

**City of Dacono  
City Council Meeting Minutes  
Monday, November 14, 2022**

**Meeting called to order at 6:00 PM**

**Members Present** Adam Morehead, Mayor  
Danny Long  
Kevin Plain  
Jackie Thomas  
Jim Turini  
Kathryn Wittman

**Members Absent** Doris Crespo, excused

**Staff Present** AJ Euckert, City Manager  
Valerie Taylor, City Clerk  
Jennifer Krieger, Community Development Director  
Kelly Stroh, Finance Director  
Mark Doering, Senior Planner  
Kathleen Kelly, City Attorney  
Lisa Fuller, Accounting Technician  
Kaylin Miller, Community Outreach and Event Coordinator

**Presentations and Proclamations**

None

**Public Comment on Issues Not Scheduled on Agenda** (*Public comments are limited to 4 minutes*)

Jean Frey, resident of 345 Stonehaven Street Circle – She spoke on the commercial project in front of Sharpe Farms. She stated the Comp Plan is not a guideline, that it should be followed. They do not want more homes.

Marian Thompson, resident of 445 Hass Court – She stated she wants commercial development. She asked that when new development comes in, they be made to do things correctly. She would like residents to be able to have conversations with developers. She stated the City has not been diligent in following the Comp Plan.

Jack Klingon, resident of 625 Stonehaven Street Circle – He voiced concerns about traffic through Sharpe Farms and asked if Grandview was going to be paved. Block Andrew Street off, Stonehaven is not designed for that kind of traffic.

Lori Saine, resident of 235 Stonehaven Street Circle – She voiced her concerns about residents having to fill out a CORA request to have access to documents. She also voiced her concerns about public comments not being addressed at the last meeting. There are ways to get 6<sup>th</sup> Street extended to Colorado Blvd. The City made a mistake by not making the developer put 6<sup>th</sup> Street through.

**Consent Agenda**

- a. Minutes of the October 24, 2022 Regular Meeting.
- b. Accounts Payable dated November 14, 2022 in the amount of \$529,641.97.
- c. Approval of Resolution 22-82, appointing Directors for the Deer Trails Metropolitan District.

- d. Approval of Resolution 22-83, approving a Professional Services Agreement with Envirotech Services, Inc for supply of Ice Slicer material.
- e. Approval of Resolution 22-84, approving an amendment to Appendix A to the contract for City Attorney between City and Kelly PC.
- f. Approval of Resolution 22-85, approving a contract with the State of Colorado concerning CDOT funding for the Forest Avenue Improvement Project.
- g. Approval of Resolution 22-86, approving amendments to the Dacono Personnel Policies related to City closure pay, on-call pay and holiday pay.

Council Member Plain moved to approve the consent agenda as presented. The vote was unanimous with Mayor Morehead declaring the motion carried.

### **General Business**

*Mayor Morehead asked if any Council Members had any disclosures regarding the public hearings, such as conflicts of interest or any ex parte communications. None were stated. Mayor Morehead stated he did not have any disclosures to make.*

- A. **Public hearing and approval of Resolution 22-79, approving a Final Plat, Final Development Plan and Subdivision Agreement for Mesa Ridge Filing 1 Subdivision.** Mayor Morehead opened the public hearing.

Trey Farrell, licensed Civil Engineer, 4582 Ulster Street, Denver, CO representing LGI/Kimley-Horn was sworn in by City Clerk Valerie Taylor and gave a brief presentation.

Community Development Director Jennifer Krieger asked that the following be made part of the public hearing: Mesa Ridge Filing No. 1 Final Plat, dated July 19, 2022, Mesa Ridge PUD Final Development Plan dated July 2022, Mesa Ridge land use application & materials, City of Dacono Subdivision Ordinance, City of Dacono Zoning Ordinance, Development and Vesting Agreement Mesa Ridge Subdivision-Recordation #4514232, Ordinance 919, City Council Resolution 21-67, Staff Report dated October 24, 2022. She then presented her report.

Jack Klingon, resident of 625 Stonehaven Street Circle, was sworn in by City Clerk Valerie Taylor and stated the way he understands it is that Grandview will only be paved from the entrance to Mesa Ridge to Colorado Blvd. Mayor Morehead stated the City would pave the rest of Grandview to the west.

Marian Thompson, resident 445 Hass Court was sworn in by City Clerk Valerie Taylor and asked about construction traffic and asked that it come in through from the south.

Mr. Farrell stated that the Flying Circle connection will be last and the construction will start from the south and make its way up north. Construction traffic will come in from Grandview and that Grandview be paved at the same time. The connection to Flying Circle will be last to limit disturbance to residents.

Council Member Turini asked if the 2<sup>nd</sup> filing traffic would also be coming from the south. Mr. Farrell stated that could be addressed when the 2<sup>nd</sup> filing application is presented.

Council Members voiced their concerns with construction traffic going through Sharpe Farms.

Council Member Wittman asked about the ingress and egress. Jennifer Krieger stated they are planning the connection to the Ridge Lands development.

Council Member Plain asked if Grandview would be paved to the frontage road. Jennifer Krieger stated the URAD would complete paving the road to the frontage road.

With no further comments, Mayor Morehead closed the public hearing.

Mayor Morehead moved to approve Resolution 22-79, approving a Final Plat, Final Development Plan and Subdivision Agreement for Mesa Ridge Filing 1 Subdivision. The vote was unanimous with Mayor Morehead declaring the motion carried.

**B. Consideration and approval of Resolution 22-81, approving an Impact Fee Credit Agreement for Mesa Ridge Filing 1 Subdivision.**

Community Development Director Jennifer Krieger presented her report.

Council Member Plain moved to approve Resolution 22-81, approving an Impact Fee Credit Agreement for Mesa Ridge Filing 1 Subdivision. The vote was unanimous with Mayor Morehead declaring the motion carried.

**C. Public hearing and approval of Ordinance 934, rezoning a certain property known as 801 Flying Circle Boulevard, on first reading; and approval of Resolution 22-87, approving a Preliminary Development Plan for 801 Flying Circle Boulevard.**

Mayor Morehead opened the public hearing.

Kris Lee, 2009 E 4<sup>th</sup> Loveland, CO was sworn in by City Clerk Valerie Taylor and gave a brief presentation.

Senior Planner Mark Doering asked that the following be made part of the public hearing: Staff report, Comprehensive Plan and Zoning Ordinance. He then presented his report.

Council Member Plain stated the applicant mentioned residential and that is a prohibited use. Mark Doering stated that is correct.

Jean Frey, resident of 345 Stonehaven Street Circle, was sworn in by City Clerk Valerie Taylor and voiced her concerns about safety around the roundy round and traffic flow. She asked if the residential use would be removed before it is approved.

Marian Thompson, resident 445 Hass Court, was sworn in by City Clerk Valerie Taylor and asked if the traffic flow had been changed from the original plan. She voiced her concerns about traffic flow into and out of the development. She asked if the developer could be asked to complete 6<sup>th</sup> Street.

Lori Saine, resident of 235 Stonehaven Street Circle, was sworn in by City Clerk Valerie Taylor and stated the uses are really good. She was told the PUD was more restrictive than other zonings but the PUD allows developers to choose the zoning. When she asked how long the vesting period is, she was told it did not matter. With the increased traffic the developer should have to pay a proportional share to complete 6<sup>th</sup> Street. She asked that Council continue the hearing or add a condition that the developer provide access to Colorado Blvd.

Matt Delich, Traffic Engineer, 2272 Glen Haven Dr, Loveland, CO 80538 was sworn in by City Clerk Valerie Taylor and gave an overview of the traffic flow. He spoke on the traffic study that he did which included all development around Sharpe Farms.

Mayor Morehead asked if they moved the southernmost access further north than the current access. Mr. Delich said yes. Council Member Plain stated he had concerns with

traffic trying to turn into the business from the south and if that would affect the traffic trying to turn left onto Highway 52. Mr. Delich stated there would be a left turn lane into the business.

Council Member Wittman asked if the turn lane to turn left onto Highway 52 would be a continuous lane for the left hand turn. Mr. Delich stated that there would be a left hand turn lane onto Highway 52 and there will be one for the entrance to the business, which will be adequate for the proposed uses. He stated that the light timing would need to be changed. The analysis that he did stated the queue would not impede on the turn lane onto Highway 52. The green light time for the minor streets need to be improved.

City Manager AJ Euckert stated CDOT is going to get ahold of their crew to look at the traffic light timing.

Council Member Turini asked if the building will be facing Highway 52, Mr. Lee stated that both sides would have store frontages.

Council Member Plain asked if a gas station is prohibited. Mr. Lee stated that if someone wanted to put a gas station there it would be required to go through the entire process at that time. At this time, it is strictly prohibited.

Council Member Turini asked if the intersection was updated to be ADA compliant. Mark Doering stated that there are no sidewalks to Highway 52 from the south. The applicant will be required to build the sidewalk to Highway 52.

City Attorney Kathleen Kelly gave an overview of the PUD process and stated there is a list of allowed uses and prohibited uses. She stated that they would have to come back for a rezoning if they wanted to have one of the prohibited uses. She also gave an overview for vesting rights. The property owner has not requested any vesting property rights. Once the property is rezoned there is not a specific time period, it is into the future unless the property owner comes in for a rezoning. Regarding the 6<sup>th</sup> Street connection, impact fees can only be used for regional streets. Developers are required to construct improvements for the impact that they will have, they are not required to fix issues that are already there.

With no further comments, Mayor Morehead closed the public hearing.

Council Member Wittman moved to approve Ordinance 934, rezoning a certain property known as 801 Flying Circle Boulevard, on first reading and Resolution 22-87, approving a Preliminary Development Plan for 801 Flying Circle Boulevard. The vote was unanimous with Mayor Morehead declaring the motion carried.

**D. Consideration and approval of Ordinance 935, amending Chapter 13 of the Dacono Municipal Code regarding Municipal Water Service, on first reading.**

Attorney Peter Johnson with Vranesh and Raisch, LLP presented his report.

Council Member Plain moved to approve Ordinance 935, amending Chapter 13 of the Dacono Municipal Code regarding Municipal Water Service, on first reading. The vote was unanimous with Mayor Morehead declaring the motion carried.

**E. Consideration and approval of Resolution 22-88, declaring the City of Dacono's decision to opt-out of the Colorado Paid Family Medical Leave Insurance Program (FAMLI).**

City Clerk Valerie Taylor presented her report.

Council Member Wittman moved to approve Resolution 22-88, declaring the City of Dacono's decision to opt-out of the Colorado Paid Family Medical Leave Insurance Program (FAMLI). The vote was unanimous with Mayor Morehead declaring the motion carried.

**F. Consideration and approval of Resolution 22-89, approval of an Intergovernmental Agreement establishing the Carbon Valley, Mead Victim Assistance Unit.**

City Manager AJ Euckert presented his report.

Council Member Plain moved to approve Resolution 22-89, approval of an Intergovernmental Agreement establishing the Carbon Valley, Mead Victim Assistance Unit. The vote was unanimous with Mayor Morehead declaring the motion carried.

**G. Consideration and approval of Ordinance 936, amending Ordinance Nos. 923 and 926 regarding the City's payment obligations and vehicles leased under the Master Equity Lease Agreement with Enterprise FM Trust, as an emergency.**

Finance Director Kelly Stroh presented her report.

Council Member Plain moved to approve Ordinance 936, amending Ordinance Nos. 923 and 926 regarding the City's payment obligations and vehicles leased under the Master Equity Lease Agreement with Enterprise FM Trust, as an emergency. The vote was unanimous with Mayor Morehead declaring the motion carried.

### **Staff Reports**

**AJ Euckert** – He stated United Power would be doing work in the Glens. The City is doing crack sealing around town. Election results are not certified; once they are, we will swear in the new council members. Great event for the Veteran's Wall of Honor, we have 140 spaces left for names, we will work on expanding the wall. The City will be undergoing a water rate study. Budget work session tomorrow at 6 pm. Once approved the budget will be available online for residents to see. There will be no Planning Commission meeting on November 22<sup>nd</sup> but there will be a Work Session held on the Outfall Plan. November 28<sup>th</sup> is the 2<sup>nd</sup> council meeting of the month. December 3<sup>rd</sup> is the Holiday Festival. December 7 is the next URAD meeting for 2023 budget adoption. There will be a work session on charter school information hopefully before the end of the year.

**Jennifer Krieger** – no report.

**Brian Skaggs** – not present.

**Kathleen Kelly** – no report.

**Valerie Taylor** – no report.

**Kelly Stroh** – no report.

**Kaylin Miller** – She stated December 3<sup>rd</sup> is our Holiday Festival which will include carriage rides, Santa, Georgia Boys chili, and a cocoa and cookie food truck. Christmas ornaments are in and we will be soliciting donations. Dashing contest with Frederick and Firestone for attending all three festival, the winner will win a gift certificate from Blitz Paintball. She is looking for volunteers to help. Students from Homyak will sing at 4:30 pm.

**Mark Doering** – no report.

### **Council Members**

**Doris Crespo** – not present.

**Danny Long** – no report.

**Kevin Plain** – no report.

**Adam Morehead** – no report.

**Jackie Thomas** – no report.


**Jim Turini** – no report.

**Kathryn Wittman** – no report.

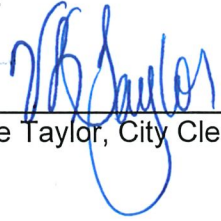
**Adjournment:**

With no further business to be discussed, the meeting was adjourned at 8:48PM.

Approved this 28th day of November, 2022.

  
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Adam Morehead, Mayor

Attest:

  
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Valerie Taylor, City Clerk