



BOARD OF TRUSTEES
August 27, 2019
LEEPER CENTER – 3800 WILSON AVE.

REGULAR MEETING – 6:30 PM

AGENDA

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Amendments to Agenda
4. Conflict of Interest

B. COMMUNITY PARTICIPATION

1. **Public Comment** - Individuals wishing to participate in Public Comments (non-agenda item) are requested to sign up on the form provided on the podium. When you are recognized, step to the podium, state your name and address then speak to the Town Board of Trustees. Please limit comments to three (3) minutes.

C. CONSENT AGENDA

1. Minutes
 - a. Board of Trustees Minutes from 8-13-19
 - b. Work Session Summary from 8-20-19

D. ACTION ITEMS

1. Business items
 - a. B-Dam Agreement
 - b. Resolution 27-2019 – Budget Amendment – Water Rate, Interest Payment
 - c. Comprehensive Plan Contract Award
 - d. Memorandum of Understanding between Poudre School District and the Town of Wellington
 - e. Temporary Easement Agreement with Larimer County for Voting Drop box

E. OTHER BOARDS – (Liquor/Library/Enterprise)

1. Main Streets Program Report
2. Larimer County Sheriff's Office Report for July

F. REPORTS

1. Town Attorney
2. Town Administrator
 - a. Town Administrator Report for July
3. Staff Communications
4. Board

G. EXECUTIVE SESSION

Attorney Advice

Conferences with an attorney for the local public body pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to annexation negotiations. If the board elects to go into executive session for attorney advise the executive session may not be recorded and an attorney certification will be provided as required by C.R.S. §24-6-402(2)(d.5)(II)(B) that the discussion in the executive session constitute privileged attorney-client communications or portions of discussions may not be recorded and certification will be provided .

Attorney Advice

Conferences with an attorney for the local public body pursuant to § 24-6-402(4) (b), for the purpose of receiving legal advice relative to water acquisition and supply and contract negotiations. The executive session will not be recorded and an attorney certification will be provided as required by C.R.S. §24-6-402(2)(d.5)(II)(B) that the discussion that discussions in the executive session constitute privileged attorney-client communications.

Exclusive negotiation agreement between the Town of Wellington; Wellington Operating Company; Pomoco, LLC; Wellington Water Works; and Liodier,LLC

H. ADDITIONAL ACTION

1. Items needing action following executive session

ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements Individuals needing special accommodation may request assistance by contacting the Deputy Clerk at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.

BOARD OF TRUSTEES
REGULAR BOARD MEETING
August 27, 2019

A. CALL TO ORDER

The Regular Board Meeting was called to order at 6:30 p.m. August 27, 2019 at the Leeper Center, 3800 Wilson Ave, Wellington CO.

1. Pledge of Allegiance

2. Roll Call

TRUSTEES PRESENT: MATT MICHEL, JOHN JEROME, TIM WHITEHOUSE, JOHN EVANS, DANIEL SATTLER, TROY HAMMAN and WYATT KNUTSON (arrived at 6:36pm.)

TRUSTEES ABSENT: None

PRESIDING: TROY HAMMAN, MAYOR

ALSO, PRESENT: ED CANNON, TOWN ADMINISTRATOR
KELLY HOUGHTELING, ASSISTANT TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
PETE BRANDJORD, FINANCE DIRECTOR
CODY BIRD, TOWN PLANNER
BOB GOWING, PUBLIC WORKS DIRECTOR
MICHELLE VANCE, ECONOMIC DEVELOPMENT MANAGER
BRAD MARCH, TOWN ATTORNEY OFFICE

3. Amendments to Agenda

Item D.1.a. placed at the end of Action Items.

4. Conflicts of Interest

Trustee Whitehouse had a possible conflict with item D.1.d. and elected not to participate on that matter.

B. COMMUNITY PARTICIPATION

1. Public Comment-None

C. CONSENT AGENDA

1. Minutes

- a. Board of Trustee Minutes for August 13, 2019
- b. Work Session Summary for August 20, 2019

TRUSTEE SATTLER MOVED, AND TRUSTEE EVANS SECONDED to approve consent agenda. Motion passed unanimously.

D. ACTION ITEMS

1. BUSINESS ITEMS

- b. Resolution 27-2019 – Budget Amendment – Water Rate, Interest Payment

Mr. Brandjord read the increases for the Water, Sewer and Drainage Funds. Mr. March suggested including the original and amended amounts for the record.

Water Original Budget \$ 20,570,198	Additional appropriation \$ 149,805	Amended Budget \$ 20,720,003
Sewer Original Budget \$ 2,783,001	Additional appropriation \$ 33,888	Amended Budget \$ 2,816,889
Drainage Original Budget \$ 762,683	Additional appropriation \$ 9,861	Amended Budget \$ 772,544

TRUSTEE SATTLER MOVED, AND TRUSTEE EVANS SECONDED to approve Resolution 27-2019 – Budget Amendment – Water Rate, and Interest Payment. Motion passed unanimously.

- c. Comprehensive Plan Contract Award

Mr. Bird said the request is for authorization to contract with Logan Simpson Designs Inc. for updates to the town's Comprehensive Plan and Land Use Code. Mr. Bird reviewed the process used for selection of the consultant. The budgeted amount is \$200,000. The town received a grant from DOLA in the amount of \$85,000 which will offset the \$200,000 cost and will be expended before town monies are used. The projects will take approximately eighteen months. There was discussion about the selection committee and the vetting of the consultant.

Mayor Hamman asked what the town would get out of this process. Mr. Bird explained what the Comprehensive Plan and Land Use Code are used for and how they work together. There was discussion about a new zoning map. Mr. Bird reviewed the process to implement the documents once they are completed. Mr. March said this process will also help to update the Municipal Code. Mr. Bird mentioned that the consultant would be working on both documents from the start. This will help to make the documents consistent. Mr. Bird mentioned the public engagement that would take place.

TRUSTEE WHITEHOUSE MOVED, AND TRUSTEE EVANS SECONDED to award the

contract for professional services with Logan Simpson Design Inc. in an amount not to exceed \$200,000 and authorize the Mayor to execute the contract. Motion passed unanimously.

- d. Memorandum of Understanding (MOU) between Poudre School District and the Town of Wellington.

Mr. Bird gave an overview of the MOU for the annexation. This will allow for Annexation, Subdivision and Site plan processes to overlap. It also set parameters for nine items that will require further discussion. Mr. Bird went through the options for the water rights. Mr. March mentioned Deep Water rights.

TRUSTEE MICHEL MOVED, AND TRUSTEE KNUTSON SECONDED to approve the Memorandum of Understanding between the Town of Wellington and Poudre School District and authorize the Mayor to execute the document. Motion passed unanimously Trustee Whitehouse abstained.

- e. Temporary Easement Agreement with Larimer County for Voting Drop Box

Mr. March reviewed the agreement for the placement of the voting drop box and security camera. There was discussion about the maintenance of the equipment. Mr. March said the agreement allows for the town to have the County remove the box if needed.

TRUSTEE EVANS MOVED, AND TRUSTEE SATTLER SECONDED to approve the temporary easement agreement with Larimer County for Voting Drop box. Motion passed unanimously.

- a. B-Dam Agreement

Mr. Cannon reviewed the information about the intergovernmental agreement for Phase 1 of the B-Dam joint study, pointing out the benefits to the Town by being a participant. Mr. Gowing spoke about the need for the study to secure grant monies and for future action that might be taken. Discussion included North Poudre Irrigation's role and who else might be affected and should be asked to participate in the study/project. The Board felt that more information was needed before a decision was made. Staff was asked to set up additional work sessions for presentations on the status of the dams and information on the town's options.

TRUSTEE MICHEL MOVED, AND TRUSTEE JEROME SECONDED to table the B-Dam Agreement until September 24th. Motion passed unanimously.

E. OTHER BOARDS –(Liquor/Library/Enterprise)

1. Main Streets Program Report
2. Larimer County Sheriff's Office Report for July

Sergeant Rairdon introduced Lieutenant Stewart. Sgt Rairdon said that over 4th of July Sheriff's department volunteers covered 180 hours. Mayor Hamman suggested recognizing them. Sgt. Rairdon said Wellington has less of an increase in crime then other communities in the county.

F. REPORTS

1. Town Attorney

Mr. March said he Mr. Cannon and Mr. Kahn had meetings related to the possible acquisition of the Wellington Oil Field as a water supply source. The board previously approved a preliminary expenditure of \$50,000 to explore the viability of the water and he advised that staff would be entering contracts and would begin expending portions of the previously approved funds. He also mentioned the status of the law suit related to Tract F which has not been filed to date.

2. Town Administrator

Mr. Cannon mentioned a report that Michelle Vance gave a presentation to The Group Real Estate about Wellington.

a. Town Administrator Report for July

3. Staff Communications

4. Board

Trustee Evans said the Tot Lot community build would be on September 21st.

Trustee Sattler asked if there was an update on the wireless tower issue. Mr. March said he had meetings with their council last week. Mr. Bird said the application has expired.

There was discussion about the Cleveland Avenue repaving regarding the painting of the curbs.

There being no further business the meeting adjourned at 8:53 p.m.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk