



# MINUTES

## Timnath Town Council Meeting

6:00 PM - Tuesday, February  
12, 2019

4800 Goodman Street, Timnath,  
Colorado

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- PRESENT:** Mayor Jill Grossman-Belisle, Mayor Pro Tem Aaron Pearson, Councilmember Bill Neal, Councilmember Lisa Laake, and Councilmember Rick Collins
- STAFF:** Contracted Town Attorney Robert Rogers, Town Manager April Getchius, Town Clerk Milissa Peters-Garcia, Contracted Town Engineer Steve Humann, Contracted Community Development Director Matt Blakely, Contracted Town Planner Brian Williamson, and Contracted Town Planner Kevin Koelbel, Town Contractor Kim Reed, Contracted Building Official Caleb Sulzen
- PUBLIC:** Town Residents Phil Goldstein, John Cloudman, Stacie Stilson, Developers Mike and Dino DiTullio

**1 CALL TO ORDER AND ROLL CALL 6:02 P.M.**

**2 AMENDMENTS TO THE AGENDA**

**3 PUBLIC COMMENT**

**4 CONSENT AGENDA**

- a) Approval of the January 22, 2019, Town Council Meeting Minutes
- b) February 12, 2019 Check Register

Mayor Pro Tem Pearson made a motion to approve the consent agenda. Councilmember Neal seconded the motion. CARRIED - unanimously.

**5 REPORTS**

- a) Mayor and Council

Mayor Pro Tem Pearson gave an MPO meeting update on Zero Emission Vehicles. He noted that requirements through an executive order of the Governor would require 25% of future sales of vehicles be entirely electric and that Colorado emission standards would mirror California's. In addition, if California's standards change, Colorado's would change as well. Mayor Pro Tem further noted the public comment period was still open and the MPO will be monitoring.

## **6 BUSINESS**

### **a) ORDINANCE NO. 2, SERIES 2019, PUBLIC HEARING, An Ordinance Approving the Harmony Corridor Land Use Code Amendments**

- Mr. Blakely spoke to Council about the proposed ordinance.
- Councilmember Collins asked if auxiliary lanes were contemplated with the design standards and who would be responsible for the cost and installation on Harmony Road and Mr. Humann stated that traffic reports determine if auxiliary lanes are needed and this phase of Harmony Road widening includes some of the needed turn lanes, there are costs that are the responsibility of the developer as well as the Town.

Mayor Grossman-Belisle opened the public hearing at 6:11 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:11 p.m.

Councilmember Neal made a motion to approve ORDINANCE NO. 2, SERIES 2019, PUBLIC HEARING, An Ordinance Approving the Harmony Corridor Land Use Code Amendments. Councilmember Laake seconded the motion.  
CARRIED - unanimously.

### **b) ORDINANCE NO. 3, SERIES 2019, PUBLIC HEARING, An Ordinance approving Land Use Code Amendment No. 7**

- Mr. Blakely spoke to Council about the proposed ordinance.
- Councilmember Neal asked if there were any State requirements for care providers and Mr. Koebel explained the State regulation regarding care giver/child ratio per facility and age ranges. He noted the ordinance requires the applicant to secure the appropriate state license.
- Councilmember Laake asked if the proposal included persons with disabilities care facility and Mr. Blakely confirmed that those facilities were included.
- Councilmember Laake asked about violations regarding the number of occupants. She noted that an operator could be in violation of the ordinance if, for example, a spouse was home for a short period of time raising the occupancy level above the ordinance limit. Mayor Grossman-Belisle asked that a sentence be included for exceptions for unexpected occurrences of unexpected additional occupants.
- Mayor Grossman-Belisle stated that she saw a need for in-home care facilities and that such facilities are sometimes more desirable than others.

Mayor Grossman-Belisle opened the public hearing at 6:27 p.m.

- Stacie Stilson spoke to Council about working well with staff and provided a petition of community support for the facility.

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

Councilmember Collins made a motion to approve ORDINANCE NO. 3, SERIES 2019, PUBLIC HEARING, An Ordinance approving Land Use Code

Amendment No. 7. Councilmember Neal seconded the motion. CARRIED - unanimously.

- c) **ORDINANCE NO. 4, SERIES 2019, PUBLIC HEARING, An Ordinance Amending Chapter 18 - Building Regulations of the Municipal Code to Adopt and Amend Appendix M for Home Care Facilities - Public Hearing**

- Mr. Blakely spoke to Council about the proposed ordinance and introduced Caleb Sulzen as the new building official.

Mayor Grossman-Belisle opened the public hearing at 6:29 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:29 p.m.

Councilmember Neal made a motion to approve **ORDINANCE NO. 4, SERIES 2019, PUBLIC HEARING, An Ordinance Amending Chapter 18 - Building Regulations of the Municipal Code to Adopt and Amend Appendix M for Home Care Facilities**. Councilmember Collins seconded the motion. CARRIED - unanimously.

- d) **RESOLUTION NO. 7, SERIES 2019, A Resolution Approving a Professional Services Contract with Jensen LaPlante Development, LLC**

- Ms. Getchius spoke to Council about the proposed resolution.

Councilmember Neal made a motion to approve **RESOLUTION NO. 7, SERIES 2019, A Resolution Approving a Professional Services Contract with Jensen LaPlante Development, LLC**. Councilmember Laake seconded the motion. CARRIED - unanimously.

- e) **RESOLUTION NO. 8, SERIES 2019, A Resolution Approving the Patrol Vehicle Lease Between the Town of Timnath and CM Municipal Finance**

- Sgt. Wynkoop spoke to Council about the proposed resolution.
- Councilman Collins asked about the dealership being used for the vehicle purchases and Sgt. Wynkoop explained state bid process for these types of purchases and that John Elway Chevrolet was the dealership awarded the state bid for 2018-2019.

Councilmember Neal made a motion to approve **RESOLUTION NO. 8, SERIES 2019, A Resolution Approving the Patrol Vehicle Lease Between the Town of Timnath and CM Municipal Finance**. Councilmember Laake seconded the motion. CARRIED - unanimously.

- f) **RESOLUTION NO. 9, SERIES 2019, A Resolution Adopting a Special District Policy and Related Documents**

- Mr. Rogers spoke to Council about the proposed resolution.

- Councilmember Collins asked if the Council had already taken a position on the proposed policy and Mr. Rogers explained that the Council had approved an amended and restated model service plan on January 22, 2019, and that the proposal in front of the Council would affect administrative changes to the way the service plans are processed, as opposed to substantive changes to the model service plan.

Councilmember Neal made a motion to approve RESOLUTION NO. 9, SERIES 2019, A Resolution Adopting a Special District Policy and Related Documents with the proposed redline amendment. Mayor Pro Tem Pearson seconded the motion. CARRIED - unanimously.

**g) RESOLUTION NO. 10, SERIES 2019, A Resolution Approving the Amended and Restated Service Plan for South Timnath Metropolitan District No. 1 and Authorizing the Execution of an Intergovernmental Agreement Between the Town of the Timnath and District No. 1**

- Mr. Rogers spoke to Council about the proposed resolution.
- Councilmember Neal asked for clarification on the mill levy cap for new Districts and Mr. Rogers explained that the service plans include standard Gallager language from the Town's model that allows the metro districts to adjust their mill levy in response to future statutory decreases in the residential property assessment ratio. This structure is authorized so that, to the extent possible, the actual tax revenues generated by the metro district's mill levy are neither diminished nor enhanced as a result of such residential assessment ratio reductions.
- Councilmember Laake spoke about attending the public meeting and her observation of resident understanding of the changes. She noted specifically that she thought the applicants had done a nice job of addressing resident questions at the meeting.

Mayor Grossman-Belisle opened the public hearing at 6:47 p.m.

John Cloudman spoke to Council about reviewing the numbers and being generally happy with the outcome. He thanked Robert Rogers, Dino and Mike DiTullio for providing him information and expressed his support for the proposed amendments.

Mayor Grossman-Belisle closed the public hearing at 6:50 p.m.

- Mayor Grossman-Belisle and Mayor Pro Tem Pearson thanked Mr. Cloudman for his involvement and his due diligence.

Mayor Pro Tem Pearson made a motion to approve RESOLUTION NO. 10, SERIES 2019, A Resolution Approving the Amended and Restated Service Plan for South Timnath Metropolitan District No. 1 and Authorizing the Execution of an Intergovernmental Agreement Between the Town of the Timnath and District No. 1. Councilmember Neal seconded the motion. CARRIED - unanimously.

- h) RESOLUTION NO. 11, SERIES 2019, A Resolution Approving the Amended and Restated Service Plan for South Timnath Metropolitan District No. 2 and Authorizing the Execution of an Intergovernmental Agreement Between the Town of Timnath and District No. 2

Mayor Grossman-Belisle opened the public hearing at 6:51 p.m.

No public comments.

Mayor Grossman-Belisle closed the public hearing at 6:51 p.m.

Mayor Pro Tem Pearson made a motion to approve RESOLUTION NO. 11, SERIES 2019, A Resolution Approving the Amended and Restated Service Plan for South Timnath Metropolitan District No. 2 and Authorizing the Execution of an Intergovernmental Agreement Between the Town of Timnath and District No. 2. Councilmember Neal seconded the motion. CARRIED - unanimously.

- i) 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."

Mayor Pro Tem Pearson made a motion to enter into executive session at 6:52 p.m. Councilmember Neal seconded the motion. CARRIED - unanimously.

Mayor Pro Tem Pearson made a motion to exit executive session at 7:12 p.m. Councilmember Neal seconded the motion. CARRIED - unanimously.

**7 ADJOURNMENT 7:12 P.M.**



  
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Mayor

  
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Town Clerk