



TOWN OF WELLINGTON

3735 CLEVELAND AVENUE
P.O. BOX 127
WELLINGTON, CO 80549
TOWN HALL (970) 568-3381
FAX (970) 568-9354

BOARD OF TRUSTEES
July 13, 2010
LEEPER CENTER – 3800 WILSON AVE.

WORKSESSION – 7:00 PM - NEW EMAIL PROGRAM

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

CORRESPONDENCE

US Cable

PRESENTATIONS

CONSENT AGENDA

- Board of Trustee Minutes for June 22, 2010
- CAC Minutes for June 7, 2010

LIBRARY BOARD

Directors Report

LIQUOR LICENSE REVIEW

1. Renewal for Loaf N Jug

OLD BUSINESS

1. Ordinance 6-2010 – Prohibiting Marijuana Dispensaries

NEW BUSINESS

2. Request from Housing Authority
3. Kehn / ZWZ Settlement on Sixth Street/Jefferson Intersection Improvements
4. Discussion – Proposed Amendments 60 & 61 and Proposition 101
5. Update CML Conference – Trustee Daknis
6. Bills for Approval
7. Town Attorney Update
8. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
July 13, 2010

Following a work session on the new email system the Regular Board Meeting was called to order at 7:32 p.m. July 13, 2010 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: MIKE STEELY, DAVID NOE, ERNEST CIENFUEGOS-BACA,
JACK BRINKHOFF and MISHIE DAKNIS (arrived at 7:33pm)

TRUSTEES ABSENT: TRAVIS STEVENS

PRESIDING: TRAVIS VIEIRA, MAYOR

ALSO PRESENT: LARRY LORENTZEN, TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
BRAD MARCH, TOWN ATTORNEY
BILL BODKINS, PUBLIC WORKS DIRECTOR

Additions to or deletions from the agenda

None

Conflicts of Interest

Mayor Vieira said he has a conflict with the liquor license. Trustee Noe will run the License Board Review.

Public to be heard on non-agenda items.

None

Correspondence

US Cable

Presentations

None

Consent Agenda

- Board of Trustee Minutes for June 22, 2010
- CAC Minutes for June 7, 2010

TRUSTEE CIENFUEGOS-BACA MOVED AND TRUSTEE BRINKHOFF SECONDED to approve the consent agenda. Roll call was taken and the motion passed unanimously.

Mayor Vieira closed the Regular Board Meeting at 7:33pm and opened the Library Board. Roll call was taken and all members were present.

LIBRARY BOARD

Gene Ann Trant, director, gave her report on the summer reading program. She said they have over 500 children registered for the reading program. There are two more programs for the summer. One is a drummer and the other is crafts. The last program drew about 50 people. The Friends of the Library are sponsoring an author program in October 28th. Lora Resau is the local history author who will be speaking.

Mayor Vieira closed the Library Board Meeting at 7:40pm and Trustee Noe opened the Liquor License Review Board at 7:41pm. Roll call was taken and all members were present except Trustees Stevens.

LIQUOR LICENSE REVIEW BOARD

1. Renewal for Loaf N Jug

Trustee Noe said there were not any alcohol related offenses in the last year.

TRUSTEE BRINKHOFF MOVED AND TRUSTEE DAKNIS SECONDED to approve the renewal of Retail Liquor License for Loaf 'N Jug. Roll call was taken and the motion passed Mayor Vieira abstained.

Trustee Noe closed the Liquor License Review Board at 7:44 pm and reopened the Regular Board Meeting. Roll call was taken and all members were present except Trustee Stevens.

OLD BUSINESS

1 Ordinance 6-2010 – Prohibiting Marijuana Dispensaries

Mr. March said the Board has seen the ordinance, but it was put on hold until the state took action. This ordinance allows the town to prohibit the sale of and commercial growing of Marijuana in the town limits. Mayor Vieira asked if this also included baked goods. Trustee Noe said it included any item that has marijuana baked in it.

TRUSTEE NOE MOVED AND TRUSTEE STEELY SECONDED to Ordinance 6-2010 an ordinance prohibiting the operation of medical marijuana centers, optional premises cultivation operations, and medical marijuana-infused products manufacturers', licenses and declaring an emergency. Roll call was taken and the motion passed unanimously.

There was discussion about the possibility of litigation to challenge this legislation and the amendment itself.

NEW BUSINESS

2. Request from Housing Authority

Mr. Lorentzen said the problem is that staff has not been able to locate in the last 12 years where we have received or refunded any money. Trustee Cienfuegos-Baca said the Housing Authority has documentation of when the money was taken out of the account and then later deposited back in. He said the Housing Authority Budgets are available. There was a discussion about how tax amounts are determined.

TRUSTEE CIENFUEGOS-BACA MOVED AND TRUSTEE BRINKHOFF SECONDED to table this item until the next meeting. Roll call was taken and the motion passed unanimously.

3. Kehn / ZWZ Settlement on Sixth Street/Jefferson Intersection Improvements

Mr. March gave a background on the money the town received from the Letter of Credit (LOC). He talked about the need for new casing on the pump and that the town paid for it out of the LOC money. Once the town pays for everything needed to be taken out of the LOC any money left would be returned to ZWZ. He explained the litigation between Kehn and ZWZ. He said that by September 20th the town will assess how much of the funds will still be needed and if there is \$15,000 still available then we would give it back to the developer for Kehn. Trustee Noe asked who the check would be made out to. Mr. March said either to the developer and Kehn or to Kehn if we are given an assignment letter to do so. Trustees Noe and Brinkhoff had an issue with cutting the check directly to Kehn.

TRUSTEE NOE MOVED AND TRUSTEE BRINKHOFF SECONDED to approve the settlement as submitted. Roll call was taken and the motion passed unanimously.

4. Discussion – Proposed Amendments 60 & 61 and Proposition 101

Mr. March described how these three issues would affect municipalities. He said they would restrict municipalities from getting loans or to set fees. He said that CML is asking municipalities to pass resolutions in opposition. He asked the Board for their recommendation. There was discussion on how to get the word out to the public about what would happen if these passed. Mr. March said he could make the resolution more detailed so it will be more understandable to the residents. The Board instructed Mr. March to put together a resolution. Mr. Silar mentioned that this would have a great impact if the EPA increases the requirements on discharging from the sewer plants. He said even to the point of penalties being assessed if the town does become noncompliant. Mr. March commented how would you pay penalties or do the corrective work if you can't raise fees or take out loans.

5. Update CML Conference – Trustee Daknis

Trustee Daknis had the following comments about the information she received at the conference.

- She said that she met several people that said good things about the town staff, especially Don Silar.
- Emergency preparedness. She knew that we have a plan through the County, but it might be a good idea just to review it on an annual basis. Mr. Lorentzen suggested having a work session to review the current plan.
- Supplies - one community put barcodes on their supplies because they were having a lot of theft.
- Volunteers – Thank you in the water bills. Jack said he sent a letter to the paper. Mr. Lorentzen asked for a copy of that letter to put in the next Board packet. Trustee Daknis also suggested using volunteers to help staff.
- She mentioned some towns have adopted a street project to beautify the town.

6. Bills for Approval

DPC	\$ 1,309.30
Macco Landscape	2,447.50
Univar	2,999.30
Dana Kepner	3,341.40
Soper Pest Control	3,600.00
David Schneider	3,620.00
Sport About	4,211.80
March, Olive, & Pharris, LLC	5,260.00
Stantec	7,945.97
LaFarge	9,167.42
Konica Minolta	9,757.00
CDM Electric, Inc.	10,589.47
BHA Design, Inc.	12,539.85
Wells Fargo Bank	179,274.18
Ingram Library Services	1,064.05
General Chemical	<u>4,130.87</u>
	\$ 261,258.11

TRUSTEE STEELY MOVED AND TRUSTEE BRINKHOFF SECONDED to approve the bills in the amount of \$261,258.11. Roll call was taken and the motion passed unanimously.

7. Town Attorney Update

Mr. March updated the Board on the following:

- Meeting tomorrow with Mr. Boyd
- Metro District for 3W water has been sent to the County for review.
- Back ground check – how much info can we have.
- Non profit donations- information from other communities.

8. Town Administrator Update

Larry updated the Board on the following:

- A concern regarding an application for a message therapist next to the Subway
- Miramont moving forward
- Advanced Tank moving forward
- No new contacts with McDonald's
- Waiting for next draft from BHA. He suggested that the Board members visit the parks.
- Piper is starting on the forms for the foundation
- Planning Commission is looking at adjustments to the code for decks and patio covers
- Conditional use for Wellington Toy Storage to allow storage of non-operable vehicles
- Conditional use for Randy's Tire to allow RV storage
- No word on the design for the railroad crossing

Mayor Vieira asked if the water main break of Third had caused any damage to the businesses. Mr. Lorentzen said William Schneider had damage to the basement. He said the foundation is stacked rock so the water went right through the walls. Our insurance has denied the claim. He said that Mr. Schneider might come to the Board asking for some relief.

Scheduling of Work Session

A work session on Non-Profit donations was scheduled for 6:30pm July 27, 2010. Emergency preparedness review on August 10th at 6:30pm.

Other

Trustee Daknis said the Senior's would be christening the new bus tomorrow at 1:00pm for those who can make it.

Trustee Daknis said she has been working with a youth leadership team.

Trustee Brinkhoff thanked everyone for their participation in the 4th of July events.

Mayor Vieira asked if the Board could review the ownership of the wells around town. There was further discussion about this issue.

TRUSTEE STEELY MOVED AND TRUSTEE DAKNIS SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 9:00pm.

ATTEST:

Cynthia Sullivan, CMC
Deputy Town Clerk