

Timnath Town Council Meeting April 25, 2023

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Agency: Timnath Town Council

Agency website: <https://timnath.org/town-council/>

Date & Meeting time: April 25, 2023 @ 6PM: Started 6:06pm

Members Present: Mark Soukup, Brett Hansen, Lisa Laake, Luke Wagner, Robert Axmacher

Members Absent: All present

Others present to note (media, public, other agencies):

Relevant document links (agenda, meeting packet):

<https://timnath.civicweb.net/filepro/document/28719/Timnath%20Town%20Council%20-%202025%20Apr%202023%20Agenda.pdf?widget=true>

Executive Summary

- **Issue:** Regulating Commercial Development
 - **Debate:**
 - A Timnath citizen group, [Guide Our Growth](#), collected enough signatures to force a special election to determine whether nets and fences higher than 65 feet will be permitted in the community. The vote will potentially restrict the construction of a Topgolf business, which typically builds golfing facilities surrounded by 156-foot nets. At the April 25 Town Council meeting, two Timnath residents expressed both supportive and non-supportive perspectives during the Public Comment part of the meeting agenda.
 - Town clerk Milissa Peters-Garcia reported that she received over 1,100 signatures, many more than the 651 verified petition signatures necessary to trigger a special election. The mailbox election is expected to cost between \$25,000 and \$30,000.
 - Timnath is a Home Rule community. As such it operates under a Charter written by local citizens elected to a Charter Commission. Any changes to that Charter requires voting by registered voters.
 - **Outcome:** During the meeting, the Town Council revised then approved the ballot language. Ballots will be mailed to registered voters between June 5 and June 12. Completed ballots must be returned by 7 p.m. on June 27.
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April 25 Agenda

Public Comment

- John Harris: In support of Ladera Development and TopGolf at Harmony and I-25
- Craig Armstrong: Not in support of TopGolf due to light pollution. Stressed that the planned facility will produce 2,544,000 lumens of light, reaching out to a radiating arc of 2.5 miles. Request that the council vote against the development.

Reports

- **Consent agenda:** Approved
- **Finance** (Lisa Gagliardi)
 - New members of finance council approved
 - Interviews for new city attorney promising
- **Engineering** (Don Taranto)
 - Parkway contractors selected in May/June with construction starting in July
 - Walmart striping on hold – wants to be sure this update on website
- **Community Development** (Matt Blakely) Nothing to report
- **Police Monthly Staff** (Terry Jones) Nothing to report
- **Business**
 - RESOLUTION NO. 31, SERIES 2023, A Resolution Approving Engagement with UMB Financial Services Inc. for Debt Advisory and Ballot Issue Services (Lisa Gagliardi)
 - An engagement agreement for debt re-finance
 - Mayor Mark Soukup: If the council determines that refinancing debt or increasing sales tax to pay for broadband in Timnath, the issues will go out as ballot issues.
 - Motion: Unanimously approved
 - RESOLUTION NO. 32, SERIES 2023, A Resolution Approving Access, Construction, and Public Vehicular Crossing Agreement with Box Elder Ditch Company and Ladera Business Improvement District (Don Taranto)
 - Ladera Business Improvement District agreed to maintain ditch structure where it passes under roads
 - Motion: Unanimously approved

- o RESOLUTION NO. 33, SERIES 2023, A Resolution Approving a Special Mail Ballot Election of the Town of Timnath on June 27, 2023 (Milissa Peters-Garcia)
 - The Town Charter amendment regarding fence height regarding signature requirements were met and approved
 - Ballot language of charter amendment needs input from Town Council
 - If passed, the ballot measure would amend the town's charter to prohibit construction of permanent fences of more than 65 feet in height. With Topgolf fences commonly extending to more than twice that height, voter approval of the limit would effectively block plans for such a venue in Timnath.
 - Motion: Unanimously approved
 - [Ballot Language and details for election](#)
 - [Press Release](#) from citizen groups Guide Our Growth
- o EXECUTIVE SESSION: Pursuant to Sec. 24-6-402(4)(b) for purposes of conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions related to complaint by Robert Flockhart, et al., against the Town of Timnath (Carolyn Steffl)
- o No summary offered for the Executive session.
- ADJOURNMENT