MINUTES
Timnath Town Council Meeting
6:00 PM - Tuesday, June 23, 2020
4750 Signal Tree Drive, Timnath, Colorado

PRESENT: Mayor Mark Soukup, Councilmember Aaron Pearson, Mayor Pro Tem Rick Collins, Councilmember Lisa Laake, and Councilmember Brett Hansen

STAFF: Contracted Town Attorney Robert Rogers, Town Manager Wesley LaVanchy, Town Clerk Milissa Peters-Garcia, Deputy Clerk Tiffany Akers, Interim Police Chief Terry Jones, Contracted Finance Director Christine Harwell, 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

PUBLIC: Jeff Cullers, Tanya Henry, Dana Garvey, Russell Henry, William Jenkins, Matthew J. Kelly, Anthony Maestas, Josh Hersh, Jim Halia, Alex Shuman and Mike Zambory

1 CALL TO ORDER AND ROLL CALL 6:04 P.M.

2 AMENDMENTS TO THE AGENDA NONE

3 PUBLIC COMMENT
The intent of this section is to allow the public to make comments on non-agenda items or items that do not have a public hearing available.

a) Mr. Rogers gave an announcement regarding public comment and the rules for meeting conduct.

   Jeff Cullers, spoke to Council about the daycare application, the waiver request and consequences of denial of the waivers. He spoke about the Town Code regarding waivers and the content of the waivers. He further spoke about the Town Code section regarding variances. He stated that the requested waivers were not minor and rather quite significant. He expressed his opinion about the land use code and stated that the project did not fit the residential commercial zoning.

   Tanya Henry, spoke to Council about the daycare proposal being invasive and that it will have a negative impact on property values.

   Dana Garvey, spoke to Council about supporting the daycare but not supporting the landscaping waivers. She spoke about her concerns regarding traffic, visibility issues and the safety of the children. She stated that parking would be an issue and increase the visibility issues.
• Russell Henry, spoke to Council about the lack of resident outreach. He stated that it would hit the residents financially, overcrowd the neighborhood playground and impact safety.

• Dr. William Jenkins, spoke about his opposition of the setback waivers. He spoke about the land use code, the change in zoning and the uses within the zoning district. He also spoke about traffic issues.

• Matthew Kelly, spoke to Council about his concerns regarding safety, increased traffic and the size of the daycare.

• Jim Halia, spoke to Council about his opinion as a realtor and working with the area builders. He stated that a daycare and learning facility would benefit the local residents. He spoke about Timnath not having many conveniences and that a daycare would provide an added convenience.

4 CONSENT AGENDA-PAYABLES

a) Small Business Grants Check Register

b) June 23, 2020 Check Register

Mayor Pro Tem Rick Collins made a motion to approve the consent agenda-payables. Councilmember Lisa Laake seconded the motion. CARRIED unanimously.

5 CONSENT AGENDA-OTHER

The intent of this consent agenda is to approve standard or reoccurring items that don’t fall under the above consent agenda(s).

a) Approval of the June 9, 2020, Town Council Meeting Minutes

b) RESOLUTION NO. 43, SERIES 2020, A Resolution Ratifying Prior Electronic Acts of the Timnath Town Council And Recognizing Continuing Electronic Participation by Councilmembers During the Duration of the COVID-19 Pandemic ("Resolution")

Mayor Pro Tem Rick Collins made a motion to approve the consent agenda-other. Councilmember Aaron Pearson seconded the motion. CARRIED unanimously.

6 REPORTS

a) Mayor and Council Reports
   • Councilmember Hansen spoke about the report he provided in the packet.

b) Finance Update Report
   Included in the packet.
   • Ms. Harwell spoke about the increase in May sales tax revenues.

c) Engineering Report
   Included in the packet.
- Mr. Taranto spoke about the seal coating project coming to the Harmony Subdivision in July.

d) Community Development Report
   Included in the packet.

e) Public Safety Report
   Included in the packet.

f) Manager Report
   Included in the packet.
   - Mr. LaVanchy spoke about adding a 1.5 hour work session on July 14th prior to the regular meeting and a 4 hour work session on July 28th prior to the regular meeting on that date.

7 BUSINESS

a) RESOLUTION NO. 42, SERIES 2020, A Resolution Approving Town Council Waivers to The Learning Experience Site Plan

   - Mr. Koelbel spoke to Council about the proposed resolution. He further explained the details of each waiver.
   - Mr. Taranto addressed the traffic concerns and traffic study support of the road use, width and safety.
   - Mr. Alex Shuman spoke to Council about the circumstances that led to the request for the 3 waivers.
   - Mr. Mike Zambory spoke to Council about working with staff and Mr. Shuman on the project. He addressed the parking and traffic concerns. He also spoke about the staggered pick up and drop off times and their flexibility to work with parents and their schedules.
   - Mayor Pro Tem Collins asked about the community outreach and Mr. Shuman explained his contact with adjacent property owners.
   - Mayor Pro Tem Collins asked about lowering the enrollment number and Mr. Shuman spoke about a lower average capacity due to absences and part-time enrollments.
   - Mayor Pro Tem Collins asked about having one entry/exit and Mr. Zambory spoke about their success with having one access to their facilities.
   - Mr. Koelbel spoke about the fire department input on the site and emergency access.
   - Councilmember Pearson asked that if the waivers were denied if the applicant could make changes to closer meet the land use code and Mr. Koelbel stated that the waivers actually made the site safer.
   - Councilmember Hansen asked if the Town had any authority to address traffic issues and Mr. Koelbel explained how the Town could work with the applicant if issues were to occur.
   - Councilmember Hansen spoke about the land use code, that he tried to find a reason to vote against the waivers and what the Council's job is with regard the project.
• Councilmember Laake spoke about her concerns of parking along roadways but expressed the need for a daycare.
• Mayor Soukup spoke about spending time reviewing resident concerns, contacting neighborhood daycares in surrounding communities, speaking with area realtors and the information he received.
• Mr. Rogers stated that the Council could not deny the daycare as that could expose the Town to a lawsuit but that Council can only approve or deny waivers due to the criteria.
• Mayor Soukup directed staff to encourage the requirement of neighborhood meetings regarding developments and to review the residential commercial designation.

Mayor Pro Tem Rick Collins made a motion to approve RESOLUTION NO. 42, SERIES 2020, A Resolution Approving Town Council Waivers to The Learning Experience Site Plan. Councilmember Brett Hansen seconded the motion. CARRIED unanimously.

b) RESOLUTION NO. 44, SERIES 2020, SERIES 2020, A Resolution Appointing the Town of Timnath Finance Committee Members ("Resolution")

• Mr. Rogers spoke to Council about the proposed resolution.
• Mr. LaVanchy spoke about the process and the quality of the applicants.
• Mayor Soukup proposed Mayor Pro Tem Collins, Craig Okers, Raymundo Chapa, John Barkley, Sarah Irizarry and Luke Wagner as the committee members.

Mayor Mark Soukup made a motion to approve RESOLUTION NO. 44, SERIES 2020, SERIES 2020, A Resolution Appointing the Town of Timnath Finance Committee Members with an amendment that grants authority to the Mayor, in consultation with the Mayor Pro Tem to appoint term limits to committee members during or after the first committee meeting. Mayor Pro Tem Rick Collins seconded the motion. CARRIED unanimously.

c) RESOLUTION NO. 45, SERIES 2020, A Resolution Approving the Formation, Membership, Goals, and Responsibilities of the Parks, Recreation, Open Space, and Trails Committee ("Resolution")

• Mr. Williamson spoke to Council about the proposed resolution.
• Councilmember Pearson expressed his excitement for this committee.
• Councilmember Laake expressed her appreciation for the addition of youth and prioritizing the youth involvement.
• Mayor Pro Tem Collins spoke about having a position available to only a youth member.

Councilmember Aaron Pearson made a motion to approve RESOLUTION NO. 45, SERIES 2020, A Resolution Approving the Formation, Membership, Goals, and Responsibilities of the Parks, Recreation, Open Space, and Trails Committee amendment to reserve at least one spot on the committee for a resident member between the ages of 12 and 18. Councilmember Lisa Laake
seconded the motion. CARRIED unanimously.

d) RESOLUTION NO. 46, SERIES 2020, A Resolution Approving the Memorandum of Understanding Related to the Distribution of CARES Act Funds

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

Mayor Pro Tem Rick Collins made a motion to approve RESOLUTION NO. 46, SERIES 2020, A Resolution Approving the Memorandum of Understanding Related to the Distribution of CARES Act Funds. Councilmember Lisa Laake seconded the motion. CARRIED unanimously.

e) Discussion regarding RFP process for permanent town manager position, and consideration of RESOLUTION NO. 47, SERIES 2020, A Resolution Approving the Formation of the Town Manager Recruiting Firm Pre-Selection Committee (“Resolution”)

- Mr. Rogers spoke to Council about the proposed resolution.
- Council discussed the RFP, interviewing and selection process.
- Mayor Soukup asked that the interim town manager be amended to a month-to-month contract through December 2020.

Mayor Pro Tem Rick Collins made a motion to approve Discussion regarding RFP process for permanent town manager position, and consideration of RESOLUTION NO. 47, SERIES 2020, A Resolution Approving the Formation of the Town Manager Recruiting Firm Pre-Selection Committee. Councilmember Lisa Laake seconded the motion. CARRIED unanimously.

8 DISCUSSION AND FUTURE AGENDA ITEMS

a) 2021 Budget Calendar

- Ms. Hanwell spoke about budget planning for 2021, work session dates, resident budget workshop and final approval.
- Councilmember Hansen asked about the finance committee involvement with the budget process and Mayor Soukup explained the finance committee involvement in the budget process.
- Mayor Pro Tem Collins spoke about DA funds going to the Town and Ms. Hanwell stated that she would bring information back for discussion.
- Councilmember Laake asked for more detail regarding the capital improvement project budget items.

b) Low Speed Vehicles

- Chief Jones asked for guidance from Council regarding low speed vehicles.
- Mayor Soukup stated that it was the intent of Council to allow the safe operation of golf carts on Town streets and to focus on golf carts before moving on to other types of low speed vehicles.

c) Information regarding the Town of Timnath community survey vendor selection,
community events, and upcoming outreach for street maintenance in the Harmony Subdivision

- Ms. Newcomer spoke about the community survey progress, selection and process.
- Ms. Newcomer spoke about the July 4th Fireworks Display and encourage residents to watch from their homes or local park.
- Ms. Newcomer and Council discussed canceling the August Summer Concert
- Ms. Newcomer and Council discussed the previously proposed Summer BBQ in conjunction with the park opening and other options to reduce large gatherings.
- Councilmember Hansen asked about the park grand opening and Ms. Newcomer explained a possible process and abiding by State and County regulations.
- Mr. Blakely spoke to Council about Special Event permit requests coming in and following State and County regulations.
- Ms. Newcomer further explained community outreach regarding the Harmony Subdivision seal coating project.

9 ADJOURNMENT 8:15 P.M.

[Signatures for Mayor and Town Clerk]