



TOWN BOARD MEETING
August 1, 2016 - 6:00 P.M.
Town Board Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

**MINUTES
REGULAR MEETING 2016-14**

Present:

Mayor:

Trustees:

Don Brookshire
Dennis "Zeke" Kane
Bruce Florquist
Mike Kinney
Alison Koster
Don McLeod
Matthew Gordon

Absent:

None

Staff:

Nick Wharton, Assistant Administrator
Betty Mauch, Town Clerk/Treasurer
Greg Bell, Town Attorney
Mike Ketterling, Engineer
Dave Lindsay, Engineer

Audience: Zachariah Goodell, Stan Everitt, Julie Stout, Alexis Mortensen, Bruce Carron

A. CALL TO ORDER

1. Roll Call

All members were present.

2. Pledge of Allegiance

3. Approval of Agenda

MOTION WAS MADE BY TRUSTEE KANE second by Trustee Kinney to approve the agenda. All members present voting **YES**,

MOTION CARRIED

4. Public Comment:

Alex Mortensen 1321 Park Ridge Drive, stated that in the long term there needs to be a plan to widen 74 and add more right turn lanes. This should be a high priority.

5. Consent Agenda

a. Minutes

July 18, 2016

July 25, 2016

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee Florquist to approve the consent agenda. All members present voting **YES**,

MOTION CARRIED

B. BOARD ACTION

1. Bruce's Bar, Modification of Premises Request for Bruce's Nut Run

a. Legislative Action

Bruce Carron presented his Nut Run information. He stated they will be closing 1st Street in front of the Bar from WCR 74 and 2nd St. They will allow one-way traffic from the south to the north. They will fence in the same area as last year. The Band will be set up in the parking lot. They do not allow any alcohol outside the fenced area. They will have six security officers on duty. Weld County Sheriff's Office will have two cars and four deputies available. They will notify the Fire department and ambulance of the road closure. He noted they will be closed down by 6:00 p.m.

Town Clerk Betty Mauch stated that all paperwork has been submitted and all fees paid.

MOTION WAS MADE BY TRUSTEE FLORQUIST second by Trustee Kinney to approve Bruce's Nut Run Special Event Permit and modification of premises. All members present voting **YES**,

MOTION CARRIED

2. Eaton Sertoma Club Special Event Liquor License

a. Public Hearing

I. Open Public Hearing

Mayor Brookshire opened the public hearing at 6:10 p.m.

II. Roll Call for Public Hearing

All members were present.

III. Comments from Applicant

Mike Ketterling, Eaton Sertoma Club stated they are pleased to again hold a beer garden at Severance Days Friday, August 12, 2016. He noted they hope to eventually get a Sertoma Club started in Severance.

IV. Comments from Town Planner and Staff – There were none.

V. Comments from Town Board – There were none.

VI. Public Comments

1. **Anyone Who Agrees** – There were none.
2. **Anyone Who Disagrees** – There were none.

VII. Adjourn Public Hearing

Mayor Brookshire closed the public hearing at 6:13 p.m.

b. Legislative Action

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee Florquist to approve the Eaton Sertoma Club Special Events License for Severance Days. All members present voting **YES**,

MOTION CARRIED

3. Tailholt East Annexation and Zoning
a. Public Hearing

I. Open Public Hearing

Mayor Brookshire opened the public hearing at 6:14 p.m.

II. Roll Call for Public Hearing

All members were present.

III. Comments from Applicant

Stan Everitt, Windsor, applicant, complimented the Board on the intersection improvements at 1st Street and 4th Avenue. He stated that the request he is making is for annexation of the area in the south east corner of their Tailholt holdings, in the north west corner of Weld County Roads 25 and 72. He noted that it is in their future inclusion area, but was not annexed when we acquired the land. There are no plans for that other than agriculture that is existing today.

IV. Comments from Town Planner and Staff

Assistant Town Administrator Wharton stated that he has comments from the Town Planner on this project, Todd Hodges. His recommendations are for approval with staff conditions that a concept plan application shall be required prior to the preliminary or final plat submittal. The applicant shall address any changes to the drawing based on the comments from the town engineer and shall submit written evidence as part of the concept plan that referral agency comments and staff comments have been adequately addressed.

Dave Lindsay, Colorado Civil Group, stated that it was a very clean application with just a few typographical errors. He had no microphone and could not be heard.

Attorney Bell stated that there are no legal issues.

V. Comments from Town Board - There were none.

VI. Public Comments

1. Anyone who Agrees

Alex Mortensen, 1321 Park Ridge Drive, stated that with the development going on in town there is now more traffic and we need a road through town that goes all the way to Weld County Road 25.

2. Anyone Who Disagrees - There were none.

VII. Adjourn Public Hearing

Mayor Brookshire adjourned the public hearing at 6:18 p.m.

b. Legislative Action (Proposed)

- **Resolution No. 2016-12R**

Trustee McLeod asked why they want to annex now if they don't plan do anything now and will it hurt the Town.

Stan Everitt, applicant, stated that it was part of the Master Plan all along to annex all of the acquisition now then do a conceptual plan later on.

Assistant Town Administrator Wharton stated that it brings in more property and there is no tax burden to the Town.

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee Kane to adopt Resolution No. 2016-12R - The Board of Trustees of the Town of Severance setting forth findings of fact and determinations regarding the eligibility for annexation of the Tailholt East Annexation. All members present voting **YES**,

MOTION CARRIED

- **Ordinance No. 2016-07**

MOTION WAS MADE BY TRUSTEE FLORQUIST second by Trustee Koster to adopt Ordinance No. 2016-07 - The Town of Severance annexing property known as the Tailholt East Annexation to the Town of Severance, Colorado. All members present voting **YES**,

MOTION CARRIED

- **Ordinance No. 2016-08**

MOTION WAS MADE BY TRUSTEE KANE second by Trustee Florquist to adopt Ordinance No. 2016-08 - An ordinance amending the zoning map of the Town of Severance to establish the zoning of property known as the "Tailholt East Annexation", newly annexed to the Town of Severance. All members present voting **YES**,

MOTION CARRIED

4. Sunset Ridge Phase III Final Replat

b. Public Hearing

Mayor Brookshire declared a possible conflict of interest and left the room.

I. Open Public Hearing

Mayor Pro-Tem Dennis Kane opened the public hearing at 6:24 p.m.

II. Roll Call for Public Hearing

All members were present.

III. Comments from Applicant

The Applicant was not present.

IV. Comments from Town Planner and Staff

Assistant Town Administrator Wharton presented comments from the Town Planner, Jim Bird-sall. He stated that Jim recommends approval with the following six conditions:

1. That the applicant obtain an approval letter from the Homeowner's Association that the project design is acceptable.
2. That the applicant obtain approval from the owner of Outlot F for the installation of the proposed improvements and an agreement on who is responsible to maintain these improvements.
3. More landscape to be added to the east and north-east end of the alley. This area should be screened from the neighboring properties.
4. That any exterior lighting shall be "cut-off" lighting so that the source of light is not visible from outside of the property line.
5. That the exterior colors are compatible with the surrounding neighborhood.
6. That the Subdivision Improvements Agreement be finalized before recording.

Town Engineer Ketterling stated that there are five things they would like the applicant to address on the construction plan and a couple of things on the plat. He stated that he would like to make the Town Board's approval of this contingent on those issues being met.

V. Comments from Town Board

Town Attorney Bell cautioned the Board to be careful of any motion to approve this. He suggested that the motion be to postpone and the plat not be recorded until all conditions by engineering and staff are met.

VI. Public Comments

1. Anyone who Agrees - There were none.
2. Anyone Who Disagrees

Zack Goodell, 410 Ptarmigan Street, Severance, stated that this is not what the majority of homeowners were originally told. They first heard about it in the January Home Owner's Association (HOA) meeting and it wasn't for sure but may be coming along. After reading all the stuff it didn't sound like the homeowner's have much control over it. The HOA is made up of three people from the actual development. They need a certain amount of homeowners before they open it up for more members. At the Planning Commission Meeting he stated he heard about the need for diversity of housing in the Town. He also had comments about the road that runs behind there, how studies show when you introduce an alley you introduce crime, lighting, cutoff lighting, additional school traffic congestion, how traffic will flow and how a road needs to be there for the houses already there.

Alex Mortensen stated there is a conflict of interest with the HOA Board.

Town Attorney Bell stated that it is required by statute until enough lots are sold. The lot owners vote for the HOA Board members and since the developer owns the majority of lots they can do that until more lots are sold.

VII. Adjourn Public Hearing

Mayor Pro-Tem Kane adjourned the public hearing at 6:38 p.m.

b. Legislative Action

MOTION WAS MADE BY TRUSTEE KINNEY second by Trustee McLeod to postpone and table this for a later date and the additional conditions have been addresses. All members present voting **YES**,

MOTION CARRIED

C. STAFF REPORTS

1. **Town Administrator** - Was not able to attend.
2. **Assistant Town Administrator**

Nick stated that he was able to schedule CCR training for the Board on September 19, at the regular Board Meeting. There will be one item then the training.

3. **Mayor** - No Report.
4. **Town Attorney**

Town Attorney Bell stated that he won't be here for the next meeting and will be sending Matt Gould over in his place. He noted that Timnath is due to file their response brief this Friday and he needs to be there. He noted there will be a couple of IGA's for developments you have already approved coming before you.

5. **Town Planner** - Was not able to attend.
6. **Town Engineer**

Mike gave an update on the downtown project which was originally planned for 2014 for \$1,754,847. We were hoping to start in 2014, but couldn't because of the utilities. During the course of that it was decided that part of the design for that project was done at the request of one

of the Board members at that time, who is no longer here. That was changed to not force the drainage from the east of Town to the slough when it historically went east along CR 74. As of June due to a lot of utility things and other issues we've had change orders to the tune of \$15,000 which is 6.6% of the project. We took out some of the storm drainage improvements to be able to pay for the changes. The sidewalk is expected to be in soon they are starting to prep for it. First Street will be an all new street now. Everybody's hope is that this project will be done this month, as of June it was 57% done. He was hoping to go over the pay request with John, but will put it on the next meeting in two weeks. It is for \$91,841.13. It is a year and a half behind due to the utility companies not moving their stuff and some of what they moved was then put right in the way. Mike stated that he doesn't think they will be done with the paving by Severance Days. They found a leak in one spot that may delay it. He stated that excel does not respond to them or anyone else and everyone in the state is complaining to them.

Nick stated that leak has been fixed.

D. ADJOURN

Meeting adjourned at 7:00 p.m.

TOWN OF SEVERANCE



Donald R. Brookshire, Mayor

ATTEST:



Betty Mauch, Town Clerk