

**WOODLAND PARK CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBERS, CITY HALL
NOVEMBER 1, 2007 – 5:30 P.M.**

1. CALL TO ORDER AND ROLL CALL: Crane called the meeting to order at 5:30 P.M. Morse called the roll, with the following Council members being present: Mayor Gary Crane, Jon DeVaux, Terry Harrison, Ken Matthews, Phil Mella, George Parkhurst and Steve Randolph.

2. ADJOURN TO EXECUTIVE SESSION: C.R.S. 24-6-402(4) (a), (b) and (e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations and to discuss the purchase, acquisition, lease, transfer or sale of real or personal property and for conference with the City Attorney all relative to the Woodland Park Downtown Development Authority and the Woodland Station Redevelopment Project and the 1986 agreement between Will Brown and the City of Woodland Park.

Crane read the purpose of the Executive Session into the record.

MOTION: To adjourn to Executive Session pursuant to C.R.S. 24-6-402(4), (a), (b) and (e) for the purpose of determining positions relative to matters that may be subject to negotiations, development strategy for negotiations, and/or instructing negotiations and to discuss the purchase, acquisition, lease, transfer or sale of real or personal property and for conference with the City Attorney all relative to the Woodland Park Downtown Development Authority and the Woodland Station Redevelopment Project and the 1986 agreement between Will Brown and the City of Woodland Park. Harrison/Matthews. Motion carried 7-0.

3. 7:00P.M. – RECONVENE REGULAR MEETING AND PLEDGE OF ALLEGIANCE: Mayor Crane reconvened the meeting at 7:00 P.M. with the above stated members of Council present. He announced that City Council met in Executive Session from 5:33 P.M. to 6:58 P.M. and requested Executive Session participants announce themselves. Participants included Randolph, Parkhurst, Mella, Matthews, Harrison, DeVaux, Crane, City Manager David Buttery, City Clerk Cindy Morse, DDA Executive Director Joe Napoleon, and DDA Board member Merry Jo Larsen. Crane reported that Council discussed determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations and to discuss the purchase, acquisition, lease, transfer or sale of real or personal property and for conference with the City Attorney all relative to the Woodland Park Downtown Development Authority and the Woodland Station Redevelopment Project and the 1986 agreement between Will Brown and the City of Woodland Park, and stated that no formal action was taken during Executive Session. He reported that Council did not complete their discussions, and would reconvene the Executive Session at the conclusion of this agenda.

At this time, Matthews reported he had to leave the meeting. Crane asked him if he believed that any subject other than those subjects announced was discussed in Executive Session. Matthews replied he did not.

Crane led the audience in the Pledge of Allegiance.

The following Staff Members were also in attendance:

City Manager David Buttery	City Attorney Erin Smith
City Clerk Cindy Morse	Police Chief Robert Larson
Utilities Director Jim Schultz	Planning Director Sally Riley
Public Works Director Bill Alspach	Deputy City Clerk Janell Sciacca
Finance Director Kellie Case	

4. CEREMONIES, PRESENTATIONS & APPOINTMENTS:

A. Presentation by Roger Kort regarding Aquila merger with Great Plains Energy, Inc. Kort addressed Council and distributed handouts describing Great Plains Energy and their acquisition of Aquila. Council thanked Kort for his presentation.

5. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: None.

6. CONSENT CALENDAR:

A. Approve minutes of October 18, 2007 Regular Meeting. **(A)**

Crane read the Consent Calendar item into the record.

MOTION: To approve the Consent Calendar. Harrison/Crane. Motion carried 6-0.

7. UNFINISHED BUSINESS: None.

8. ORDINANCES ON INITIAL POSTING: None.

9. PUBLIC HEARINGS:

A. TABLED FROM OCTOBER 18, 2007: Consider Preliminary and Final Plats for Tamarac Tech Park Filing #4 for the purpose of subdividing 25.59 acres into 8 lots on property being a replat of Lot 5, Tamarac Tech Park Filing #3 located in the W1/2 of the SW1/4 of Section 12, T12S, R69W of the 6th P.M. as requested by Robert P. Young, Sage Tamarac, Inc. **(QJ)**

Riley reviewed the staff report and a history of this project. She reported that three motions are recommended this evening – the first to approve the Preliminary Plat; the second to approve the Subdivision Development Agreement and the method of security; and the third to approve the Final Plat. Riley reviewed the conditions of approval for the Preliminary Plat; noted that the applicant has submitted a cash escrow agreement with American Bank in the amount of \$295,372 to secure the unfinished infrastructure improvements; and reviewed the conditions of approval for the Final Plat. She reported

that the Planning Commission recommended approval, subject to these same conditions. Applicant Bob Young, representing Sage Tamarac, thanked Council for hearing their consideration of this request. Harrison inquired about traffic congestion near the intersection of Highway 67, and asked whether CDOT has issued a warrant for a signalized intersection. Riley reported no. There being no further comment, Crane closed the public hearing.

MOTION: To approve the Preliminary Plat for Tamarac Tech Park Filing #4 subject to the following conditions:

1. The Preliminary Plat shall be amended and resubmitted in a reproducible format prior to the recording of the final plat or issuance of a Zoning Development Permit for any construction activity:

- Under project notes, complete the land use summary for acreages of rights-of-ways, lots and common areas and drainage basin.
- Add the floodplain limits and designations as shown by the NFIP map of 1988.
- Add a note that includes the standard requirement for 10-foot public utility and private drainage easements along the front and rear of each lot and a 5-foot public utility and private drainage easements along each side lot line.
- Add the proposed street names and proposed grades of each future street within the subdivision.
- Label the detention pond (shown as a drainage easement) as Tract A and add a note that describes this tract as a private drainage facility to be owned and maintained by the developer until such time as an Owners' Association is established and the responsibility of this tract can be assumed by the Owners' Association.

2. Applicant shall submit and receive approval of a preliminary Landscape Plan for Tract B prior to issuance of a Zoning Development Permit for any construction activity.

3. Applicant shall submit a hillside analysis of Lot 2, 3, and 4 of the future Filing #5 and if any or all of these lots meet the hillside classification then driveway plans and building envelopes shall be shown on the Preliminary Plat prior to recording the Final Plat for Filing 4.

Harrison/DeVaux. Motion carried 6-0.

MOTION: To approve the method of security in the amount of \$295,372 as provided by the applicant and authorize the execution of the Subdivision Development Agreement for Tamarac Tech Park Filing #4. Randolph/Harrison. Motion carried 6-0.

MOTION: To approve the Final Plat for Tamarac Tech Park Filing #4 subject to the following conditions:

1. The Final Plat shall be amended and a mylar submitted for recording with the following corrections;

- Add a note #7 that includes the standard requirement for 10-foot public utility and private drainage easements along the front and rear of each lot and a 5-foot public utility and private drainage easements along each side lot line.
 - Label the detention pond (shown as a drainage easement) as Tract A and add note #8 that describes this tract as a private drainage facility to be owned and maintained by the developer until such time as an Owners' Association is established and the responsibility of this tract can be assumed by the Owners' Association.
 - The Dedication Statement needs to be amended to include references to dedications of road rights-of-way and streets.
 - In the last line of Note #6 correct the date to "1988".
2. Applicant shall provide the City with a copy of the subdivision's Covenants for information purposes.
3. A title insurance commitment or policy in accordance to Section 17.24.090 A.8 of the Municipal Code shall be furnished within sixty day after the Final Plat has been recorded.
- DeVaux/Randolph. Motion carried 6-0.

10. NEW BUSINESS: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

12. REPORTS:

A. Mayor's Report: None.

B. Council Reports: Harrison reported that the recent Chamber breakfast was well attended and elected officials Andy McElhany and Tom Wiens were the guest speakers.

C. City Attorney's Report: None.

D. City Manager's and Department Managers' Reports:

1. Consider cancellation of December 20, 2007 City Council meeting: Buttery reported that there are no scheduled agenda items for consideration at this meeting and noted that in years past, it has been cancelled.

MOTION: To cancel the December 20, 2007 City Council meeting. Mella/Harrison. Motion carried 6-0.

13. COMMENTS ON WRITTEN CORRESPONDENCE: None.

14. PRESENTATION AND WORKSHOP ON DRAFT 2008 FISCAL YEAR BUDGET – STREET, DRAINAGE AND C.O.P. DEBT SERVICE FUNDS 310, 330 & 340; STREET CAPITAL IMPROVEMENT FUND 410; AND WATER AND WASTEWATER ENTERPRISE FUNDS 510 AND 520:

Case reviewed the Debt Service Funds detailing the revenues and expenditures for Council. She noted that the Street Capital Improvement Fund has estimated revenues of \$1,836,250, and expenditures for debt service of \$920,197. She reported that the budgeted capital outlay is \$1,414,000, and includes the following projects; Trout Creek Road improvements - \$24,000; additional lane construction at the intersection of Highway 24 and Glen Dale Drive - \$350,000; Highway 67 improvements - \$140,000; transportation improvements related to the YMCA project - \$600,000; and implementation of the Pavement Management Plan Program - \$300,000. Buttery noted that the 2007 budget contained \$457,000 for street improvements, and reported that \$100,000 will be spent by the end of the year. He noted that balance of the unspent money would be rolled forward in the 2008 budget. Buttery reviewed the improvements related to the YMCA. DeVaux asked about street improvements throughout the city. Alspach reported that we know many of the streets that are in need of improvement, and reported the Pavement Management Plan Program will identify additional streets needing improvement.

Schultz reviewed the Water Enterprise Funds, noting that a 14% increase in revenues is projected for 2008, largely due to the recent increase in water rates. He detailed expenditures in these funds, reported that they are slightly reduced for 2008.

He next addressed the Wastewater Enterprise Funds, discussing the revenues and expenditures projected for next year. He reported that a rate increase would be necessary in January in order to balance the funds. He reported that the Utilities Advisory Committee is studying this issue now, and he will bring a recommendation concerning this increase to Council in the form of an Ordinance on November 15, 2007. He reported that the major capital project for 2008 would be the engineering for the Wastewater Treatment Plant expansion in the amount of \$370,000.

Buttery concluded the budget presentation with a brief review of the salary survey process. He reminded Council that the budget Ordinance would be presented to Council at their next meeting, with the public hearing scheduled for December 6, 2007.

The time being 8:45 P.M. Council adjourned to complete the Executive Session.

MOTION: To adjourn to Executive Session pursuant to C.R.S. 24-6-402(4), (a), (b) and (e) for the purpose of determining positions relative to matters that may be subject to negotiations, development strategy for negotiations, and/or instructing negotiations and to discuss the purchase, acquisition, lease, transfer or sale of real or personal property and for conference with the City Attorney all relative to the Woodland Park Downtown Development Authority and the Woodland Station Redevelopment Project and the 1986 agreement between Will Brown and the City of Woodland Park. Mella/Harrison. Motion carried 6-0.

The time being 9:33 P.M, Mayor Crane reconvened the meeting with the above stated members of Council present. He announced that City Council met in Executive Session from 8:50 P.M. to 9:30 P.M. and requested Executive Session participants announce

themselves. Participants included Randolph, Parkhurst, Mella, Harrison, DeVaux, Crane, City Manager David Buttery and City Clerk Cindy Morse. Crane reported that Council discussed determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations and to discuss the purchase, acquisition, lease, transfer or sale of real or personal property and for conference with the City Attorney all relative to the Woodland Park Downtown Development Authority and the Woodland Station Redevelopment Project and the 1986 agreement between Will Brown and the City of Woodland Park, and stated that no formal action was taken during Executive Session.

15. ADJOURNMENT: There being no further business, the meeting was adjourned at 9:35 P.M.

Recorded by:

Cindy Morse, MMC, City Clerk

APPROVED THIS _____ DAY OF _____, 2007.

Gary Crane, Mayor