



BOARD OF TRUSTEES
January 11, 2022
6:30 PM

MINUTES

A video recording of this meeting is available on the Town of Wellington's YouTube page at <https://www.youtube.com/channel/UCPgB1-EYjaSam4hF3mkoFNA>

A. CALL TO ORDER

Mayor Hamman called the meeting to order at 6:30 p.m.

1. Pledge of Allegiance
Mayor Hamman asked that all rise for the pledge of allegiance.
2. Roll Call
Mayor Troy Hamman
Mayor Pro Tem Wyatt Knutson
Trustee Jon Gaiter
Trustee John Jerome – Absent
Trustee Rebekka Kinney
Trustee Ashley Macdonald
Trustee Tim Whitehouse – Absent

Also Present:

Patti Garcia, Town Administrator
Dan Sapienza, March & Olive, LLC, Town Attorney
Hallie Sheldon, Management Analyst
Krystal Eucker, Town Clerk
Kelly Houghteling, Deputy Town Administrator
Mahalia Henschel, Communications Specialist
Dave Myer, Engineer II
Meagan Smith, Deputy Public Works Director
Bob Gowing, Public Works Director
Nathan Ewert, Civil Engineer II
Mike Flores, Wastewater Superintendent
Cody Bird, Planning Director

3. Amendments to Agenda
Mayor Hamman asked if there were any amendments to the agenda this evening to which there was none.
4. Conflict of Interest
Mayor Hamman asked if there were any conflicts of interest this evening to which there was none.

B. COMMUNITY PARTICIPATION

1. Public Comment
The meeting was opened for public comment, Christine Gaiter, Janice Burns, Shirrell Tietz and Jesy Andreen provided public comment.

2. Proclamation

a. School Choice Week Proclamation

Mayor Hamman read the School Choice Week Proclamation.

C. PRESENTATION

1. Wellington Sewer Roundtable Presentation

The Wellington Resident Rate Roundtable was formed to serve as a volunteer group of residents to deeply engage and offer feedback about sewer rate changes. The group committed to exploring creative solutions and asked questions such as the impact of growth, ways to cut current expenses, and the availability of grant or private funding. The group presented their feedback on their experience and recommendations to the Board.

D. CONSENT AGENDA

1. Minutes of the November 23, 2021 and December 14, 2021 regular Board of Trustees meetings

Mayor Pro Tem Knutson moved to approve the consent agenda; Trustee Macdonald seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Jerome, Kinney, Macdonald, Knutson, Hamman,

Nays – None

Motion carried.

E. ACTION ITEMS

1. Public Meeting for Wastewater Treatment Plant Expansion Project

Mr. Myer informed the Board that this Public Hearing is being conducted to inform citizens and solicit public input, written or oral, regarding the Wastewater Treatment Plant (WWTP) Expansion Project's Needs Assessment (PNA) and Environmental Assessment (EA). The PNA is a report detailing the project as proposed, including project necessity, alternatives, and components. The PNA also describes how the project is being funded. The EA is a report detailing any environmental impacts of the project. The reports have been submitted to the Colorado Department of Public Health and Environment (CDPHE) to qualify the Town of Wellington for a State Revolving Fund Loan.

Kile Snider with Jacobs Engineering provided an overview of the project location, the purpose of the project, why the project is needed, requirements of the facility and alternatives that were considered.

Mr. Myer summarized the cost of the preferred alternative, and that the Wastewater Treatment Plant Expansion is being funded through the State Revolving Fund Program (SRF) which provides a low interest loan. Impacts to sewer rates were also summarized.

Laura Meyer with Jacobs Engineering provided an overview of the Environmental Assessment as well as the project benefits, long-term impacts and short-term impacts. Options were provided for individuals to provide input and comments on the project.

The meeting was opened for public comment.

Shirrell Tietz inquired if the emission for air quality will not be any more than it is producing now or is there a possibility of the emission being produced is high than it was previously. Also, have the newer residents that are living in the area been informed that this may be a possibility and letting them know if the construction traffic.

Mr. Snider commented that there are standards that are required during construction such as watering down roads for dust control. The air emissions from the wastewater plant will be similar to what they are now as there are open tanks that do not produce much odor.

Mr. Myer commented that public outreach has been done with public meetings in front of the Board although internal discussion has taken place to inform residents in close proximity to the plant to inform them of the project and what to expect.

Hannah (last name unknown) inquired about rates and it seems that residents seem to favor increasing tier rates over increasing base rates.

Ms. Smith commented that more discussion will take place on that topic at the Board of Trustees Work Session next week and then rates being presented to the Board in February. There are multiple options being considered regarding rate changes.

The meeting was closed for public comment.

2. Public Hearing to Vacate 20-foot Platted Access Easement on Lot 1, Wellington Manor Minor Subdivision

Mr. Bird reviewed the request to vacate a 20-foot platted public access easement across Lot 1, Wellington Manor Minor Subdivision. The owners of Lot 2 have joined the owner of Lot 1 in the desire to vacate the access easement and all affected property owners support the desire to vacate.

The Planning Commission conducted a public hearing to consider vacation of the 20-foot platted access easement on December 6, 2021. The Commission voted to recommend approval of the vacation without any conditions of approval.

At the time of this report, no public comments have been received by phone, email or letter.

The public hearing is open; no public comments were received.

The applicant's representative, Tyler James addressed the Board and had no comments at this time.

The public hearing is closed.

3. Ordinance No. 02-2022 - An Ordinance Vacating a 20-foot Platted Access Easement on Lot 1, Wellington Manor Minor Subdivision

Mr. Bird had no further information.

No further public comments were received.

Trustee Gaiter moved to approve Ordinance 02-2022, An Ordinance Vacating a 20-foot Platted Access Easement on Lot 1, Wellington Manor Minor Subdivision; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

4. Resolution No. 01-2022 - A Resolution Designating a Public Place for the Posting of Notices Concerning Public Meetings

Ms. Eucker informed the Board that Colorado Revised Statutes 24-6-402 requires that the public place or places for posting municipal notices shall be designated annually by the local public body at their first regular meeting of the calendar year. The designated posting place will be the Town's website, although if the website is not available, the front door of Town Hall is the alternate

designated posting place.

The meeting was opened for public comment to which there was none.

Trustee Gaiter moved to approve Resolution No. 01-2022 - A Resolution Designating a Public Place for the Posting of Notices Concerning Public Meetings; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

5. Resolution No. 02-2022 - A Resolution Adopting a 3-Mile Plan for Municipal Annexations
Mr. Bird informed the Board that State law requires municipalities to have a plan in place for the area 3-miles from the Town's boundary prior to annexing any land within the 3-mile area. The Town's Comprehensive Plan, including the Growth Management Area (GMA) has served as the Town's 3-Mile Plan for municipal annexations. Designation of the Comprehensive Plan for the 3-Mile Plan for annexations meets the state law requirement and is sufficient to meet the Town's annexation needs for the upcoming year.

The meeting was opened for public comment to which there was none.

Mayor Pro Tem Knutson moved to approve Resolution No. 02-2022 - A Resolution Adopting a 3-Mile Plan for Municipal Annexations; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

6. Ordinance 01-2022 - An Ordinance Amending Chapter 2 of the Wellington Municipal Code and Establishing a Hearing Process to Address Alleged Municipal Campaign Finance Complaints and Violations
Ms. Eucker informed the Board that on July 13, 2021, the Board of Trustees approved Ordinance 07-2021 which amended Chapter 2 of the Municipal Code by adding Article 14 to establish a hearing process to address alleged municipal campaign finance complaints and violations. An approved ballot question that was referred to the voters on November 2, 2021, concerning the regulation of retail and medical marijuana stores in Wellington, amended the Municipal Code by adding Article 14 of Chapter 2. Due to the duplicate Articles, Ordinance 01-2022 would create Article 15 of Chapter 2 of the Municipal Code and move campaign finance complaints to Article 15. No changes have been made to the ordinance other than the Article number.

The meeting was opened for public comment to which there was none.

Trustee Kinney moved to approve Ordinance 01-2022 - An Ordinance Amending Chapter 2 of the Wellington Municipal Code and Establishing a Hearing Process to Address Alleged Municipal Campaign Finance Complaints and Violations; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

7. Resolution No. 03-2022 - A Resolution of the Board of Trustees Appointing a Town Treasurer
Ms. Garcia informed the Board that The Wellington Town Treasurer resigned effective December 3,

2021 and at the December 14, 2021 Trustee meeting, Patti Garcia, Town Administrator, was appointed as interim Town Treasurer until the first Board of Trustee meeting of 2022. Town staff engaged with Strategic Government Resources (SGR) to retain the services of Victoria (Vik) Runkle to serve as Town Treasurer until a permanent Town Treasurer is hired. The meeting was opened for public comment to which there was none.

Trustee Macdonald moved to approve Resolution No. 03-2022 - A Resolution of the Board of Trustees Appointing a Town Treasurer; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

8. Resolution No. 04-2022 - A Resolution of the Town of Wellington Adopting a Fee Schedule Related to Marijuana Licensing

Mr. Sapienza informed the Board that Pursuant to the Referred Ordinance adopted by the voters of the Town of Wellington allowing the licensure and sale of retail and medical marijuana, the Town Board of Trustees, as the Local Licensing Authority, may adopt certain fees related to the licensure of marijuana establishments.

The meeting was opened for public comment; Shirrell Tietz and Hannah (last name unknown) made comments.

Mayor Pro Tem Knutson moved to approve Resolution No. 04-2022 - A Resolution of the Town of Wellington Adopting a Fee Schedule Related to Marijuana Licensing; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

9. Resolution No. 05-2022 - A Resolution Creating a Local Licensing Authority Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code and Appointing Kristin Brown as Assistant Municipal Judge to Serve in that Role.

Mr. Sapienza informed the Board that Pursuant to the referred marijuana ordinance, the Town Board serves as the Local Licensing Authority, unless it creates a separate Local Licensing Authority and delegates the duties to that person or entity. Town staff recommends creating a separate Local Licensing Authority to administer the ordinance as a municipal judgeship and to appoint an individual to the role who has extensive experience with marijuana regulation and licensure.

Discussion ensued between the Board of Trustees, Mr. Sapienza and Ms. Brown.

The meeting was opened for public comment; Hannah (last name unknown) and Christine Gaiter make comments.

Trustee Kinney moved to approve Resolution No. 05-2022 - A Resolution Creating a Local Licensing Authority Pursuant to Chapter 2, Article 14 of the Wellington Municipal Code and Appointing Kristin Brown as Assistant Municipal Judge to Serve in that Role; Trustee Macdonald seconded the motion. Roll call on the vote resulted as follows:

Yeas – Kinney, Macdonald

Nays – Gaiter, Knutson, Hamman

Motion failed.

Mayor Hamman closed to regular meeting at 9:13 and opened the Liquor License Authority

F. LIQUOR LICENSE AUTHORITY

Roll Call

Mayor Troy Hamman

Mayor Pro Tem Wyatt Knutson

Trustee Jon Gaiter

Trustee John Jerome – Absent

Trustee Rebekka Kinney

Trustee Ashley Macdonald

Trustee Tim Whitehouse – Absent

1. Annual Renewal - Avuncular Bob's T-Bar Inn & Brew Pub

Ms. Eucker informed the Board that Avuncular Bob's T-Bar Inn & Brew Pub Operations LLC has submitted their annual renewal for their Hotel and Restaurant liquor license. A review of the application found the establishment is in good standing with the Colorado Secretary of State and the Larimer County Sheriff's Office reported no issues directly related to the establishment's liquor license. There were no issues or concerns during a visual inspection of the premise.

The meeting was opened for public comment which there was none.

Mayor Pro Tem Knutson moved to approve; Trustee Macdonald seconded the motion. Roll call on the vote resulted as follows:

Yeas – Gaiter, Kinney, Macdonald, Knutson, Hamman

Nays – None

Motion carried.

The Liquor License Authority was closed at 9:16 and the regular meeting resumed.

G. REPORTS

1. Town Attorney

None.

2. Town Administrator

None.

3. Staff Communications

a. Larimer County Sheriff's Office Monthly Report - November 2021

b. Report of Bills - November 2021

c. Report of Bills - December 2021

4. Board Reports

It was appreciated that this meeting was virtual this evening due to COVID.

H. ADJOURN

Upon a motion duly made, the meeting was adjourned at 9:20 p.m.



Krystal Eucker, Town Clerk