

MINUTES



TIMNATH

Timnath Town Council Meeting

6:00 PM - Tuesday, January 22, 2019

4800 Goodman Street, Timnath, Colorado

- PRESENT:** Mayor Jill Grossman-Belisle, Mayor Pro Tem Aaron Pearson, Councilmember Lisa Laake, and Councilmember Rick Collins
- EXCUSED:** Councilmember Bill Neal
- STAFF:** Contracted Town Attorney Robert Rogers, Town Manager April Getchius, 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 Lana Pink

1 CALL TO ORDER AND ROLL CALL 6:00 P.M.

2 AMENDMENTS TO THE AGENDA

3 PUBLIC COMMENT

4 CONSENT AGENDA

- a) Approval of the January 8, 2019, Town Council Meeting Minutes
- b) January 22, 2019 Check Register
- c) An Ordinance Approving the Harmony Corridor Land Use Code Amendments - 1st Reading and Setting the Public Hearing for February 12, 2019
- d) ORDINANCE NO. 3, SERIES 2019, An Ordinance approving Land Use Code Amendment No. 7 - 1st Reading and Setting a Public Hearing for February 12, 2019
- e) ORDINANCE NO. 4, SERIES 2019, An Ordinance Amending Chapter 18 - Building Regulations of the Municipal Code to Adopt and Amend Appendix M for Home Care Facilities - First Reading and setting a Public Hearing for February 12, 2019

Lisa Laake made a motion to approve the consent agenda. Aaron Pearson seconded the motion. CARRIED - unanimously.

5 REPORTS

- a) Mayor and Council
The Society for Marketing Professional Services meeting was held at Timnath Beerwerks was well attended on January 17th.

- b) Finance Update Report
Included in the packet
- c) Engineering & Public Works Report
Included in the packet
- d) Community Development Report
Included in the packet
- e) Timnath Police Department Staff Report
Included in the packet
- f) Manager's Report
Included in the packet

6 BUSINESS

- a) ORDINANCE NO. 1, SERIES 2019, PUBLIC HEARING, An Ordinance Amending Chapter 4 of the Municipal Code to Incorporate Right-Of-Way Permit Penalty Fee and Update the Associated Fee Schedules There in

Mr. Taranto spoke to Council about the proposed ordinance.

Mayor Pro Tem Pearson asked about the change and Mr. Taranto spoke about the impacts of driveway approach changes to drainage and conflicts with ADA standards.

Councilmember Collins asked about driveway placement prior to the permitting process and Mr. Taranto explained that the builder should know the placement before building.

Mayor Grossman-Belisle opened the public hearing at 6:07 p.m.

No public comment.

Mayor Grossman-Belisle closed the public hearing at 6:07 p.m.

Aaron Pearson made a motion to approve ORDINANCE NO. 1, SERIES 2019, An Ordinance Amending Chapter 4 of the Municipal Code to Incorporate Right-of-Way Permit Penalty Fee and Update the Associated Fee Schedules Therein. Lisa Laake seconded the motion. CARRIED - unanimously.

- b) RESOLUTION NO. 4, SERIES 2019, A Resolution Ratifying and Approving the First Amendment to Option Agreement to Purchase Property

Mr. Rogers spoke to Council about the proposed resolution.

Aaron Pearson made a motion to approve RESOLUTION NO. 4, SERIES 2019, A Resolution Ratifying and Approving the First Amendment to Option Agreement to Purchase Property. Lisa Laake seconded the motion. CARRIED - unanimously.

c) RESOLUTION NO. 5, SERIES 2019, A Resolution Approving Capital Improvement Plan Design and Master Planning Expenditures

Mr. Taranto spoke to Council about the proposed resolution.

Councilmember Collins asked if Walmart was sharing the cost for the Walmart parking lot round-about and Mr. Taranto spoke about discussions with Walmart to determine a solution but that no agreement has been made. There will be further discussions regarding the costs but the Town is not expected to pay the construction costs for improvements.

Aaron Pearson made a motion to approve RESOLUTION NO. 5, SERIES 2019, A Resolution Approving Capital Improvement Plan Design and Master Planning Expenditures. Lisa Laake seconded the motion. CARRIED - unanimously.

d) RESOLUTION NO. 6, SERIES 2019, A Resolution Approving the Town of Timnath Model Multiple District Service Plan (the "Resolution").

Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Collins asked if the Town would become a part of future metro districts. Mr. Rogers explained the Town would not become part of any metro district, but that the model service plan would provide for a mill levy that would be collected by newly organized districts and remitted to the Town, and that the balance from that mill levy would accumulate over time to provide funds to assist with regional infrastructure improvements to help offset the impact of development on public improvements maintained by the Town in future years.

Mr. Taranto stated that the Town as an entity would not be a part of a metro district and Mr. Rogers further explained that the model service plan would not increase the mills paid by the residents, but that the District would pay the Town a portion of mills under the aggregate mill levy cap provided for in the Town's current model service plan.

Councilmember Collins expressed his concerns about the Town receiving revenue from metro districts.

Mr. Rogers spoke about geographical and regional improvement structure as compared to other communities with similar improvement models, and noted that those models have been successful in generating revenues to help offset future capital improvement needs.

Councilmember Laake asked if the revenue would go into the general fund and Mr. Rogers explained that the revenue would be earmarked for regional capital improvements.

Mayor Grossman-Belisle offered to provide some historical context to the metro district issue. She noted that prior to the current Council membership, there were no standard agreements in place and every developer seemed to have a different agreement with a different set of terms. It was this Council's goal to standardize these agreements so that all developers were playing with the same rules and knew the Town's expectations. As a result, the model service plan was established, with developer's input, to level the playing field and remove any inequities. With regard to the use of the regional improvements mill levy going forward, she noted that this will help with future regional needs resulting from growth and development. After the developer/metro district builds the roads and improvements and after a warranty period, the Town assumes responsibility for the maintenance of the infrastructure and ultimately any regional needs that may be needed.

Mr. Taranto stated that the Town has a road maintenance plan and that the change being proposed is a prudent method for contributing toward the estimated regional capital improvement costs of the future.

Mayor Grossman-Belisle stated that no current metro districts or residents would be affected by the change, absent future service plan amendments, and that the proposed changes are intended to affect future metro districts as they are organized and districts that approach the town with requests to amend their existing service plans. She further noted that the model would only apply to metropolitan districts formed or modified after January 22, 2019. Mr. Rogers further noted that the model changes would not affect any existing metropolitan districts, including Serratoga Falls Metropolitan District Nos. 1-3, Southwest Timnath Metropolitan District Nos. 1-4, Timnath Farms North Metropolitan District Nos. 1-3, Timnath Ranch Metropolitan District Nos. 1-4, and Wildwing Metropolitan District Nos. 1-5.

Councilmember Collins asked to see what properties would be included, and Mr. Taranto explained that no properties currently annexed into the Town are affected at this time, and will not be until if and when they were to bring a future service plan amendment request.

Mr. Collins also asked which properties owned by the town are in metro districts that would be affected by the changes, and Mr. Taranto explained that no property currently owned by the Town would be affected at this time by the proposed changes.

Aaron Pearson made a motion to approve RESOLUTION NO. 6, SERIES 2019, A Resolution Approving the Town of Timnath Model Multiple District Service Plan. Lisa Laake seconded the motion. CARRIED. 3-1 (opposed: Councilmember Rick Collins).

- e) 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.”

Aaron Pearson made a motion to enter into executive session at 6:46 p.m. Lisa Laake seconded the motion. CARRIED - unanimously.

Aaron Pearson made a motion to exit executive session at 6:58 p.m. Lisa Laake seconded the motion. CARRIED - unanimously.

7 ADJOURNMENT 6:59 P.M.





Mayor



Town Clerk