



TOWN COUNCIL WORK SESSION & MEETING
Zoom Webinar and/or Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

WORK SESSION & MEETING MINUTES

Tuesday, December 12, 2023, at 6:00 PM

Present:

Mayor:

Matthew Fries

Mayor Pro-tem:

Dennis 'Zeke' Kane

Council Members:

Frank Baszler
Stephen Gagliardi
Michelle Duda
David Bruen
Dan Meyers

Absent: Michelle Duda

Audience: Tom Scheuerman, Tom & Chris Petersen, Christine Mc Daniels, Brad Torr & Shana Morgan

Staff:

Nicholas Wharton, Town Manager
Lindsay Radcliff-Coombes, Deputy Town Manager
John Zacklene, Public Works Director
Shani Porter, Town Planner
Chris Messersmith, Town Engineer
Nancy Mueller CPA, Finance Director
Leah Vanarsdall, Town Clerk
Mary Lynn Macsalka, Town Attorney
Ken Chavez, Chief of Police
Russ Weber, SAFEBuilt

A. CALL TO ORDER WORK SESSION

The Goal of the Work Session is to have the Town Council receive information on topics of Town business from the Town Manager, Town Attorney and Town Staff in order to exchange ideas and opinions regarding these topics.

1. Pledge of Allegiance

2. Pg 5 - Safe Passageways and Sidewalk Connections

- Discussion
- Staff Presentation: Nicholas Wharton, Town Manager

B. CALL TO ORDER REGULAR MEETING

1. Roll Call

2. Agenda Review by Town Manager

Town Manager requests for 'and IGA regarding revenue sharing', to be added to the wording for the second Executive Session - 24-6-402(40)(e)

3. Consent Calendar

The Consent Calendar is intended to allow the Town Council to spend time and energy on the important items and not routine actions. A Council Member may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately as a regular agenda item. Items remaining on the Consent Calendar will be approved by Town Council with one vote.

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve the Consent Calendar. All Council Members present voting Yes,

MOTION PASSED

a. Pg 18 - 11.14.23 Minutes

b. Pg 22 - November 2023 Payables Report

c. Pg 25 - November 2023 Financial Statements

d. Pg 72 - Resolution 2023-45R: A Resolution of the Town Council of the Town of Severance, Colorado, Designating the public places for posting of notices of meetings for the Town Council and other local public bodies of the Town

e. Pg 73 - Resolution 2023-46R: A Resolution of the Town Council of the Town of Severance, Colorado, Adopting a Schedule of Regular and Work Session Meetings for the Town

f. Pg 74 - Home-Based Business Type II Use by Special Review Approval

- Legislative
- Staff Presentation: Shani Porter, Town Planner

4. Approval of Agenda

MOTION WAS MADE BY Mayor Pro-tem Kane, seconded by Council Member Meyers to Approve the Agenda with the Executive Session language change. All Council Members present voting Yes,

MOTION PASSED

5. Public Comment

The purpose of the Public Comment is for members of the public to speak to the Town Council on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minutes for those attending in person or an appropriate time as deemed by the Mayor. The Town Council is not obligated to make decisions or take action on comments but may choose to schedule the matter for a later discussion. Those addressing the Town Council, please state your name and address and sign-in.

Severance Chamber Member Christine McDaniel

6. Council Member Comments

7. Reports

Council approval may be sought for administrative actions in association with staff reports.

- a. Town Attorney
- b. Pg 87 - Town Staff
- c. Town Management
- d. Council Members Liaisons
- e. Mayor

C. TOWN COUNCIL

1. Pg 105 - Resolution 2023-47R: A Resolution of the Town Council of the Town of Severance, Colorado, making certain findings of fact regarding the proposed Annexation of certain real property located in Weld County, Colorado - Severance Storage

- Legislative
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Council Member Meyers, seconded by Council Member Gagliardi to approve **Resolution 2023-47R: A Resolution of the Town Council of the Town of Severance, Colorado, making certain findings of fact regarding the proposed Annexation of certain real property located in Weld County, Colorado - Severance Storage**. All Council Members present voting Yes,

MOTION PASSED

2. Pg 111 - Ordinance 2023-14: An Ordinance of the Town Council of the Town of Severance,

Colorado, annexing the property known as the Severance Storage Annexation to the Town of Severance, Colorado; and approving the associated Annexation Agreement

- Quasi-Judicial
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Council Member Meyers, seconded by Mayor Pro-tem Kane to Adopt **Ordinance 2023-14**: An Ordinance of the Town Council of the Town of Severance, Colorado, annexing the property known as the Severance Storage Annexation to the Town of Severance, Colorado; and approving the associated Annexation Agreement. All Council Members present voting Yes,

MOTION PASSED

3. PUBLIC HEARING

Pg 153 - Ordinance 2023-15: An Ordinance of the Town Council of the Town of Severance, Colorado, zoning certain land, fully described herein, to the Town of Severance Town Core Zoning District - Severance Storage

- Quasi-Judicial
- Staff Presentation: Shani Porter, Town Planner

PUBLIC HEARING Open: 7:44 pm Closed: 7:46 pm

Presenter: Tony OLlila-Uplift

Public Comment: Tom Petersen-10872 CR 74

MOTION WAS MADE BY Council Member Meyers, seconded by Mayor Pro-tem Kane to Adopt **Ordinance 2023-15**: An Ordinance of the Town Council of the Town of Severance, Colorado, zoning certain land, fully described herein, to the Town of Severance Town Core Zoning District - Severance Storage . All Council Members present voting Yes,

MOTION PASSED

4. Pg 161 - Resolution 2023-48R: A Resolution of the Town Council of the Town of Severance, Colorado, approving a Final Subdivision Plat for certain real property located within the Tailholt Subdivision Third Filing; accepting the property interests dedicated by the Final Plat; accepting the Deferral of Water Rights dedication for the Franklin Place Subdivision; and authorizing a Subdivision Development Agreement pertaining to the Franklin's Place Subdivision

- Quasi-Judicial
- Staff Presentation: Shani Porter, Town Planner

Presenter: Shelly Lamastra-Russell Miller Studio & Shana Morgan-Listing Broker Bluestar Capital Investments

MOTION WAS MADE BY Council Member Baszler, seconded by Council Member Gagliardi to Approve **Resolution 2023-48R**: A Resolution of the Town Council of the Town of Severance, Colorado, approving a Final Subdivision Plat for certain real property located within the Tailholt Subdivision Third Filing; accepting the property interests dedicated by the Final Plat; accepting the Deferral of Water Rights dedication for the Franklin Place Subdivision; and authorizing a Subdivision Development Agreement pertaining to the Franklin's Place Subdivision. All Council Members present voting Yes,

MOTION PASSED

5. Pg 288 - Ordinance 2023-16: An Ordinance of the Town Council of the Town of Severance, Colorado, vacating a portion of Ruth Avenue at 4th Street

- Legislative
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Adopt **Ordinance 2023-16**: An Ordinance of the Town Council of the Town of Severance, Colorado, vacating a portion of Ruth Avenue at 4th Street. All Council Members present voting Yes,

MOTION PASSED

6. **Pg 293 - Resolution 2023-49R: A Resolution of the Town Council of the Town of Severance, Colorado, approving a site development plan for certain real property located within that Town of Severance.**

- Quasi-Judicial
- Staff Presentation: Shani Porter, Town Planner

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve **Resolution 2023-49R: A Resolution of the Town Council of the Town of Severance, Colorado, approving a site development plan for certain real property located within that Town of Severance.** All Council Members present voting Yes,

MOTION PASSED

7. **Pg 356 - Resolution 2023-50R: A Resolution to Appropriate Funds For Unanticipated Revenues and Expenditures**

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to approve **Resolution 2023-50R: A Resolution to Appropriate Funds For Unanticipated Revenues and Expenditures.** All Council Members present voting Yes,

MOTION PASSED

8. **Pg 360 - Resolution 2023-51R: A Resolution of the Town Council of the Town of Severance, Colorado, Establishing a Transportation Utility Fee**

MOTION WAS MADE BY Council Member Baszler, seconded by May Pro-tem Kane to Approve **Resolution 2023-51R: A Resolution of the Town Council of the Town of Severance, Colorado, Establishing a Transportation Utility Fee with a three (3) year sunset.** All Council Members present voting Yes,

MOTION PASSED

9. **Pg 368 - Resolution 2023-52R: A Resolution of the Town Council of the town of Severance, Colorado, prescribing the Town of Severance's water and wastewater rates, fees, tolls and charges, and infrastructure investment fees**

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Mayor Pro-tem Kane, seconded by Council Member Baszler to Approve **Resolution 2023-52R: A Resolution of the Town Council of the town of Severance, Colorado, prescribing the Town of Severance's water and wastewater rates, fees, tolls and charges, and infrastructure investment fees.** All Council Members present voting Yes,

MOTION PASSED

10. **Pg 375 - Resolution 2023-53R: A Resolution of the Town Council of the Town of Severance, Colorado, levying general property taxes for the year 2024 to help defray the costs of government for the 2024 budget year.**

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Mayor Pro-tem Kane, seconded by Council Member Baszler to Approve **Resolution 2023-53R: A Resolution of the Town Council of the Town of Severance, Colorado, levying general property taxes for the year 2024 to help defray the costs of government for the 2024 budget year.** All Council Members present voting Yes,

MOTION PASSED

11. Pg 377 - Resolution 2023-54R: A Resolution of the Town Council of the Town of Severance, Colorado, Appropriating sums of money for the various funds in the amounts and for the purposes as set forth below for the 2024 Budget

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve **Resolution 2023-54R**: A Resolution of the Town Council of the Town of Severance, Colorado, Appropriating sums of money for the various funds in the amounts and for the purposes as set forth below for the 2024 Budget. All Council Members present voting Yes,

MOTION PASSED

12. Pg 380 - Resolution 2023-55R: A Resolution of the Town Council of the Town of Severance, Colorado, adopting the Town of Severance Fee Schedule

- Legislative
- Staff Presentation: Nancy Mueller, Finance Director

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve **Resolution 2023-55R**: A Resolution of the Town Council of the Town of Severance, Colorado, adopting the Town of Severance Fee Schedule. All Council Members present voting Yes,

MOTION PASSED

13. PUBLIC HEARING

Pg 389 - Resolution 2023-56R: A Resolution of the Town Council of the Town of Severance, Colorado, adopting a budget for the Fiscal Year of 2024 and appropriating sums for and defraying the expenses and liabilities for the fiscal Beginning January 1, 2024 and ending December 31, 2024

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- Staff Presentation: Nicholas Wharton, Town Manager

PUBLIC HEARING Open: 9:36 pm Closed: 9:42 pm

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve **Resolution 2023-56R**: A Resolution of the Town Council of the Town of Severance, Colorado, adopting a budget for the Fiscal Year of 2024 and appropriating sums for and defraying the expenses and liabilities for the fiscal Beginning January 1, 2024 and ending December 31, 2024, with Staff adjustments. All Council Members present voting Yes,

MOTION PASSED

D. COUNCIL MEMBER PETITIONS

Council Members may ask for items to be added to future agendas.

E. BOARD OF ADJUSTMENTS

1. 1-7 ALL PUBLIC HEARINGS

Pg 509 - Resolution 2023-57R: A Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 822 Emerald Lakes Street

TOWN COUNCIL MEETING ADJOURNED INTO BOARD OF ADJUSTMENT MEETING:

Roll Call: Fries, Kane, Baszler, Meyers, Gagliardi, & Bruen. Duda not present.

PUBLIC HEARING AGENDA ITEMS E.1-7 Open: 9:47 pm Closed: 10:18 pm

Presenter: Joe Stifer-Horizon View Homes & Kelly York-York Engineering

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to Approve **Resolution 2023-57R through Resolution 2023-63R for all variances as shown below in each Agenda Item and allow the Town Manager to complete the replant administratively.**

Resolution 2023-57R: A Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 822 Emerald Lakes Street. All Council Members present voting Yes,

MOTION PASSED

2. **Pg 525 - Resolution 2023-58R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 824 Emerald Lakes Street
3. **Pg 541 - Resolution 2023-59R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 826 Emerald Lakes Street
4. **Pg 557 - Resolution 2023-60R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 828 Emerald Lakes Street
5. **Pg 572 - Resolution 2023-61R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 833 Emerald Lakes Street
6. **Pg 586 - Resolution 2023-62R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 835 Emerald Lakes Street
7. **Pg 601 - Resolution 2023-63R: A** Resolution of the Severance Zoning Board of Adjustment, approving a variance request for certain real property located within the Town of Severance and commonly known as 956 Milner Pass Road

F. EXECUTIVE SESSION

1. **Pursuant to Colorado Revised Statutes Section 24-6-402(4)(f)(I) to discuss personnel matters pertaining to the Town Attorney's performance review**

Open: 10:19 pm

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to ADJOURN INTO Executive Session Pursuant to Colorado Revised Statutes Section 24-6-402(4)(f)(I) to discuss personnel matters pertaining to the Town Attorney's performance review. All Council Members present voting Yes,

MOTION PASSED

2. Pursuant to Section 24-6-402(40)(e) of the Colorado Revised Statute for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators with respect to water.

MOTION WAS MADE BY Council Member Baszler, seconded by Mayor Pro-tem Kane to ADJOURN INTO Executive Session Pursuant to Section 24-6-402(40)(e) of the Colorado Revised Statute for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators with respect to water and IGA Revenue Sharing. All Council Members present voting Yes,

MOTION PASSED

Closed: 11:30 pm

G. ADJOURN

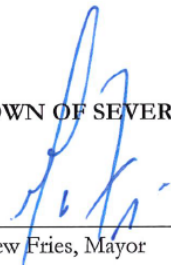
11:30 PM



ATTEST:


Leah Vanarsdall, MMC, Town Clerk

TOWN OF SEVERANCE


Matthew Fries, Mayor