

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

**MEETING MINUTES**

**Monday, June 20, 2011 - 7:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Monday, June 20, 2011 at 7:00 p.m. Those present: Mayor Janie Lichtfuss, Mayor Pro Tem Julie Cozad. Trustees: Bob Carnahan, Ted Chavez, Lois Ann Onorato and Peggy Wakeman. Also present: Town Administrator/Police Chief Jim Burack, Town Attorney Bruce Fickel, Community Development Director Steve House, Finance Director Mitzi McCoy, Co-Clerk Cheryl Powell and Co-Clerk Betty Rangel. Absent: Trustee Doug Kehr and Public Works Director Mike Woodruff

**Pledge of Allegiance**

Mayor Lichtfuss called the meeting to order.

**Presentation**

Chief Jerry Garner, Greeley Police Department presented Police Chief Jim Burack and the Milliken Police Department with a Colorado Association of Chiefs of Police (CACP) Accreditation.

**Agenda Approval**

Town Administrator Jim Burack responded there were a few action agenda and discussion items from staff to be added to the agenda.

**Citizens Comments**

Mr. Rex Moore of Moore Brothers resides in Denver and owns 21 acres of land in Milliken. He spoke about the Paulownia Tree and the Paulownia Demonstration Project. Moore Brothers has a ten (10) year lease with Hall-Irwin to plant approximately 1,000 Paulownia trees along a greenbelt area in Settlers Village where an irrigation system is already in place. Signage will be placed along the greenbelt area explaining why these trees are being grown and the various uses of the tree. The Paulownia Tree has been planted for renewable lumber and the tree is regenerative meaning when it is cut down it will grow back. The Paulownia tree can be used as a woody bio-mass tree for electric power generation and Mr. Moore would like to create a renewable bio-energy co-op. In

the future Moore Brothers plan to have a one (1) to ten (10) megawatt power plant, supplied by renewable energy from the woody bio-mass and also a bio-diesel production facility that uses animal fat and waste products. This facility can bring fifty (50) new jobs to Milliken within approximately seven (7) years. The facility would include a fueling station for flex fuels, bio-diesel, electric car charging stations and a car wash. Mr. Moore provided packets of information for each of the Town Board members to review. Mr. Moore explained it takes about 100 acres of trees to supply one (1) megawatt of power and that could supply approximately 788 homes with power.

Mayor Lichtfuss asked how the tree grows back and if it produces shoots. Mr. Moore responded that the tree can only grow back by the stump and it can grow back with multiple tree trunks but it does not have off-shoots like an Aspen tree.

Great West Sustainable is a non-profit corporation that Mr. Moore started to help farmers and ranchers place energy crops on marginal/dry lands. The Paulownia trees only require water the first year. Mr. Moore explained the trees produce a purple flower in the spring and may be used to produce honey if someone wanted to experiment with bee hives. Mr. Moore explained how the trees will be trimmed to be used as lumber trees and that the entire tree is used for renewable energy. The trees are single-sexed trees and are not invasive.

Further discussion regarding the future potential of the Paulownia Tree will take place at a future work session.

**Minutes of Previous Meeting** – June 8, 2011 meeting.

Minutes approved as distributed.

## **CONSENT AGENDA**

### **1. List of Bills**

List of Bills for June 20, 2011.

Trustee Chavez moved to approve the consent agenda. Mayor Pro Tem Cozad seconded the motion.

Vote: All in favor, none opposed.

## ACTION AGENDA

### 1. Home Improvement Plan

Amy Irwin, 1658 Oxford Dr. Loveland, Co, Manager of the Homeownership Programs for the Loveland Housing Authority, came before the Board to clarify and answer questions about the Larimer Home Improvement Plan (LaHIP). The Town Board was asked to review and consider for approval participation in the LaHIP, a local program backed by federal, state and county dollars and administered by the Housing Authority of the City of Loveland, and which would now be available to eligible homeowners in Milliken

Mayor Lichtfuss asked about the funding and the waiver of permit fees by the Town and if someone from the Milliken Housing Authority or Town Board needed to be on the Home Improvement Program Board.

Ms. Irwin responded that the funding for the project comes from the State Division of Housing. The state needs to perceive that the municipality they are funding for this program subscribes into the program. Match money is usually the quickest and easiest form but the division understands that smaller communities may not be able to provide this. In lieu of money, permit fee waivers would be acceptable knowing not every project requires a building permit. The Loveland Housing Authority looked at Milliken as a trial basis for their repair and rehab program. Mr. Rich Ekwall a Milliken resident who is also with the Loveland Housing Authority believes that the Town's Building Inspector who is contracted with the Town will waive his fees for inspection on these rehabbed projects. Ms. Irwin said there needs to be a Board member either from the Housing Authority or Town Board on the Home Improvement Program Board.

Finance Director McCoy along with Co-Clerk/Building Permit Clerk Rangel worked on various scenarios regarding the types of building permits that could be issued and the cost of these permits. They concluded the combined amount of waived permit fees for six (6) to eight (8) homes to be approximately \$4,700.

Ms. Irwin explained the total amount allotted is \$150,000 and the maximum amount allowed per home is \$24,999 with a 0 to 5% interest rate loan. Ms. Irwin requires a letter of commitment from the Milliken Housing Authority and from the Town Board by the end of June 2011. The grant submission deadline is July 1, 2011.

Ms. Irwin explained that notices explaining the Home Improvement Loan Program could be sent out with the monthly utility billing or through various

other means. The loans are giving on a first-come first-served basis to those who meet the eligibility requirements.

Mayor Pro Tem Cozad asked if staff has a recommendation. Town Administrator Burack responded this is an unbudgeted item, however there is now no capital investment required of the Town. Town Administrator Burack spoke with the Town's Building Inspector Ken Kidd who has agreed to conduct any required inspections as part of his monthly assigned duties for the Town. Staff recommends that the Town participate in this first year of the program. Administrator Burack pointed out that this project falls under "housing diversity" which is one of the categories on the Town Board's 2011 Goals.

Trustee Carnahan moved to approve the Town's participation in the Larimer Home Improvement Program, and authorize the Mayor to sign a Letter of Commitment on behalf of the Town to accompany Loveland Housing Authority's program application. Mayor Pro Tem Cozad seconded the motion.

Vote: All in favor, none opposed.

**2. Consideration and Approval of a Special Events Liquor Permit to Provide a Beer Garden at Beef 'N Bean Day**

Town Co-Clerk Cheryl Powell asked the Town Board to review and consider for approval a Special Events Liquor Permit for the 2011 Beef 'N Bean Day event on August 13, 2011.

Mayor Pro Tem Cozad moved to approve the application of a Special Events Liquor Permit for the 2011 Beef 'N Bean Day event on August 13, 2011 at Lola Park. Trustee Chavez seconded the motion.

Mayor Pro Tem Cozad asked if the Johnstown-Milliken (J-M) Veterans Post is TIPS trained and will watch for serving of Beer to under-aged persons. Town Co-Clerk Powell will verify this with the Johnstown-Milliken Veterans Post and relay the information to the Town Board.

Trustee Carnahan asked if liability would be assumed by the Johnstown-Milliken Veterans Post if something should happen and legal action is taken. Town Attorney Fickel explained that the liability falls to the purveyor of the alcohol who is going to be responsible for the over serving. Town Attorney Fickel suggested that the Town be named as additional insured on the Johnstown-Milliken Veterans Post liability insurance.

Mayor Pro Tem Cozad moved to amend the motion to include the requirement that the Johnstown-Milliken Veterans Post have TIPS training in serving alcohol, and hold liability insurance that includes the Town as

additional insured. Trustee Carnahan seconded the motion.

Vote: All in favor, none opposed.

### **3. Town Square Design Project**

Community Development Director Steve House spoke to the Town Board in regard to the Request For Proposals (RFPs) that were received for the Town Square Design project and to appropriate funds for the project. Director House explained that proposals were solicited from four (4) professional design firms that have had previous knowledge of and a working relationship with the Town in regard to either the Town Square or Police/Meeting House project. Director House stated that the Town Square project is one of the items listed on the Town Board's 2011 list of goals.

Director House said staff's recommendation is to use the lowest bid, joint proposal by TST and Thorp and Associates, PC. The Town currently has a retainer agreement with Roger Thorp that was approved by the Town Board in September, 2009. The bid amount for this project is not to exceed \$11,500 and the amount does not include the cost of construction drawings.

Mayor Pro Tem asked if any of the proposals include cost for construction design. Director House responded they did not but can be included as an option.

Trustee Wakeman asked about the expediency of having a Town Square design. Director House replied that part of the expediency is moving the 417 Broad Street home into the Town Square area during a time of the year where it can be secured.

Trustee Chavez asked if there was money allocated in the budget for the Town Square design. Finance Director McCoy replied that the funding for this project would require a budget amendment and an appropriation of funds.

Town Administrator Burack explained that in order to reposition 417 Broad Street to the Town Square location there will need to be curb and gutter work completed in order to accommodate the new location for the house/museum. The construction work should be conducted prior to winter.

Trustee Wakeman moved to postpone this item until the July 13, 2011 meeting in order to notify the public and to further review the documentation. Trustee Carnahan seconded.

Mayor Pro Tem Cozad asked for further information to be provided regarding the options and costs of the Town Square Design project.

Further discussion included the costs associated with moving the house from its current location to the downtown area and what the insurance (CIRSA) would reimburse.

Vote: All in favor, none opposed.

#### **4. Financial Study Group Appointments**

Trustee Chavez motioned to appoint Milt Tokunaga and Reid Hobler to the Financial Study Group. Mayor Pro Tem Cozad seconded.

Vote: Mayor Lichtfuss, Mayor Pro Tem Cozad, Trustees Carnahan, Chavez, Kehr and Onorato in favor. Trustee Wakeman abstained due to the lack of notice on the agenda and not to the people being appointed.

### **DISCUSSION AGENDA**

#### **1. City of Evans 208 Service Area Boundary**

Earl Smith, Director of Public Works and Planning for the City of Evans, spoke to the Town Board and provided a Power-Point presentation regarding the proposed 208 service area boundary. At a previous Town Board meeting held on April 27, 2011 Director House informed the Town Board of a request by the City of Evans to the North Front Range Water Quality Planning Association to amend their 208 plan which would shift their water service area boundary to the west of Two Rivers Parkway.

Mr. Smith discussed the City of Evans Wastewater Utility Plan which is their master plan for their wastewater services and explained if a municipality is requesting a change to their 208 service area boundary plan they must have a wastewater utility plan in place. Mr. Smith showed a map indicating the proposed service area and the existing 208 boundaries.

Mr. Smith discussed the Intergovernmental Agreement (IGA) between Evans and Milliken, an agreement about wastewater treatment service adjacent to the Two Rivers Parkway. Milliken and Evans agreed that this would be a joint planning area or an overlapping service area. Mr. Smith concluded that based on discussions with Town of Milliken staff, Evans will not request a change in their 208 boundary to the west of Two Rivers Parkway. It will remain as it is in the existing 208 plan. The City of Evans will request a change of the boundary in their southern growth area.

Mayor Pro Tem Cozad expressed her appreciation of Mr. Smith and the City of Evans for working with Town of Milliken staff in regard to the 208 boundary along Two Rivers Parkway.

## **2. Proposed Prairie Dog Ordinance Draft**

Town Administrator/Police Chief Jim Burack spoke to the Town Board regarding the revised draft of the prairie dog ordinance. The revised version will only apply to R-1, R-2, and R-3 zoned areas. The concern about the prairie dog issue was brought to staff by citizens in the Mad Russian.

Town Attorney Bruce Fickel explained another revision in this draft in Article II, Section 7-2-160 paragraph (b) where it states "Section 31-20-105 et seq. C.R.S as provided in this Chapter, to such owner, tenant or agent to include inspection and administration costs." This section was added to collect payment of an abated property through a property tax lien if payment cannot be collected by the property owner.

The first reading of this ordinance will be brought before the Town Board as a Public Hearing on July 13, 2011 and the second reading will be on July 27, 2011.

## **3. Other Discussion**

Further discussion from the Town Board requested staff limit the number of items added to the agenda after the agenda has been set for the meeting, especially those with budget implications. A suggestion was made to possibly add staff reports to the discussion agenda since time during the work session is limited.

Town Attorney Fickel requested the Town Board to send the evaluations for Town Administrator/Police Chief Jim Burack to him as soon as possible.

## **Adjournment**

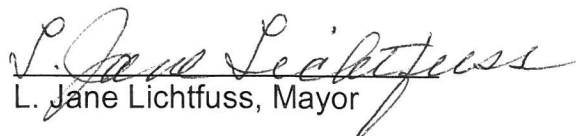
Hearing no further business, the Mayor adjourned the meeting at 8:37 p.m.

Prepared by:



Cheryl L. Powell,  
Town Co-Clerk

Approved by:



L. Jane Lichtfuss, Mayor