BOARD OF TRUSTEES
November 10, 2020
6:30 PM

Regular Meeting

MINUTES

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
Trustee Rebekka Kinney
Trustee Ashley Macdonald
Trustee Tim Whitehouse

Also Present:
Kelly Houghteling, Interim Town Administrator
Brad March, Town Attorney
Judi Tippetts, Finance Director
Cody Bird, Director of Planning
Hallie Sheldon, Town Intern
Bob Gowing, Director of Public Works
Krystal Eucker, Town Clerk
Dave Myer, Engineer II
Michael Rairdon, Larimer County Sheriff's Office Patrol Sergeant
Lori Woodruff, Human Resources Manager
Mahalia Henschel, Communications Specialist
Tyler Sexton, Deputy Finance Director

3. Amendments to Agenda

Mayor Hamman asked if there were any amendments to this evening's agenda to which there was none.

4. Conflict of Interest
Mayor Hamman inquired if there were any conflicts of interest on this evening's agenda. Mayor Pro Tem Knutson and Trustee Macdonald stated they would be abstaining from the Sage Meadows agenda item.

B. COMMUNITY PARTICIPATION

1. Public Comment
Mayor Hamman opened the meeting for public comment.

Kathy Wydallis, 3405 Revere Court, Wellington, CO commented that there was a survey out regarding plans for Wellington. Ms. Wydallis felt the survey was manipulative and didn't like the answers to choose from. She felt like there was already plans to turn Cleveland, McKinley and Harrison from residential to commercial. Ms. Wydallis would like to know why this survey is coming out and would like to have a survey that was not so confusing. She would like to leave old town alone and put developments on the frontage road and by the new high school.

> Trustee Gaiter commented that the survey was sent out as part of the comprehensive plan process; the survey was also posted to Wellington's Facebook page.

Mayor Hamman inquired if there was not an option to put comments in on the survey.

> Trustee Gaiter stated there is the option for a comment box but there is not an option to not like the options provided. Trustee Gaiter stated he is on the steering committee for the comprehensive plan and has received several other comments on the survey.

Cam Tietz with American Electrical Innovations commented that there are businesses in Wellington that have been built or are being built but they cannot get up and running. This doesn't happen in other communities. These businesses are facing hurdles and other oddities from the building department. Mr. Tietz commented that the planning department needs some help or the Director needs to be reigned in a bit. There doesn't seem to be consistency on what is needed for a permit. Multiple businesses don't want to work with Wellington and businesses are being pushed out by the higher ups in Wellington. There are not the stalls for businesses anywhere else.

Sherry Rodriguez, 8438 2nd Street, Wellington, CO commented that she has been a resident for 24 years. She came across the survey as well and did not feel comfortable answering the questions. Ms. Rodriguez commented that she doesn't feel people in town want to see the Main Street go away and take away houses from people on Main Street. Traffic will be an issue in when the new high school opens. There needs to be another exit into Wellington and build a new downtown off of that.

Rosemary 834 W CR 66E, Waverly, CO commented that she feels Wellington is being presented from the American Planning Association which promotes sustainable development; rack and stack high density housing. Rosemary commented that Wellington should take a step back and look for more information before moving forward with the comprehensive plan. Every new rule adopted in the name of sustainable development squeezes a little more freedom from every individual.

John Richardson, 6764 Mount Flora Street, Wellington, CO thanked the Board for their willingness to listen to the residents. Wellington is struggling with commercial businesses although in the last four years there have not been many businesses that have actually got off the ground due to the red tape. Mr. Richardson feels the process should be looked at to figure out the delays.

Matt Mullett, 4699 Clark Lake Drive, Wellington, CO commented that he is concerned with what is going on with businesses in town as it is hard for businesses to jump through the hoops. The town needs the businesses that want to come here.

Kristi Cannon, 6886 Meade Street, Wellington, CO suggested doing a test pilot for the survey to get a feel of the quality of questions.

C. CONSENT AGENDA

1. Minutes of the September 22, 2020, October 13, 2020 and October 27, 2020 Board of Trustees Meetings

2. Ratifying Resolution No. 38-2020 - A Resolution Referring to the Voters the Initiated Ordinance Concerning Retail Marijuana Sales Tax in the Town of Wellington

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

Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman
Nays - None
Motion carried.

D. ACTION ITEMS

1. <u>Ordinance No. 17-2020 - An Ordinance Approving the Final Plat and Rezone to PUD for Sage Meadows Second Subdivision</u>
Mr. Bird informed the Board that the owner of approximately 36 acres of land located east of Highway 1 between Jefferson Ave. and G.W. Bush Ave. has submitted a request to plat the property for single-family detached residential, single-family attached residential and 2 larger lots along Highway 1 for potential commercial or public/civic use. A rezone request to a Planned Unit Development Overlay District (PUD) is also proposed. The PUD is proposed to accommodate the mix of detached and attached residential units, as well as commercial and public/civic development opportunities.

The property proposed for platting and zoning to PUD was annexed into the Town in 2016 and was concurrently zoned R-2 Residential Single-family, Medium Density. The master plan presented for the property at the time of annexation demonstrated the property would be a continuation of Sage Meadows Subdivision.

All lots within the original annexation master plan were identified for single-family detached residential development. At the Town's urging, the applicant has provided 2 commercial/public/civic parcels along Highway 1. These parcels are important to the development of Highway 1 as a commercial corridor. Providing the 2 larger tracts on the proposed plat allows a transition from the scale of existing single-family homes to the higher intensity commercial development anticipated to the north. To further transition from the larger commercial/public/civic properties to the single-family detached residential properties, the applicant was asked to provide single-family attached units (4-plexes). Attached dwelling properties are provided and transition on the rear or side property lines from the adjacent commercial or detached dwellings to limit the visual impacts of the different housing types.

The Planning Commission conducted a public hearing to review the final plat and rezone to PUD on November 2, 2020. The Commission voted to recommend approval of the final plat and rezone, subject to comments and corrections identified in the staff report to the Commission. The corrections identified in the staff comments are required to be corrected on the final plat mylars. By recommending approval of the final plat and rezone, the Commission determined that the plat and zoning is consistent with the Town's Comprehensive Plan and that the plat conforms to the Town's subdivision regulations except as modified by the PUD.

The Parks Advisory Board reviewed the subdivision plat at its meeting on October 14, 2020 and voted to accept the open space dedications and trail layout as presented. The Parks Advisory Board also recommended accepting fees in-lieu of land dedication for parks due to the proximity of the development to existing Viewpointe Park.

Mr. Robertson stated he is excited to wrap up this project and thanked Mr. Bird for his help and input on the buffer of residential to commercial. The 4-plexes is a good buffer between commercial and single family residential.

Trustee Gaiter inquired if multi-family were being pushed by the Town as we were trying to avoid higher density or was this something the developer was wanting to do.

> Mr. Bird commented that it is a fairly typical practice to transition from higher intense uses like commercial to single family detached homes. The overall density of the site is about the same that was originally proposed in the 2016 annexation. The developer was asked to carve out some area for commercial uses.
>
> Mr. Robertson stated they had sent renderings to Mr. Bird of what was being proposed and then built on that. We are holding the value of the single-family homes even though we are doing the 4-plexes.

Mr. March requested that when a motion is made to approve, to include the approval in substantial form as there are minor adjustments that need to be made.

Trustee Kinney commented that she likes the diverse housing options in Wellington and the potential of more affordable housing.

Mayor Hamman commented that this is a well thought out project.

Mayor Hamman opened the meeting for pubic comment.

Christine Gaiter, 8132 4th Street, Wellington, CO commented that 103 lots will increase the water usage and cause more strain on the water treatment plant which does not align with the community vision statement in the Comprehensive Plan. Maybe the lots should be bigger so there are less houses so that will cause less stress on the water treatment plant. Wellington is a rural town and what that means to her is that there is low density with bigger lots which results in less people.

Kathy Wydallis, 3405 Revere Court, Wellington, CO commented that she is concerned about the water as she received the news that the water bills will be increasing. The HOA requires that homeowners keep their lawns green but the cost to water will be a lot. Then there are new houses going up and the water treatment plant project has not been started. Ms. Wydallis is concerned about development and not having the water for it.

Rosemary 834 W CR 66E, Waverly, CO commented she has been dealing with this since the 90's when Fort Collins became a controlled and regulated town. It was unique once and then they did sustainable development rack and stack high density where no one wanted to live.

Mayor Hamman brought the meeting back to the Board for comments and questions.

Mayor Hamman inquired if the lawns will be utilizing non-potable water systems for this project.
Mr. Bird stated the property does have access to a non-potable system so all of the residential lots as well as the two commercial lots and open space will have a non-potable irrigation system.
Mr. Robertson stated they will more than likely be bringing 14 shares of North Poudre water for this project.

Trustee Gaiter inquired as to what the timeframe is for these homes.
Mr. Robertson stated they may have lots ready by summertime of 2021 and does not predict the homes will come online before 2022. All the homes can not be built at one time. Sage Homes understands the water situation and does not want to flood the market either.

Trustee Whitehouse moved approve Ordinance 17-2020 in substantial form; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:
Yeas – Kinney, Whitehouse, Hamman
Nays – Gaiter, Jerome
Abstain – Knutson, Macdonald
Motion carried.

2. Wastewater Treatment Plant Expansion: Wastewater Utility Plan
Mr. Myer informed the Board that at the September 15th work session, an update on the Wastewater Treatment Plant (WWTP) Master Plan was presented where Jacobs outlined the next steps for the plant expansion. These included permitting (regulatory) requirements involving preparation of a Wastewater Utility Plan and a Preliminary Effluent Limit (PEL) application. The intention herein is to request Board approval for execution of a contract with Jacobs for preparation of the Wastewater Utility Plan and assistance with the Town's PEL application.

Assuming the Town finances the construction of the Wastewater Treatment Plant Expansion with a State Revolving Fund (SRF) loan through the Colorado Water Resources and Power

Development Authority, several State regulatory and funding requirements are necessary. Additionally, the Colorado Department of Public Health and Environment (CDPHE) requires several permitting and design review steps. The various State requirements are summarized in Table 1 (attached). The Wastewater Utility Plan and the PEL application are critical precursors to other documents that must be prepared.

The proposed Wastewater Utility Plan scope of work is in accordance with the NFRWQPA's Wastewater Utility Plan Guidance Manual (current version January 2020). The tasks outlined in Jacobs' scope are based upon the Guidance Manual's format checklist for ease of review by NFRWQPA reviewers. The scope was also developed from prior work performed by Jacobs on the Wastewater Master Plan and the Town's Comprehensive Plan be written currently by Logan Simpson. Additional items in Jacobs' scope include assisting the Town with its PEL application, assistance with the Town's SRF pre-application form, and attendance at the SRF loan preapplication meeting in Denver with CDPHE.

Based on what was previously presented to the Board, the anticipated schedule for the WWTP Expansion remains as follows:

- October 2020 – March 2021 (extended as needed): Funding & Regulatory Steps
- December 2020 – December 2021: Engineering Design
- January 2022 – May 2022: Finalize Project Financing and Regulatory Approvals
- May 2022 – Early 2024: Construction

Staff request the Board authorize execution of the contract with Jacobs Engineering Group in the not to exceed amount of $115,815 for preparation of the Wastewater Utility Plan for the Town's Wastewater Treatment Plant Expansion.

Mayor Hamman opened the meeting up for public comment.

Christine Gaiter, 8142 4th Street, Wellington, CO inquired if there was a federal or state manual that provided fewer regulations that the Town can choose and is concerned about going green as sometimes that is not as effective and costs more.

> Mr. Myer stated these are state and federal regulatory requirements that the Town does have to go through for the expansion; the clean water act was passed in 1972. NFRWQPA is the oversight of this plan.
>
> Mr. Snider commented that the NFRWQPA is the local board for all of Weld and Larimer County. Anyone that has a wastewater plant must go through that agency to ensure compliance with the clean water act. NFRWQPA does require that environmental considerations be made although not all the considerations are required to be made. It will be up to the Town to make decisions in those regards.

Mayor Hamman closed the public hearing and brought the discussion back to the Board.

Trustee Whitehouse moved approve the contract with Jacobs Engineering Group for preparation of the Wastewater Utility Plan in the not to exceed amount of $115,815; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

> **Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman**
> **Nays - None**
> **Motion carried.**

3. Town Administrator Employment Agreement

Mr. March stated the Board of Trustees hired Peckham & McKenney Inc., Executive Search Firm, to facilitate the Town Administrator recruitment. This recruitment resulted in a very competitive pool of national applicants. After the initial rounds of interviews, the Board of Trustees invited four finalists to interview on October 30. The Board of Trustees selected Patti Garcia to serve as Town Administrator and attached is the Employment Agreement.

Trustee Gaiter commented that with Ms. Garcia, the things that stood out to him was the fact that she has the experience in northern Colorado and understands not only the issues that the Town has but she also knows the players with the County and other municipalities. Ms. Garcia also has experience in other municipalities in northern Colorado. Trustee Gaiter feels she will be a good fit for town staff and will be good at engaging with citizens and the Board of Trustees.

Trustee Whitehouse commented that the Board sat in 9 hours of interviews last week and would reiterate the comments made by Trustee Gaiter. Trustee Whitehouse believes Ms. Garcia has the skills to work effectively.

Trustee Macdonald commented that she feels Ms. Garcia has the education and experience the Board of Trustees has been looking for.

Mayor Pro Tem Knutson commented that Ms. Garcia seems to be the best fit for the Board of Trustees and looks forward to getting her on board.

Trustee Kinney commented that she was impressed with Ms. Garcia as she was very present and engaged; very positive yet firm. Ms. Garcia seems very resilient and believes she will be able to form some positive relationships. Ms. Garcia does have a lot of experience as well.

Mayor Hamman commented that he echoed all the other comments of the Trustees. Ms. Garcia understands the struggles and challenges that the Town is facing.

Trustee Jerome commented that he was not in the interviews but feels comfortable with the decision the Board of Trustees has made.

Mayor Hamman opened the meeting for public comment.

Christine Gaiter, 8132 4th Street, Wellington, CO commented about the annual conference the Town Administrator will attend and that there are not any rural community conferences listed; she feels that is something that should be looked at.

> Mr. March stated the conferences listed in the contract are standard conferences for a Town Administrator. These conferences keep Town Administrators apprised of new legislation and members of various organizations can come together to discuss the communities they are working in.

Rosemary, 834 WCR 66E, Waverly, CO commented that she is concerned about the conferences the Town Administrator will be attending and feels the Town Administrator will bring back the template that has turned other unique communities into rack and stack high density communities.

Kristi Cannon, 6886 Meade Street, Wellington, CO commented that the conferences listed in the contract are beneficial to the Town Administrator as there are development sessions to build skills for being more effective in their roles. The Town Administrator is able to build networks and connect with other individuals along the front range. The conferences allow the Town Administrator to bring back fresh and exciting ideas.

Trustee Gaiter moved approve the Town Administrator Employment Agreement; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:

Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman
Nays - None
Motion carried.

4. <u>Chamber of Commerce Funding Request</u>

Ms. Cannon informed the Board that there is a $6,800 extension of educational funds granted out of the $10,000 grant for advanced consulting services to existing local businesses in Wellington to help them scale up to larger operations and profits; the Chamber is asking for a continuation of the MOU that is in place by rolling over funds that were not used in 2020 to 2021. The Chamber is also asking for and additional $7,015 to help with the transition of the move due to the Town cancelling the MOU for rental space. The total request between the two is $13,815.

The education and consulting for businesses was created at the beginning of 2020 and was a partnership with the Town of Wellington; it began with a $10,000 grant. The services are provided through the Small Business Development Center out of Fort Collins and it is meant to work with organizations within Wellington that have at lease $200,000 in revenues or sales. The intent is to scale up. The services they offer are sales and marketing strategies, financial check-in, and onsite business review and recommendations. The Chamber has contacted businesses in Wellington to let them know that the SBDC offers then the business pays $200 for their service and Wellington pays $800 for the service. The Chamber has no involvement with handling the grant money. An MOU was signed between the Wellington Area Chamber of Commerce and the Town of Wellington that outlined that process. The SDBC was on hold with providing this service from March through July as they were focusing on COVID recovery but did restart those services in August and since then, the Chamber was aggressive about contacting businesses that may benefit from the services. The Chamber would like to see the funds that were not used in 2020 be rolled over into 2021.

The second request is in relation to the MOU that the Chamber had with the Town of Wellington to lease office space that began in March and ended in October. There were unexpected costs to the Chamber for that relocation. When the Chamber moved into the Harrison House, the agreed upon rent that we would pay the Town was $200 per month and the MOU speaks to the fact that the Chamber could offer in kind services in lieu of rent. At the time of the MOU, the economic development individual was expected to heavily use a sophisticated printer that the Chamber has leased. The agreement was that the Chamber would pay $200 per month rent and the Town would pay the Chamber $200 per month for use of the printer. Instead of making payments back and forth, it was decided that a reconciliation would be done at the end of the year. In the Harrison House, there was free internet, furniture was already there so the total cost of the

Chamber being in the Harrison House was approximately $1,238. When the MOU was terminated, the Chamber was forced to relocate to another location with the rent being $300 per month. The Chamber is now paying for a lot more of the printer costs although another tenant in the building is helping with the cost. Also, the Chamber is now paying for internet and phone services and needed to purchase furniture. The total costs related to the move are approximately $8,253; there is difference of $7,015 that the Chamber is now paying on top of the arrangement that the Chamber made with the Town in the MOU to move into the Harrison House.

Ms. Cannon read a letter from Sparge Brewery who was unable to attend the meeting in which he thanked the Chamber and the SBDC for constantly looking for ways to improve our business. These critical ways are key to ensuring we are on the right track and set up for success as we grow.

Mayor Hamman commented that he would assume the grant money for educational services could easily be moved to 2021.

Trustee Kinney commented that she attended the annual meeting for the Chamber last week and it was refreshing to see the creativity and the accomplishments that have been obtained this year. The Chamber assembled a task force that assisted businesses during the COVID pandemic. The Chamber has been in collaboration with the Town as well as the Main Streets Program. There was no malicious intent to terminate the MOU for office space although that did put them in a situation that they were not anticipating. The Chamber is a valuable partner and their work is paying off in the community.

Trustee Macdonald commented that the rollover is appropriate and inquired if there is an ex-officio Trustee that sits on the Chamber Board.

Per Ms. Cannon, no.

Trustee Macdonald inquired if the Chamber will be willing to share their current budget with the Board of Trustees.

Ms. Cannon stated she will need to check with the Board on that as it is not her call; that is normally available for members.

Trustee Jerome inquired if the Town is a member of the Chamber, correct.

Per Ms. Cannon; that is correct.

Trustee Jerome commented that it would not be an unreasonable request to see the financials and budget.

Trustee Macdonald commented that she is not opposed to reimbursing the $7,000 although she would like to take a closer look as that is a large amount for a one-person office to move less than a mile.

Trustee Whitehouse commented that he feels rolling over the educational grant money is a reasonable request as it could not be utilized this year and inquired if there was CARES funds available for the move.

Ms. Cannon stated there are not CARES funds available for this move. We did apply for GAP funding and did receive some funds there but that is for fundraising efforts and not available for a move.

Trustee Gaiter commented that the extension of the grant funding is appropriate although inquired if the bar that is set at $200,000 was set but the Town of Wellington or by the SBDC.

Ms. Cannon stated Fort Collins uses $300,000 but the SBDC was able to work with Wellington as there are smaller organizations.

Mayor Pro Tem Knutson commented that he is fine rolling over the grand education money for SBDC but would like to look at the relocation costs a little more as the MOU's for the Chamber and Main Streets were done at the same time; was there any reimbursements to Main Streets for moving.

Ms. Cannon commented that she didn't think so, but the Town is also supports them with funding.

Mayor Pro Tem Knutson commented that he believes the items should be split up instead of voting on them together.

Mayor Hamman inquired if he would like them split this evening or bring them back at the next meeting.

Mayor Pro Tem stated it seems the Board is in agreement to roll over the educational grant money but tabling the relocation expenses after looking at some financials.

Mr. Jon Slutsky commented that they have no problem sharing the budget ad profit and loss balance sheet with members. The year is about over and the budget for 2021 is not yet complete. Mr. Slutsky stated they would be happy to share that information if the Board would like to come by the office although he is not sure how that would impact the decision.

Linda Knaack, 4214 White Deer Lane and their business is Knaack Automotive at 3703 Cleveland Avenue commented that they have participated in the program with the SBDC although have only gone about 50% of the way through it. Even at 50% of the program, it has well exceeded the expectations.

Lisa Christopherson, owner of Polished Spa in Wellington has owned the business in Wellington for two years and stated it has been so important to her that the Chamber has gone out of their way to make sure she knew what was available to her to make it through the year. The Chamber would reach out to check in on the business and due to the Chamber reaching out early, she was able to apply for some funds to pay her employees.

Trustee Jerome inquired if there was a need to vote as this is a budget item that would go into the 2021 budget.

Ms. Tippetts stated she has documented the carry forward education money and will include it in the budget. Staff would need direction on the relocation expenses as the budget will be going before the Board on December 8, 2020.

Trustee Gaiter inquired if the MOU for the educational money needs to be updated.

Ms. Cannon stated the MOU wasn't time bound although there are some items that are dated in the MOU.

Ms. Tippetts commented she would like the opportunity to look at the CARES Funding language as she is not sure she can substantiate $300 per month rent for the whole year. Ms. Tippetts would like the opportunity to break up the $7,015 to be able to use some of the CARES Funding. The piece that will be included in the budget will be the carry over funds.

Mr. March stated this item can be tabled to the next meeting to answer some questions.

Trustee Gaiter requested that getting a balance of the Board discretionary fund as well at the next meeting.

Mayor Pro Tem Knutson moved to table item D.4 to the November 24, 2020 meeting, Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

> **Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman**
> **Nays - None**
> **Motion carried.**

5. <u>Wastewater Treatment Plant Clarifiers Nos. 3 and 4 Recoating Project</u>

Mr. Myer informed the Board that two clarifiers at the wastewater treatment plant (nos. 3 and 4) were drained in spring of 2019. Upon inspection, plant operators found the protective coating on all the under-water equipment was peeling and flanking off. Recoating is needed to protect the equipment in the clarifiers.

The plant operators reached out to six different paint companies during the past 4-5 weeks. Two quotes were received from painting contractors willing to complete the work (attached).

Staff requests authorization to execute the contract with M&M Tank Coating Company in the not to exceed amount of $70,000 for recoating services on clarifiers 3 and 4 at the wastewater treatment plant.

Trustee Whitehouse inquired about the exclusions in the contract and inquired if there were things like lead based paint or disposal costs that may come up.

> Mr. Myer stated we are not anticipating those items to be a factor in this project.

Trustee Gaiter inquired if the companies are quoting the same things or is there a reason one was more qualified than the other.

> Mr. Myer stated both companies are quoting the same things; it is the nature on how the companies laid out their quotes.

Mayor Pro Tem Knutson inquired as to when the work will be done.

> Mr. Myer stated they are waiting for the weather to warm up as it is all temperature based on when these coatings can be done. If the weather does not cooperate, it will need to wait until spring.

Trustee Gaiter inquired if it would be better to hold off on this until spring and would the clarifies make it until spring.

> Mr. Myer stated they would probably make it until spring; the topcoat is peeling off. The reason we wanted to get it in this year is that it was slotted in the 2020 CIP plan.

Mayor Hamman commented that the product being used is tnemec coatings which is a top of the line coating; they are probably good at 40 degrees, maybe even 35 degrees and there are times when we get good weather for applications. They will throw heat and weather protection on staff and that will be the Town's problem.

Trustee Whitehouse inquired as to what the costs will be for the appropriate hearing for the project.

Mayor Hamman stated they could have to tent and use propane heat.
Mr. Myer stated the Town doesn't have the equipment to do those kinds of things.

Trustee Jerome confirmed that the clarifies are the tanks in the ground.

Mr. Myer stated they are the tanks in the ground.

Mayor Hamman opened the meeting up for public comment to which there was none.

Trustee Whitehouse moved approve the contract with M&M Tank Coating Company in a not to exceed amount of $70,000; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman
Nays - None
Motion carried.

6. Proposed Ordinance - An Ordinance Concerning the Regulation of Retail and Medical Marijuana Sales in the Town of Wellington

Mr. March informed the Board that the litigation surrounding this proposed ordinance is still pending and recommends this agenda item be tabled to November 24, 2020 and there is no need to an executive session this evening.

Trustee Whitehouse inquired if there was an agreement made with the proponents of the initiative, would the litigation be settled.

Mr. March stated a proposed ordinance would be presented instead of the initiated ordinance and the intention would be that both lawsuits would be dismissed, and the Board would refer an alternative ordinance to the voters. There is a way to go to get to that point.

Mayor Hamman opened the meeting up for public comment to which there was none.

Mayor Pro Tem Knutson moved to table agenda item D.6 to November 24, 2020; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:

Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman
Nays - None
Motion carried.

Mayor Hamman closed the regular meeting at 9:15 p.m. and opened the Liquor License Review Board.

E. OTHER BOARDS

Roll Call
Mayor Troy Hamman
Mayor Pro Tem Wyatt Knutson
Trustee Jon Gaiter
Trustee John Jerome
Trustee Rebekka Kinney
Trustee Ashley Macdonald
Trustee Tim Whitehouse

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

Ms. Eucker informed the Board that Avuncular Bob's T Bar Inn 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 establishment is current with their sales tax. The Larimer County Sheriff's Office reported completing routine bar checks which resulted in no issues. There was a physical disturbance inside the establishment on November 8, 2019 which the Larimer County Sheriff's Office was called for assistance; that occurrence did not result in any violations related to the liquor license.

Trustee Kinney moved approve the annual renewal for Avuncular Bob's T Bar Inn; Mayor Pro Tem Knutson seconded the motion. Roll call on the vote resulted as follows:

Yeas - Gaiter, Jerome, Kinney, Macdonald, Whitehouse, Knutson, Hamman
Nays - None
Motion carried.

Mayor Hamman closed the Liquor License Review Board at 9:19 p.m. and resumed the regular meeting.

F. REPORTS

1. Town Attorney

Mr. March commented that after looking into Bob's Rules of Order, it does not appear the Sage Meadows passed as the abstain votes county as nays.

Trustee Whitehouse inquired as to where this leaves us now.

Mr. March stated it was not approved although it can be brought back on reconsideration by someone voting in the negative at the next meeting.

Trustee Whitehouse confirmed that we have until the next meeting to act on this and figured out although if that doesn't happen this is effectively dead.

Mr. March stated that is correct.

2. Town Administrator

None.

3. Staff Communications

Ms. Eucker asked the Board if they wish to begin the November 24th meeting at 5:00 dur to the holiday that week; the consensus of the Board was to leave the meeting at 6:30.

4. Board

Trustee Whitehouse inquired if the 24th meeting was cancelled, would the Sage Meadows Annexation be dead.

Mayor Hamman stated it would be the next meeting following the action.

Trustee Gaiter informed the Board that the CAC would like to consider doing a ceremony for the tree lighting and they wanted to know if the Board is willing to go though the variance process to have the ceremony.

Ms. Houghteling stated she had a meeting with Tom Gonzalez and the topic of special events did come up. The variance process is continuing to change; it looks like the numbers will be reduced on what they will allow and they also stated the could not give an answer if these events will be approved due to the uptick in cases.

Trustee Kinney commented that she doesn't see the harm in the CAC trying for a variance.

Trustee Jerome commented the tree lighting could be moved to a different location for the ceremony.

Ms. Houghteling confirmed if the CAC will be completing the variance or if there is an expectation that staff will be completing the variance.

Mayor Hamman commented to have the CAC do the variance and staff could assist.

Trustee Gaiter asked if there could be a plan for public comment on non-agenda items; a specific expectation. Just letting the public know what, if any responses they will be getting.

Trustee Jerome informed the Board that JC Cox resigned from the Parks Board and read the resignation letter. Mr. Cox resigned due to some of the changes within the Town including a new process related to how advisory board members are appointed. Mr. Jerome commented that individuals on the PAB felt like they did not get the consideration as they have in the past regarding who is being appointed to the boards and commissions.

Trustee Kinney commented that she was able to participate in the process and understands the process need to be streamlined and there was some confusion during this first round. One of the beneficial items was that Richard Bacon did sit in on the interviews and made the selections with the Trustees. This process could be worked though or improved and still have a consistent process to put individuals on the board and commissions. Trustee Kinney hopes to retain Mr. Cox as he is a valuable individual on the PAB. This was a very well-organized process that took some time and effort.

Trustee Gaiter commented that Richard Bacon was on the interviews and let the CAC know who was going to be selected.

Ms. Eucker commented that one of the reasons for the change in process is due to aligning the appointment process with the Municipal Code as appointments are made by the Mayor and Trustees. There was an invite extended to the chairs of the Boards although that was added to the process so there was not much time given to the chairs prior to the interviews. There was also a suggestion to have the staff liaison sit in on those interviews so that will be an adjustment for the next round.

Trustee Jerome inquired if he could respectfully decline Mr. Cox resignation as he will speak with him to retain him on the PAB; the Trustees agreed.

G. EXECUTIVE SESSION

1. The executive session was not convened.

H. ADJOURN

Upon a motion duly made, the meeting was adjourned at 9:40 p.m.

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Krystal Eucker, Town Clerk