

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

MEETING MINUTES

Wednesday, March 13, 2013 – 7:00 P.M.

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, March 13, 2013 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Julie Cozad; Trustees: Linda Beck, Ted Chavez, Reid Hobler, Jordan Jemiola, and Lois Ann Onorato. Also present: Town Administrator/Police Chief Jim Burack, Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Development Director Anne Johnson, Town Attorney Bruce Fickel, Assistant Attorney Sunita Sharma, Parks and Outdoors Director Josh Roseberry and Public Works Director Jason Fowler.
Absent: None.

Pledge of Allegiance

Mayor Tokunaga called the meeting to order.

Agenda Approval

Town Clerk Powell said there were no staff additions to the Agenda. Mayor Pro Tem Cozad requested to add an update from the MPO and Upstate Colorado to the Discussion Agenda.

SWEARING-IN CEREMONY

Swearing-in of Great Outdoors Milliken (GOMILL) Committee Members

Parks Director Josh Roseberry introduced the resident members of the GOMILL Committee to the Town Board. He explained that the Committee has been meeting and have visited each park in Town. Currently they are gathering information on potential projects.

The Town's Great Outdoors Milliken Committee Members: Nancy Mason, James Mason, Jennifer Ernst, Kevin Paddock and Susan Staples, were sworn in by Town Clerk Cheryl Powell. Trustees Beck and Chavez are members of the GOMILL Committee and Josh Roseberry and Anne Johnson are the staff members on the Committee.

Citizen Comments

No Comments.

Minutes of Previous Meeting – February 27, 2013 meeting.

Minutes approved as distributed.

CONSENT AGENDA

There were no items.

ACTION AGENDA

1. Consideration and Approval of Resolution 13-04, a Resolution Amending the 2013 Operating Budget

Finance Director Patrick Murphy asked the Town Board for consideration and approval of Resolution 13-04. He explained that the purpose of the Resolution is to appropriate funds in the Town's 2013 Water Fund to allow for a refund of Raw Water and Water Tap Fees to five (5) property owners in the Mill Iron Subdivision. Director Murphy explained that Mr. Karol Dunshee went before the Town's Water and Wastewater Commission in January 2013 to request a review of the Raw Water and Water Tap Fees charged to several homeowners of the Mill Iron Subdivision, suggesting that the Town had inconsistently applied its policies, procedures, and the Code in assessing the amounts to those homeowners of this subdivision.

Director Murphy also explained that per the direction of the Commission, Staff had researched the 25 developed lots in the subdivision and concluded that five (5) property owners had been overcharged for either Raw Water Fees, Water Tap Fees, or both. This item had been discussed more extensively during the Town Board Work Session.

Trustee Jemiola requested that proof of payment to the Town be presented by either canceled check by property owner, receipts showing payment and possibly research the Town's bank statements. Director Murphy responded that he would investigate the material that is in the property files and/or speak to the homeowners to see if they have documentation to provide to the Town.

Mayor Pro Tem Cozad moved to approve Resolution 13-04 amending the 2013 Budget and authorizing the Town Administrator to refund overpayments of Raw Water and Tap Fees to five property owners in the Mill Iron Subdivision, subject to the execution of a Settlement Agreement by each

property owner and further proof of payment be presented. Trustee Jemiola seconded.

Discussion: None.

Vote: All in favor, none opposed. Motion passed.

2. Consideration and Approval to Execute Lease for Police Vehicle

Finance Director Patrick Murphy asked the Town Board to authorize the Town Administrator to apply for and execute a Lease/Purchase Agreement with Ford Motor Credit Company for the acquisition of a police patrol vehicle. The Lease was included in the approved 2013 Town Budget.

Trustee Hobler asked what will happen to the vehicle the Police Department is replacing. Commander Garcia responded that the retired police vehicles go to auction. Trustee Chavez asked why the Police Department is acquiring SUVs instead of sedans. Town Administrator Burack explained that a four wheel drive vehicle or an all-wheel drive vehicle is a better choice given the weather that can occur in Northern Colorado and the terrain that officers have to drive on in some parts of Town.

Trustee Beck moved to authorize the Town Administrator to sign the Municipal Finance Application with Ford Motor Credit Company and, when approved, execute a Lease/Purchase Agreement acceptable to the Town Attorney for the Lease/Purchase of a new police patrol vehicle. Trustee Onorato seconded.

Discussion: Mayor Tokunaga asked for an explanation of the additional Wireless Advanced Communications amount for the vehicle. Commander Garcia explained it is for the light bar, cage, etc. Some of the equipment from the retired vehicle is transferrable to the new vehicle. Trustee Onorato asked if the vehicle is a natural gas vehicle. Commander Garcia responded it is not, due to performance issues with CNG vehicles. Mayor Pro Tem Cozad asked if there are video cameras in the vehicles. Commander Garcia and Town Administrator Burack responded that there are not due to cost, but they are looking into obtaining these in the future. Mayor Pro Tem Cozad and Trustee Jemiola believe the video cameras should be a part of the budget since it is a safety issue.

Vote: All in favor, none opposed. Motion passed.

DISCUSSION AGENDA

1. Town Administrator Evaluation

Town Attorney Bruce Fickel informed the Town Board that he has received the evaluations but has not summarized the evaluations. He explained that the Town Board could discuss this during the Discussion portion of the Agenda or during an Executive Session.

Mayor Tokunaga spoke about the evaluation form that was used during this evaluation and that he had called Mountain States Employers Council (MSEC) to discuss the process and the evaluation form they might recommend since they are the experts in this field.

Mayor Pro Tem Cozad explained that she liked the process that was done for the Metropolitan Planning Organization (MPO) and they had utilized MSEC. She suggested that the Board use these evaluations going forward and to use the process available through MSEC. Trustee Hobler, Chavez and Beck agree to using the form that was already distributed this year and to look at another template to use for next year.

Mayor Pro Tem Cozad spoke about having a goal setting session with the Town Board and Town Administrator as part of the evaluation explaining this was part of the process through MSEC. Trustee Chavez remarked that the Administrators duty is to accomplish the Goals that are set by the Town Board each year. Trustee Hobler remarked that this year's process should be to conduct the evaluation, negotiate the contract and to then have a goal setting session with the Town Administrator.

Mayor Tokunaga asked Town Attorney Fickel when the summarization would be submitted to the Town Board members. Town Attorney Fickel responded that he will send the summarization and a proposed contract by next week.

Town Attorney Fickel suggested scheduling an Executive Session for the next Town Board meeting.

2. Update on the Governor's Trade Delegation Trip

Mayor Pro Tem Cozad explained that she will not be attending the Edmonton and Calgary, Canada Economic Development on Behalf of Upstate trip. The Mayor of Firestone will be attending instead.

3. MPO Update on Funding for the Johnstown-Milliken Trail

Mayor Pro Tem Cozad reported that at the MPO meeting in Evans they reviewed the Transportation Improvement Program (TIP). She explained that there has been a reallocation of TIP funds regarding the assignment of

surplus from the Transportation Alternatives Program (TAP). Fort Collins is foregoing some of their funding and Milliken was next on the list to receive the funding. Milliken had received \$94,400.00 in 2012 and is proposed to receive an additional \$205,600.00, which will provide the Town with about \$300,000.00 to fund the initial planning and design of the Johnstown-Milliken trail.

Trustee Jemiola explained that Mayor Pro Tem Cozad put a lot of time and effort into obtaining this funding. Mayor Pro Tem Cozad was thanked by the Town Board and Staff.

Updates on Staff Assignments


Other Business

Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)


Adjournment

Hearing no further business, the Mayor adjourned the meeting at 7:59 P.M.

Prepared by:


Cheryl L. Powell, Town Clerk

Approved by:


Milt Tokunaga, Mayor