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BOARD OF TRUSTEES
January 22, 2019
LEEPER CENTER – 3800 WILSON AVE.

REGULAR MEETING – 7:30 PM

AGENDA

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS TO OR DELETIONS FROM THE AGENDA

CONFLICTS OF INTEREST

PUBLIC TO BE HEARD ON NON-AGENDA ITEMS (time limit of 3 minutes per item)

1. CORRESPONDENCE AND MINUTES FROM COMMITTEES AND BOARDS

- a. Larimer County Sheriff's Office Report for December 2018
- b. Parks Advisory Board Minutes for November 14, 2018
- c. Main Streets Report

2. PRESENTATIONS

- a. Wellington Senior Resource Center

3. CONSENT AGENDA

- a. Board of Trustee Minutes for January 8, 2019
- b. Work Session Minutes for January 15, 2019
- c. Personnel Policy Manual update: Harassment policy

4. OLD BUSINESS

- a. Res 3-2019 Ratifying, the purchase of property at 3749 Harrison Avenue in Wellington Colorado and appropriation of funds
- b. Res 4-2019 Ratification of purchase of North Poudre Irrigation Company Stock and Appropriation of funds

5. NEW BUSINESS

- a. Buxton Contract
- b. Wellington Housing Authority Payment in Lieu of Taxes
- c. Ordinance 1-2019 - Public Hearing: Conditional Use for Wireless Tower
- d. Clarifier Upgrade
- e. Resolution 5- 2019 – Appropriating Sums of Money for Raw Water Reimbursement

6. LIQUOR LICENSE REVIEW BOARD

- a. T Bar Inn Renewal

7. STAFF REPORTS

- a. Town Attorney Update
- b. Town Administrator Update
- c. Trustee Update

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
January 22, 2019

The Regular Board Meeting was called to order at 7:31 p.m. January 22, 2019 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: WYATT KNUTSON, MATT MICHEL, JOHN JEROME,
TIM WHITEHOUSE, JOHN EVANS, DANIEL SATTLER,
and TROY HAMMAN

TRUSTEES ABSENT: None

PRESIDING: TROY HAMMAN, MAYOR

ALSO, PRESENT: ED CANNON, TOWN ADMINISTRATOR
KELLY HOUGHTELING, ASSISTANT TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
BRAD MARCH, TOWN ATTORNEY
BOB GOWING, PUBLIC WORKS DIRECTOR
CODY BIRD, TOWN PLANNER
PETE BRANDJORD, FINANCE DIRECTOR
DAVE MYER, TOWN ENGINEER
MARK OBERSCHMIDT, STANTEC

Additions to or deletions from the agenda

Mr. Cannon said the Buxton Contract was not ready and delay item 5a to next meeting.

Conflicts of Interest

None

Public to be heard on non-agenda items

Garret Mullins, representing I am Foundation Church, addressed the Board regarding starting up a new church. He is an ordained minister and believes in using marijuana for spiritual use. Use would be in the church and would be given free for donations.

1. CORRESPONDANCE AND MINUTES FROM COMMITTEES AND BOARD

- a. Larimer County Sheriff's Office Report for December 2018
- b. Parks Advisory Board Minutes for November 14, 2018
- c. Main Streets Report

2. PRESENTATIONS

- a. Wellington Senior Resource Center
Norma Bulera presented

An overview of the events and activities of the group. She gave statistics of number of meals served and transportation trips for the last couple of years. Membership is \$15.00 per year. The Senior Center provides classes, health related programs and social activities. They would like to get a better copier.

3. CONSENT AGENDA

- a. Board of Trustee Minutes for January 8, 2019
- b. Work Session Minutes for January 15, 2019
- c. Personnel Policy Manual update: Harassment policy

TRUSTEE MICHEL MOVED, AND TRUSTEE EVANS SECONDED to approve the Consent Agenda. Roll call was taken, and the motion passed. Trustee Whitehouse abstained.

4. OLD BUSINESS

- a. Resolution 3-2019 – Ratifying, the purchase of property at 3749 Harrison Avenue in Wellington, Colorado and appropriation of funds.

Mr. March said at the last meeting these two items were discussed in executive session. They were added to the agenda, but public notification was not given within 24 hours. This would be to ratify the action taken at the January 8th meeting.

TRUSTEE KNUTSON MOVED, AND TRUSTEE MICHEL SECONDED to approve Resolution 3-2019 Ratifying, the purchase of property at 3749 Harrison Ave in the amount of \$266,327.24. Roll call was taken, and the motion passed unanimously.

- b. Resolution 4-2019 – Ratification of purchase of North Poudre Irrigation Company Stock and Appropriation of funds.

TRUSTEE EVANS MOVED, AND TRUSTEE WHITEHOUSE SECONDED to approve Resolution 4-2019 Ratifying, future purchase of North Poudre Irrigation Stock. Roll call was taken, and the motion passed unanimously.

5. NEW BUSINESS

- a. Buxton Contract – Moved to next meeting.
- b. Wellington Housing Authority Payment in Lieu of Taxes

Mr. Cannon said payment is received by the Town for the subsidized housing units. The Wellington Housing Authority (WHA) annually requests reimbursement of the payment. Trustee Michel said the WHA uses that money to manage their budget.

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to approve the payment in lieu of taxes to the Wellington Housing Authority. Roll call was taken, and the motion passed unanimously.

c. Ordinance 1-2019 – Public Hearing: Conditional Use for Wireless Tower

Mr. Bird explained the process for the Public Hearing. He reviewed the request to allow for a 50 ft. tower for wireless internet service. The property is zoned light industrial, which requires a conditional use. He went through the requirements reviewed by the Planning Commission (PC). They recommended a change in the drainage easement. The PC approved the conditional use.

Matt Mullett said the reason for this project was to make wireless accessible to the businesses in the business park. Currently they are providing fiberoptic to the businesses.

Stan Everitt, representing Ascent Broadband Wireless, said they work with rural areas. He listed other municipalities they work with. They have put in some fiberoptic cable and will look at extending that in the future.

Trustee Whitehouse asked if this would be part of the 5G spectrum. Josh Kenigrew, owner of Ascent Broadband, said it is in the 5G spectrum and is microwave.

Trustee Michel asked what the general cost would be for the service. Mr. Everitt said residential starts at \$25.00 per month and commercial at \$75.00 per month. Speeds are from 50-75 MB. Trustee Michel mentioned sign height regulations.

All Board members received communications from concerned citizens.

Public Hearing was opened at 8:00 p.m.

Public: Cindi Peck, Garret Mullins, Tom Niichel, and Dave Hoffman commented on their concerns with emissions of microwaves from the tower and health effects.

Question for applicant. Power densities of near and far fields.

There was concern that the notice for the meeting was not sent to adjacent residents.

There were suggestions that fiberoptic would be a better way to proceed.

Public Hearing was closed at 8:24 p.m.

Mr. Everitt said he could not answer the question without seeing the documentation that had been presented by the public.

Mr. March said there are different codes regarding antenna and signage. There was further discussion about location.

Mr. March read the code requirements for notice posting.

Mr. Bird explained that if the Board were to send this item back to the Planning Commission, they would need to give them direction as to why they needed to review the item. Other options are to deny the request or table to a future meeting. Planning Commission deals with zoning not necessarily health issues.

Following discussion, the Board asked that notification be sent to all properties south of Ron Reagan east and west of the interstate.

TRUSTEE MICHEL MOVED, TRUSTEE EVANS SECONDED, with the applicant's concurrence to table item 5c until March 26, 2019 to allow the applicant time to review information provided during public hearing and allow time for additional notification to be sent. Roll call was taken, and the motion passed unanimously.

d. Clarifier Upgrade

Mr. Gowing reviewed the purchase request.

Trustee Knutson asked if staff would be doing some of the work. Mr. Gowing said town staff would be doing some of the smaller items. There would be an additional request for construction after the design. This would all be within the budget.

TRUSTEE EVANS MOVED, TRUSTEE WHITEHOUSE SECONDED, to approve clarifier upgrade in the amount of \$102,662.00. Roll call was taken, and the motion passed unanimously.

e. Resolution 5-2019 – Appropriating Sums of Money for Raw Water Reimbursement

Mr. Bird explained that the Board approved the acceptance of either North Poudre Irrigation Company (NPIC) shares or cash-in-lieu fees. The Wellington Village Developer wanted to get started with building and paid the cash-in-lieu fees. They have now submitted the number of shares needed for this project and are requesting the previously paid fees be returned in the amount of \$375,843.00.

Wendell Nelson asked how many acre feet the shares are worth and is there any guarantee we can get that amount. Mr. Cannon said from historical data we based 4-acre feet yield.

TRUSTEE MICHEL MOVED, TRUSTEE SATTTLER SECONDED to approve Resolution 5-2019 Appropriated Sums of Money for Raw Water Reimbursement in the amount of \$375,843.00. Roll call was taken, and the motion passed unanimously.

Mayor Hamman moved into the Liquor License Review Board at 9:05 p.m. Roll call was taken, and all members present.

6. LIQUOR LICENSE REVIEW BOARD

a. T Bar Inn Renewal

Mr. March explained that due to the passing of one of the owners that a couple of changes needed to be made in addition to the renewal. The change of ownership show that the current owner is in control of 100% of the company. The Board also must find that the owner is of good character and had not committed crimes of moral turpitude. There was one incident with the owner, but it has not gone to court.

Ms. Sullivan mentioned the application for manager that had also been submitted. Mr. March said the manager also must be a person of good standing.

Trustee Jerome said at last year's renewal there were issues about incidents not being reported and training for the staff. Sargent Rairdon said there have been fewer incidents, but they have been making reports when issues arise. Blair Petersen, T-Bar Inn employee, said they ran a TIPS program jointly with Wellington Grill and Soul Squared last year and all participants became certified. T-Bar Inn now requires that new employees be certified.

TRUSTEE JEROME MOVED, TRUSTEE KNUTSON SECONDED to approve the renewal application, the report of change application for the company and the report of change application for the manager. Roll call was taken, and the motion passed unanimously.

The Board went back into regular session at 9:16 p.m.

7. STAFF REPORTS

a. Town Attorney Update

Mr. March said at the last work session he had been asked to send a letter to Stantec. Following the steering committee meeting last Friday it was suggested that a letter was not needed at this time. Trustee Knutson gave an update from that meeting and the meeting jellyschedule going forward.

b. Town Administrator Update

Mr. Gowing gave an update on CIP projects.

Mr. Bird reviewed the year end data on building permits for residential and commercial. Submitted funding from DOLA for Comp Plan. Working with Poudre School District for Annexation and Subdivision of the Property.

Ms. Houghteling reviewed information from the following departments:

- Human Resources – new position advertisements, employee training programs, and leadership development
- Library – Melissa Lurkins was hired as the Assistant Library Director. There will be an advertisement for a part time position. Submitted a micro grant through SIPA for computers
- Recreation Report – Increase in programs and participants in 2018 compared to 2017.

c. Trustee Update

Trustee Michel asked about an update on the GW Bush railroad tracks. Mr. Oberschmidt said a meeting is being set up with BNSF Railway to negotiate a construction and maintenance agreement to get interim improvements of concrete panels the width of the GW Bush right-of-way. He has sent pictures of the current conditions and is trying to get the Road Master to fix the problem. He mentioned that once the traffic counts are updated the application is ready to submit for the construction. The cost would be split 50% from the Railroad and 50% from Sage Meadows.

There being no further business to come before the Board, the meeting was adjourned at 9:36 p.m.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk