MINUTES
Timnath Town Council Meeting
6:00 PM - Tuesday, September 22, 2020
4750 Signal Tree Drive, Timnath, Colorado

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

STAFF: Contracted Town Attorney Robert Rogers, Town Manager Wesley LaVanchy, Town Clerk Millissa Peters-Garcia, Finance Manager Lisa Gagliardi, 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

PUBLIC: T. Reed Miller, Jon Weiss, Carol Fulkrod, Don Simpson, William Grush, Donna Grush, Al Lucas, Kathy Simpson, Travis Redmon, Pete Borner, Jason Apke, Jamie Weber, Allyn Albers, Peter Champion, Kristin Turner and Isaac Lewis

1 CALL TO ORDER AND ROLL CALL  6:01 P.M.

2 AMENDMENTS TO THE AGENDA
Item 8a removed and Item 8b was moved to 7e

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) Jon Weiss spoke to Council about traffic issues in the Serratoga Falls and asked that the Town Engineer review the issue. He also asked that the Town do more outreach to residents in the Prospect and County Road 5 area regarding road construction and school site progress. He also spoke about the Serratoga Falls Parkway landscaping, the lack of completion and trash in the roadway causing liability. He stated that he feels that the "Original" residents in the Serratoga Falls Subdivision are being forgotten.

4 CONSENT AGENDA-PAYABLES
a) September 22, 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 September 8, 2020, Town Council Meeting Minutes

Councilmember Aaron Pearson made a motion to approve the consent agenda-other. Councilmember Brett Hansen seconded the motion. Mayor Mark Soukup abstained from voting. CARRIED 4-0.

6 REPORTS

a) Mayor and Council Reports
   - Mayor Soukup acknowledged the finance staff for their excellent presentation in the budget work session.

b) Councilmember Laake Report
   - Councilmember Laake suggested a work session to discuss a code of conduct policy. Mayor Soukup suggested that a work session for a code of conduct discussion and review of the Town Charter on January 27, 2021.

c) Finance Report
   Included in the packet.

d) Engineering Report
   Included in the packet.

e) Community Development Report
   Included in the packet.

f) Police Staff Report
   Included in the packet.

g) Manager Report
   Included in the packet.

7 BUSINESS

a) RESOLUTION NO. 59, SERIES 2020, A Resolution Approving an Intergovernmental Agreement with Larimer County Regarding Cooperation on Managing Urban Development
   - Mr. Blakely spoke to Council about the proposed resolution.
   - Mayor Soukup asked about the County’s adoption timeline and Mr. Blakely stated that the County was scheduled to happen next week.

Councilmember Aaron Pearson made a motion to approve RESOLUTION NO. 59, SERIES 2020, A Resolution Approving an Intergovernmental Agreement
with Larimer County Regarding Cooperation on Managing Urban Development. Mayor Pro Tem Rick Collins seconded the motion. CARRIED unanimously.

b) RESOLUTION 60, SERIES 2020, PUBLIC HEARING, A Resolution Approving the Serratoga Falls Amended Sketch Plan

- Mayor Soukup recused himself from this matter due to a possible perceived conflict of interest.

- Mr. Koelbel spoke to Council about the proposed resolution.
- Kristin Turner presented Council with proposed amended sketch plan.
- Councilmember Laake asked how the lots per acre are calculated and Ms. Turner explained the process.
- Councilmember Hansen asked about the amount a land needed for the school district and Ms. Turner explained how a site may or may not be utilized by a school.
- Mayor Pro Tem Collins asked about the number of units displaced by the amended plan and Ms. Turner explained the change in road placement to accommodate the units displaced.

Mayor Pro Tem Collins opened the public hearing at 6:40 p.m.

- Carol Fulkrod spoke to Council about units being placed south of Prospect Road
- Don Simpson spoke to Council about development history. He spoke about the Kitchell Lake portion of the subdivision and his concern about the loss of open space. He stated that a school would be a welcome addition to the neighborhood but that the school site removed open space. He asked that Council deny the plan and have the developer come back with a plan that includes additional open space.
- William Grush spoke to Council about the density increase and loss of open space. He spoke about removing the units on Parcel G. He asked for more open space along the south side of the lake and asked that the trail be moved closer to Phase 2. He asked Council to require larger setbacks and that the pool area be moved to a different area.
- Donna Grush spoke to Council about her support for previous statements opposing the change.
- Jason Apke spoke to Council about being in favor of the proposal and that he looks forward to growing a family in this area.
- Jaime Weber spoke to Council about her support for the School, pool, trails and new homes. She spoke about the plan suiting the neighborhood.
- Reed Miller spoke to Council about starting a family and being in favor of the plan.
- Allysin Albers spoke to Council about her concerns environmental impact around the lake, the impact wildlife and asked Council to look into the impact. She also stated she was not notified of the development and asked to be put on the list to receive notifications in the future.
- Peter Champion spoke to Council about his excitement for the open
space and access to the lake. He looks forward to the amenities.

- Al Lucus spoke to Council about agreeing to having full access to the water rights and access to the lake when he moved into the subdivision. He also spoke about traffic issues and the need for a traffic plan.
- Kathy Simpson spoke to Council reiterated what was previous stated about the loss of open space.
- Pete Borner spoke to Council about the homes being pushed up on the sketch plan and that he would like to see how the developer came up with the number of homes per acre

Mayor Pro Tem Collins closed the public hearing at 7:05 p.m.

- Mr. Keolbel read the names of people who wrote regarding their support or opposition to the plan.
- Ms. Turner thanked everyone about their comments. She further explained the amount of open space and what type of surfaces would be in the open space areas. She also spoke about the school being an amenity for the area and that the site is calculated consistent with the land use code. She stated that the plan was zoned a higher density than what was being proposed. She spoke about a traffic study that was completed, reviewed, and approved by the Town Engineer. Ms. Turner spoke about the concern for lots located south of Prospect Road. She stated that the original plan had a park on the south side of Prospect Road but that it posed safety and access concerns. She addressed the location of the pool and clubhouse. She spoke about the greenbelt size and how they are consistent with 1st and 2nd filling greenbelt areas. Ms. Turner spoke about working with the school district to provide a needed school site for the area.
- Councilmember Pearson asked about the timeline of the school and Ms. Turner stated that it would be an elementary school with the capacity for approximately 600 students.
- Councilmember Pearson spoke about the size of greenbelts and explained that plan before Council is to approve the sketch and not the final picture.
- Councilmember Hansen asked about the housing distance from the lake and Ms. Turner explained that the distances varied.
- Councilmember Hansen asked if the developer would agree to an average setback from the lake and Ms. Turner explained that she felt the plan already allowed for the required setbacks and that they would followed what was required.
- The developer spoke about the project, density compared to other 1 mile areas, open space and infrastructure improvements. He explained that the density being proposed was below what was allowed. He stated that he would gladly agree to setbacks.
- Councilmember Laake spoke about seeing a minimum setback to lake and other areas in the future. She stated that she disagreed with the school being considered open space.
- Councilmember Hansen spoke about reviewing previous meeting regarding the proposed plan to familiarize himself with the project. He compared the shoreline and shape of the lake from the 2014 plan to the plan today. He compared the open space between the 2 plans. He
spoke about the harmony achieved between the 2 plans
- Councilmember Pearson spoke about the value that a school brings to the area.
- Mayor Pro Tem spoke about losing site of the common goal. He also spoke about the developer reducing the density that was previously proposed, the value of the school and stated that it was a good compromise.

Councilmember Lisa Laake made a motion to approve RESOLUTION 60, SERIES 2020, PUBLIC HEARING, A Resolution Approving the Serratoga Falls Amended Sketch Plan. Councilmember Brett Hansen seconded the motion. Mayor Mark Soukup abstained. CARRIED 4-0.

c) ORDINANCE NO. 12, SERIES 2020, PUBLIC HEARING, An Ordinance Approving an Annexation of property known as McBride to the Town of Timnath, located east of CR-3F and north of Stone Fly Drive.

- Mr. Koelbel spoke to Council about the proposed ordinances.
- Mr. Issac Lewis spoke to Council about the anticipated plan.

Mayor Soukup opened the public hearing at 7:52 p.m.
NONE
Mayor Soukup closed the public hearing at 7:52 p.m.

Councilmember Aaron Pearson made a motion to approve ORDINANCE NO. 12, SERIES 2020, PUBLIC HEARING, An Ordinance Approving an Annexation of property known as McBride to the Town of Timnath, located east of CR-3F and north of Stone Fly Drive. Councilmember Lisa Laake seconded the motion. CARRIED unanimously.

d) ORDINANCE NO. 13, SERIES 2020, PUBLIC HEARING, An Ordinance Approving a Zoning Map Amendment for the Annexation of the property known as McBride to the Town of Timnath, located east of CR-3F and north of Stone Fly Drive.

Mayor Soukup opened the public hearing at 7:53 p.m.
NONE
Mayor Soukup closed the public hearing at 7:53 p.m.

- Council encouraged the developer to provide ample parking for future development of the property.

Mayor Pro Tem Rick Collins made a motion to approve ORDINANCE NO. 13, SERIES 2020, PUBLIC HEARING, An Ordinance Approving a Zoning Map Amendment for the Annexation of the property known as McBride to the Town of Timnath, located east of CR-3F and north of Stone Fly Drive. Councilmember Brett Hansen seconded the motion. CARRIED unanimously.
e) MOVED FROM ITEM 8b - Decision related to 2020 Holiday Lighting Festival

- Ms. Newcomer spoke to Council about alternatives to the annual holiday lighting celebration due to COVID-19.
- Mayor Pro Tem Collins asked that staff contact Colorado Youth Outdoors to explore a partnership with them on their holiday display in place of the Town's holiday lighting event.

f) EXECUTIVE SESSION

Council entered into executive session for the purpose of discussing the purchase, acquisition, lease, transfer or sale of real, personal, or other property interest by the Town pursuant to C.R.S. 24-6-402(a), Colorado Revised Statutes at 8:03 p.m.

Council returned to the regular meeting at 9:35 p.m.

8 DISCUSSION AND FUTURE AGENDA ITEMS

a) REMOVED – Police Building Site Discussion - Discussion was held in the Town Council Work Session

9 ADJOURNMENT 9:35 P.M.

[Signature] Mayor
[Signature] Town Clerk