

**TOWN OF MILLIKEN
BOARD OF TRUSTEES
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

MEETING MINUTES

Wednesday, March 9, 2011 - 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, March 9, 2011 at 7:00 p.m. Those present: Mayor Janie Lichtfuss, Mayor Pro Tem Julie Cozad. Trustees: Ted Chavez, Doug Kehr, Monica Martens and Peggy Wakeman. Also present: Town Administrator Jim Burack, Building Inspector Ken Kidd, Finance Manager Mitzi McCoy, Co-Clerk Cheryl Powell, Community Project Coordinator Caree Rinebarger and Public Works Director Mike Woodruff. Absent: Trustee Bob Carnahan, Town Attorney Bruce Fickel, Community Development Director Steve House and Co-Clerk Betty Rangel.

Pledge of Allegiance

Mayor Lichtfuss called the meeting to order.

Agenda Approval

Town Administrator Jim Burack responded there were no staff additions or deletions to the agenda.

Citizens Comments

Michael Job with Lot Holding, LLC announced to the Town Board that FMC Technologies a multi-faceted, multi-billion dollar, global corporation has leased the old Hall-Irwin Utility building in the Frontier Commercial Center. FMC will be using this building to manufacture and service equipment on oil and gas industry trucks. FMC plans to hire some local people immediately and will potentially hire

CONSENT AGENDA

1. List of Bills

List of Bills for March 09, 2011

Mayor Pro Tem Cozad recused herself from the vote on the list of bills, due to the inclusion of an invoice from Tetra-Tech her employer.

Trustee Chavez moved to approve the consent agenda. Trustee Kehr seconded the motion.

Vote: All in favor, none opposed.

ACTION AGENDA

1. Consideration of Approval of Adoption of Resolution 11-05, a Resolution Supporting the Appropriation of Funds for the Renovation of the Retired Town Hall and Police Station

Community Project Manager Caree Rinebarger asked the Town Board to consider for approval a resolution supporting the appropriation of funds for the renovation of the retired Town Hall and Police Station located at 1109 Broad Street for the purpose of using the facility for the High Plains Library District Public Computer Center, a proposed coffee shop, historical displays and a community information/gathering location. The Town will receive approximately \$42,300 from grants in the form of computers, equipment and furniture from the High Plains Library District and the Glen A. Jones, M.D. Memorial Library. The Town is asking for an appropriation of up to \$75,000 to renovate the retired Town Hall and Police Station.

Town Administrator Jim Burack explained that the Town will serve as general contractor to reduce costs with the assistance of Ken Kidd.

Mayor Pro Tem Cozad asked if Ken Kidd, who could be acting as the general contractor, will also provide the inspections during the renovation. Town Administrator Burack explained that if needed staff could bring in an outside inspector. Building Inspector Ken Kidd explained that as long as he is not performing any of the trades and being compensated, there is no conflict and he can perform the inspections.

Trustee Martens asked why the \$50,000 for renovating the building was pulled from the original 2011 budget and two (2) months later staff is asking

for \$75,000 for the renovation expense. Town Administrator Burack explained the \$75,000 is a high number and that the renovation costs will probably be closer to the \$50,000 figure. Staff was not able to determine a cost of the project for the 2011 budget since the design work by Roger Thorp had not been completed and the cost of demolition and asbestos mitigation had not been known. Mayor Pro Tem Cozad asked where the funds will come from since they were not included in the 2011 budget. Town Administrator Burack explained the funds could come from fund balance as an investment in the community.

Trustee Martens asked about the \$50,000 in the 2010 budget that was to be used for the Town Square project. Finance Manager McCoy explained that \$50,000 in funds would have come from the Conservation Trust Fund money since the project for Town Square was park related. Finance Manager McCoy explained that budget that is not spent each year rolls back into fund balance and is not carried over.

Trustee Kehr asked how much of the \$75,000 amount would be spent for the coffee shop portion of the renovation. Community Project Manager Rinebarger explained that the town will be providing the stub-outs for the electrical and plumbing, but the remainder will be a tenant improvement.

Mayor Pro Tem Cozad moved to approve Resolution No. 11-05, in support of appropriating funds for the renovation of the retired Town Hall located at 1109 Broad Street for the purpose of using the facility for the High Plains Library District Public Computer Center, a proposed coffee shop, historical displays and a community information/gathering location not to exceed \$75,000. Trustee Chavez seconded.

Discussion: Mayor Pro Tem Cozad asked staff to closely manage the project and keep the costs as low as possible and requested that the Board receive regular updates on the project.

Trustee Wakeman asked about the improvements that have already been completed and if this money was included in the appropriation. Town Administrator Burack explained that due to the time constraints of the project imposed upon us from the Library District, the asbestos abatement needed to be done as well as the design work. Finance Manager McCoy explained that currently the costs for the project have been charged to the General Fund and it will be transferred to the Capital Project Fund, provided the project goes forward.

Trustee Martens explained that as a condition of the grants from High Plains Library District and Glen A. Jones Library it was not specified that the Library had to be placed in the retired Town Hall/Police Station. The current Town Hall or Police Department could have been used.

Trustee Wakeman asked what the cost of the project is to date. Community Project Manager Rinebarger responded that the total cost to date is \$14,147.90. Trustee Wakeman asked if the funds currently spent on the project can remain where they have been expensed and the cost of the project lowered to not reflect that amount. Finance Manager McCoy explained that the Town's Auditors will eventually on completion of the project include all project costs in the valuation of the building and depreciate it based upon that new value.

Trustee Chavez asked if bids on the project have been received. Project Manager Rinebarger explained that the average amount of all bids received to date is \$45,000.

Mayor Pro Tem Cozad amended her previous motion changing the "to not exceed" amount to \$60,000. Trustee Chavez seconded.

Vote: Mayor Lichtfuss, Mayor Pro Tem Cozad, Trustees Chavez, Kehr and Wakeman in favor. Trustee Martens opposed. Motion carried.

DISCUSSION AGENDA

1. Modification of Residential Solicitation Ordinance Draft – MMC §10-6-200

Town Administrator Jim Burack presented for continued consideration a revision to the Milliken Municipal Code § 10-6-200 that would allow commercial solicitation provided the solicitors register with the Town. This modification encourages local businesses to be able to solicit in a safe way that respects the privacy of Milliken residents. Staff is continuing to work with Town Attorney Bruce Fickel regarding this modification and is looking for guidance from the Town Board in the direction they would like to take.

Discussion by the Town Board included the permitting of solicitors to discourage transient solicitors and require the solicitor to wear a badge provided by the Town to verify to the resident that the solicitor has been authorized by the Town to solicit door to door. The proposed \$25.00 fee would offset the expenses to the Town for production of a laminated badge, completion of a CBI background check, verification on the Secretary of State website that it is a legitimate business, verification that the company has a Milliken business license and the staff time to accomplish this. Each individual solicitor from the same company would need to be provided with a badge and charged the fee in order for the Town to perform due on each application.

2. Proposed Prairie Dog Ordinance Draft – MMC § 6-1-10; 7-2-160

Town Administrator Jim Burack presented for continued consideration an addition to the Milliken Municipal Code § 7-1-10 and § 7-2-160 regulating the presence of prairie dogs on residential lots. This ordinance is very similar to an ordinance that the Town of Wellington has enacted.

Discussion by the Board included who this ordinance would negatively affect and the potential impact of prairie dogs occupying open space or park areas within the Town. Town Administrator Burack responded that this ordinance would affect those with undeveloped lots that prairie dogs inhabit in subdivisions zoned Residential or Agricultural Estates, and the Town if it owns active habitat adjacent to these zoned areas.

Further discussion addressed whether there are current problems with prairie dogs. Mayor Lichtfuss responded there are vacant lots in the Mad Russian where prairie dogs have inhabited. Mayor Pro Tem Cozad addressed an open space area near Settlers Village that had prairie dogs on it last fall. Town Administrator Burack explained that this ordinance could be used to encourage a property owner particularly investment property owners such as out-of-state banks to appropriately control, relocate, or eliminate the nuisance. This ordinance would allow the Town to abate the property if no action is taken by the property owner. There was discussion about the difference between other wild animals and prairie dogs and that some property owners actually encourage prairie dogs onto their property by feeding them.

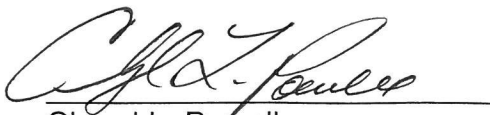
Mr. Roy Martens, 161 Oakwood Court, Milliken suggested to the Town Board that public education to inform people on the potential dangers of prairie dogs, such as plague and other diseases, may be beneficial.

Mayor Pro Tem Cozad suggested working with residents and landowners that may potentially have problems with prairie dogs.

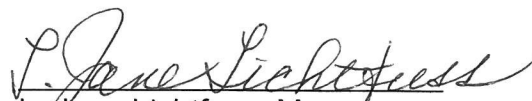
Adjournment

Hearing no further business, the Mayor adjourned the meeting at 8:10 p.m.

Prepared by:


Cheryl L. Powell,
Town Co-Clerk

Approved by:


L. Jane Lichtfuss, Mayor