resolution Approving a First Amendment to the Contractual Agreement between the Town of Timnath and CorKat Data Solutions, LLC. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- i) RESOLUTION NO. 74, SERIES 2018, A Resolution to Approve the Larimer County Sheriff's Office Contract for 2019**

Chief Wagner spoke to Council about the proposed resolution.

Councilmember Rick Collins made a motion to approve RESOLUTION NO. 74, SERIES 2018, A Resolution to Approve the Larimer County Sheriff's Office Contract for 2019. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- j) RESOLUTION 75, SERIES 2018, A Resolution Approving the Construction Phase of the Harmony Road Widening Phase 4**

Mr. Taranto spoke to Council about the proposed resolution.

Councilmember Bill Neal made a motion to approve RESOLUTION 75, SERIES 2018, A Resolution Approving the Construction Phase of the Harmony Road Widening Phase 4. Councilmember Rick Collins seconded the motion. CARRIED - unanimously.

- k) RESOLUTION NO. 76, SERIES 2018, A Resolution Approving A Marketing/Town Event Management Agreement with Mantooth Marketing for 2019**

Mr. Blakely spoke to Council about the proposed resolution.

Councilmember Laake asked for clarification of labor costs and Mayor Grossman-Belisle explained the proposed resolution and contract amount compared to event costs.

Councilmember Lisa Laake made a motion to approve RESOLUTION NO. 76, SERIES 2018, A Resolution Approving A Marketing/Town Event Management Agreement with Mantooth Marketing for 2019. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- l) RESOLUTION NO. 77, SERIES 2018, A Resolution Approving Professional Services Agreement with CliftonLarsonAllen LLP**

Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Rick Collins made a motion to approve RESOLUTION NO. 77, SERIES 2018, A Resolution Approving Professional Services Agreement with CliftonLarsonAllen LLP. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- m) RESOLUTION NO. 78, SERIES 2018, A Resolution Approving A Professional Services Agreement with TST INC., Consulting Engineers**

Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Bill Neal made a motion to approve RESOLUTION NO. 78, SERIES 2018, A Resolution Approving A Professional Services Agreement with TST INC., Consulting Engineers. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- n) RESOLUTION NO. 79, SERIES 2018, A Resolution Approving Professional Services Agreement with White Bear Ankele Tanaka & Waldron**

Mr. Rogers spoke to Council about the proposed resolution and noted that the Town had engaged the law firm of Lewis Roca Rothgerber Christie, LLP to perform an independent review of the proposed professional services agreement, and that the opinion of the partner reviewing the agreement was that the rates and other terms of the agreement were reasonable as proposed.

Councilmember Lisa Laake made a motion to approve RESOLUTION NO. 79, SERIES 2018, A Resolution Approving Professional Services Agreement with White Bear Ankele Tanaka & Waldron. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

- o) RESOLUTION NO. 80, SERIES 2018, A Resolution Approving The Option to Purchase Property (North Farm)**

Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Bill Neal made a motion to approve RESOLUTION NO. 80, SERIES 2018, A Resolution Approving The Option to Purchase Property (North Farm). Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- p) RESOLUTION NO. 81, SERIES 2018, A Resolution Ratifying Intersection Improvements at Prospect Road & Latham Parkway**

Mr. Taranto spoke to Council about the proposed resolution.

Councilmember Bill Neal made a motion to approve RESOLUTION NO. 81, SERIES 2018, A Resolution Ratifying Intersection Improvements at Prospect Road & Latham Parkway. Councilmember Lisa Laake seconded the motion. CARRIED - unanimously.

- q) EXECUTIVE SESSION: "For the purposes of discussion concerning the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests under Section §24-6-402(a), C.R.S.; discussion concerning personnel matters under §24-6-402(4)(f), C.R.S.; discussion regarding positions relative to matters that may be subject to negotiations and development of a strategy for negotiations under §24-6-402(4)(e), C.R.S.; and conferences with the Town's attorney for purposes of receiving legal advice on specific legal questions under §24-6-402(4)(b), C.R.S."


Councilmember Lisa Laake made a motion to enter executive session at 7:05 p.m. Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

Councilmember Lisa Laake made a motion to exit executive session at 7:14 Councilmember Bill Neal seconded the motion. CARRIED - unanimously.

**7 ADJOURNMENT 7:15 P.M.**



  
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Mayor

  
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Town Clerk