



MINUTES

Timnath Town Council Meeting

6:00 PM - Tuesday, April 28, 2020
4750 Signal Tree Drive, Timnath,
Colorado

PRESENT: Mayor Mark Soukup, Councilmember Aaron Pearson, Councilmember Rick Collins, Councilmember Lisa Laake, and Councilmember Brett Hansen (all attended via Virtual access)

STAFF: Contracted Town Attorney Robert Rogers, Town Manager Wesley LaVanchy, Town Clerk Milissa Peters-Garcia, Interim Police Chief Terry Jones, Contracted Town Engineer Don Taranto, Contracted Community Development Director Matt Blakely, Contracted Town Planner Brian Williamson, Contracted Town Planner Kevin Koelbel, and Communications Kim Newcomer (all attended via Virtual access)

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

2 AMENDMENTS TO THE AGENDA
NONE

3 PUBLIC COMMENT

Mr. Blakely read into the minute's comments submitted by John Barkley:

To the Timnath Mayor and Town Council:

My name is John Barkley, and my address is 6090 Pryor RD, Timnath, CO 80547. My telephone number is 951-640-5183, and I am available to answer any questions before, during or after the meeting on this matter. I am hopeful that we can have civil and effective discussions on this and other matters in the future.

As I stated in my previous comments on this topic, I am 100% all-in for health and safety of our residents. I am totally in favor of having a street sweeping program for both environmental and quality of life reasons. This is a great service to provide to our residents, and one of the good things that can keep Timnath being a special place to make a home.

I realize that the cost of a street sweeper is relatively small compared to the total town capital spending. But with the sudden and potential catastrophic financial impact of the Coronavirus, budgets, paying attention to even the "small stuff" is more important than ever. Prudent decisions require examination of not only at the initial costs for capital outlay, but also need to take into account the burden of future years' operating costs. I call this the "total cost of ownership" concept.

In summary, my recommendations are:

1. Contract this service out now to clean all the streets at least once.

2. Understand in more detail what the actual current and future costs would realistically be as part of the 2021 budgeting process.
3. Wait until the economy settles out before making this capital and future operating expense commitment.

I would also like to thank Mr. Taranto for addressing some of my concerns in his April 28 report on the street sweeper resolution. This communication is a follow-up after reading the new report, and I request that the town council consider my comments before voting on this resolution.

My detailed comments follow below.

And, as a procedural suggestion and as we go through the learning curve on virtual meetings, I would like to see the above portion of this comment placed into the minutes. I would like for the council members and town staff to read my supporting details below in advance of the meeting and the details could be an attachment to the minutes. In this way, an excessive amount of re-reading is saved, and there is sufficient detailed material below that can be read and digested before the actual meeting. Valuable time could then be spent on discussion and debate. And, please feel free to call me in advance if the meeting with questions.

Here are my specific comments:

The report states that a very limited amount of current sweeping is contracted out at an approximate cost of \$320 per mile. To the lay person, this seems to be a high number, but it may be in fact what this should realistically cost. The vendor has capital equipment, operating costs and expects to make a profit. Economically speaking, vendors in the sweeping business should be more efficient due to better equipment and labor utilization and generally have lower costs than our town. That statement is not meant to be a knock on our operations, it's just that governments do sweeping as a needed service, but it is not as a full time or top priority item such as police services, for example.

What I would like to see in the report is what it would actually cost to contract out the ideal amount of sweeping. The report gives a figure of \$37,120 per year to do all the streets one time per year, but then goes on to recommend a higher level of service. From the report, a realistic operating cost budget for that cannot be ascertained. I believe that contracting out should be explored in more detail to see if it's feasible to do so for at least the next few months. Contracting out the initial sweeping would also help the Town to understand the quality of the service provided and if there are competing qualified vendors who would want our business. Just as it was previously decided to contract out other essential city functions, such as accounting, legal and engineering, this option should be explored.

The current report also notes that the sweeper would have a full warranty, but it does not say for how long, how many miles or hours of operation, and what items are excluded from warranty coverage. I believe that this needs to be stated, preferably in the vendor proposal, and certainly in any contracts. And the report notes that maintenance would be minimal in the first few years. This statement should be quantified as to estimate costs by year, and as the April 28 report noted, Timnath would have the City of Loveland under a repair and maintenance IGA (Intergovernmental Agreement). Since Loveland operates similar equipment, I recommend that they be requested to give us an idea of what maintenance would be

required during the warranty period, what costs would be expected after the warranty runs out, and what is a reasonable practical life span of the equipment.

The report also raises another interesting question. Would Loveland be willing to sweep Timnath's streets under an IGA? This would offer them the opportunity to leverage their fixed and capital costs and it may save Timnath money. This idea may have already been explored, but its not mentioned in the report.

The report also notes that operating labor will be from the operating budget. It does not state how much labor would be required, and also implies that additional staff may need to be hired. It's reasonable to assume that the current employees are performing other important duties and not being paid for idle time, so there must be an incremental cost per hour for operations.

The report still does not budget for fuel, routine maintenance, insurance, and waste disposal. It is crucial to know what these costs are for two reasons. The first is to make a smart decision on the "make or buy" decision for this service. Based on the current report, we simply do not have enough information to know if this is a good decision or not. Secondly, the operating costs will need to be factored into the future years' operating budgets.

The above analysis pertains to normal economic times. Now comes the Coronavirus. Even if the questions above are answered and the smart decision would normally be to BUY, I recommend that the service be contracted out for the immediate need and that the spending be put on hold until a better picture emerges over town revenues. Please do not be lulled into complacency based on February, or maybe even March's increase in tax collections. We do know that oil prices have collapsed and several Colorado energy companies are failing. Yes, we do not depend directly on oil and gas revenues, but the people that work in this industry are now suddenly unemployed and their future may be bleak. This certainly could have a major impact on retail sales and resulting sales tax revenues.

The proposal notes that the price is a good deal. With the current economic events, I will speculate that many towns and businesses are going to cut capital spending, and there is a good possibility that a unit could be purchased in the future at or below the current vendor offer. The report did not state if competitive bids were sought and what the town's policy was for items in this price range. Yes, the capital outlay is not that significant when compared to the big picture, but I would not like to see us risk not being able to provide essential town services.

In the original report (contained in the April 14 meeting packet) it was proposed to lease and charge the cost paid in 2020 operating budget and then use the 2021 capital budget to purchase the sweeper. I recommend that the town explore contracting out the first cleaning in 2020 and charge that cost to the 2020 operating budget. In addition, the "make or buy" decision should be made as part of the 2021 capital budgeting process.

Sincerely,
John S. Barkley
951-640-5183

4 CONSENT AGENDA

- a) Approval of the April 14, 2020, Town Council Meeting Minutes
- b) April 28, 2020 Check Register

Councilmember Lisa Laake made a motion to approve the consent agenda. Councilmember Rick Collins seconded the motion. CARRIED BY VOICE VOTE. unanimously.

5 REPORTS

- a) Mayor and Council Reports

Councilmember Laake asked that the Council meetings be recorded and/or live streamed. She expressed her appreciation for the sidewalk work being performed to allow for better access across the bridge and within the community. Councilmember Laake also spoke talking with the resident who maintains the little libraries and about the use of the community libraries and the coming additional libraries in the community.

Councilmember Collins agreed that recording the meetings should happen but that they need to be done properly.

Mayor Soukup also agreed that recording of the meetings should happen. He also asked that a letter of appreciation be drafted for the resident who manages the community libraries.

- b) Finance Update Report
Included in the packet

Ms. Harwell spoke about the provided report and asked if Council had any questions or comments. Councilmember Collins spoke about moving past the current COVID pandemic and was appreciative of the increased sales tax being generated from Costco and Wal-Mart.

Ms. Harwell spoke about discussions with staff regarding additional cost savings during this time.

Councilmember Collins asked if staff was looking into the grant opportunities through FEMA and Mr. LaVanchy stated that staff was working on the opportunities for reimbursement through FEMA.

Ms. Harwell spoke about the Town's financial stability. Mr. LaVanchy spoke about surrounding communities requiring furloughs and that most of those actions are an outcome of recreation programs and facilities not being used and the employees not working in those areas.

Mayor Soukup spoke about the few part-time employees being utilized at the reservoir and parks which are being used above average at this time.

Councilmember Collins spoke about the outcome of the calls with the White House, surrounding counties and other entities regarding the COVID situations.

Councilmember Laake asked why Councilmember Collins was working with Weld County and Councilmember Collins stated that he was working with Weld county because they are a part of the Town's GMA and that he was also working with Larimer County.

Councilmember Hansen asked about the building permit revenue variations and Ms. Harwell stated that the positive variances were expected to continue through the end of the year and that it appeared that the estimated number of building permits for 2020 was on track.

Mr. Blakely spoke about the panic at the beginning of the COVID situation regarding building permits and that building was aggressive right now as the Town has so many lots available.

c) Engineering Report
Included in the packet

Councilmember Hansen asked about the status of the Three Bell construction of the railroad crossing. Mr. Taranto stated that he spoke with the railroad and explained that the work for that crossing will move forward.

Mayor Soukup asked for a brief description of the location of the crossing and Mr. Taranto explained the location and that it is planned to be a quite zone crossing.

Mayor Pro Tem Pearson asked about the Wal-Mart access issue and Mr. Taranto stated that he was calling and emailing his contact at Wal-Mart daily and expected progress soon.

d) Community Development Report
Included in the packet

Mr. Blakely highlighted the Timnath Ranch development progress and neighborhood meetings.

Mayor Soukup stated that when he was canvassing, he heard that residents didn't know what was happening in their neighborhoods.

Councilmember Laake spoke about the development signs and asked that more direct information be added to those signs so that the residents can access additional information. Mr. Blakely stated that new signs have been ordered and that staff was working toward moving forward as new developments come in.

- e) Police Staff Report
Included in the packet

Chief Jones spoke about the lower number of contacts during the time of COVID but that extra patrolling was happening to provide a larger police presence.

- f) Manager Report
Included in the packet

6 BUSINESS

- a) RESOLUTION NO. 32, SERIES 2020, A Resolution Approving the Purchase of a 2019 Mechanical Street Sweeper

Mr. Taranto spoke to Council about the proposed resolution and addressed Mr. Barkley's comments.

Councilmember Collins spoke about the information on the sweeper and asked Council to consider buying the sweeper and save a bit of money as opposed to leasing it before purchase.

Councilmember Hansen asked about the 2020 budgeted cost for sweeping and Mr. Taranto explained the estimated budget and that the sweeper was a demo that provided a unique opportunity. Councilmember Hansen asked if the Town should make such a large purchase at the current time and Councilmember Collins spoke about the increase in revenue and the savings that would occur if the sweeper was purchased and not leased.

Councilmember Rick Collins made a motion to approve RESOLUTION NO. 32, SERIES 2020, A Resolution Approving the Purchase of a 2019 Mechanical Street Sweeper as AMENDED. Mayor Pro Tem Aaron Pearson seconded the motion. CARRIED BY VOICE VOTE. unanimously.

- b) RESOLUTION NO. 34, SERIES 2020, A Resolution Authorizing Electronic Signatures and Establishing Related Procedures ("Resolution")

Mr. Rogers spoke to Council about the proposed resolution.

Councilmember Brett Hansen made a motion to approve RESOLUTION NO. 34, SERIES 2020, A Resolution Authorizing Electronic Signatures and Establishing Related Procedures. Mayor Pro Tem Aaron Pearson seconded the motion. CARRIED BY VOICE VOTE. unanimously.

- c) RESOLUTION NO. 35, SERIES 2020, A Resolution Approving the Timnath Landing Final Plat Filing 2 - **Public Hearing**

Mr. Koelbel spoke to Council about the proposed resolution and proposed conditions.

John Preswich provided a presentation to the Council.

Councilmember Collins asked about the sale range of the homes and Mr. Kuykendal spoke about the predicted range.

Mayor Soukup opened the public hearing at 7:17 p.m.

NO PUBLIC COMMENTS

Mayor Soukup closed the public hearing at 7:17 p.m.

Mayor Pro Tem Aaron Pearson made a motion to approve RESOLUTION NO. 35, SERIES 2020, A Resolution Approving the Timnath Landing Final Plat Filing 2 with the additional conditions discussed and agreed upon by the applicant. Councilmember Rick Collins seconded the motion. CARRIED BY VOICE VOTE. unanimously.

7 DISCUSSION AND FUTURE AGENDA ITEMS

a) Council Assignments and Committee Appointments

Nomination of Mayor Pro Tem: Mayor Soukup expressed his thoughts that a new Mayor Pro Tem be voted on every 2 years and nominated Rick Collins as Mayor Pro Tem.

Mayor Mark Soukup made a motion to appoint Councilmember Rick Collins as Mayor Pro Tem. Councilmember Brett Hansen seconded the motion. CARRIED BY VOICE VOTE. 4-1 (opposed: Mayor Pro Tem Aaron Pearson).

Council discussed appointments to act as liaisons for local and state entities.

Councilmember Aaron Pearson made a motion to appoint liaisons for the following organizations, Councilmember Laake to North Front Range Metropolitan Organization, Mayor Soukup and Councilmember Pearson to the Timnath Foundation Board, Councilmember Laake to Larimer County Behavior Health Board, Councilmember Pearson to NoCo Strong, Mayor Pro Tem Collins for COVID-19 legislation, Councilmember Hansen to the Poudre River Heritage Alliance, Councilmember Hansen and Town Manager Mr. LaVanchy to the Colorado Municipal League Policy Committee and Mayor Pro Tem Collins to the Larimer County Transportation Committee. Mayor Pro Tem Rick Collins seconded the motion. CARRIED BY VOICE VOTE. unanimously.

Council discussed the formation of Town committees.

Councilmember Aaron Pearson made a motion to direct staff to establish the following: 1) Finance Committee: Mr. Rogers and Ms. Johnson to coordinate with Ms. Harwell and Mr. LaVanchy; 2) Parks, Open Space and Reservoir Committee: Mr. Rogers and Ms. Johnson to check with Councilmember Pearson and the Planning department to discuss parameters; 3) Metro District Commission (ad hoc): Assuring in compliance, Assuring residents have membership, Report back to the council and Empower residents to participate

on boards. Mayor Pro Tem Rick Collins seconded the motion. CARRIED BY VOICE VOTE. unanimously.

- b) Review and Discuss Council Member Appointment for Foundation Board of Directors

Included in Item 7a.

- c) Council Retreat Discussion

Mr. LaVanchy spoke about the proposed retreat on May 29th and May 30th

- d) Live Streaming Council Meetings

Mr. LaVanchy spoke about the possibility of live streaming Council meetings.

- e) Information regarding the Town of Timnath events for the remainder of 2020 and suggestions for changes due to Covid-19

Kim Newcomer spoke about possible changes needed regarding pending events.

Mayor Pro Tem Rick Collins made a motion to 1) Move forward as scheduled with clean-up day; 2) Defer spending and final decision until July 21st on Taste of Timnath and Holiday Lighting; 3) Summer BBQ; defer future spending to the second May Meeting and more COVID clarity and consider options to include rescheduling as that date approaches August 14th; 4) Concerts: cancel June concert and delay decision on July and August concerts; and 5) July 4th: continue with a funding commitment to fireworks and permit fee, but continue discussions regarding timing and make a final council determination after more COVID clarity. Councilmember Lisa Laake seconded the motion. CARRIED BY VOICE VOTE. unanimously.

8 ADJOURNMENT 8:49 P.M.

DocuSigned by:

Mark J. Soukup

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Mayor

DocuSigned by:

Milssa Peters-Garcia

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Town Clerk