



BOARD OF TRUSTEES  
June 22, 2021  
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

MINUTES

**A. CALL TO ORDER**

Mayor Pro Tem Knutson called the meeting to order at 6:30 p.m.

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

Also Present:

Patti Garcia, Town Administrator  
Kelly Houghteling, Deputy Town Administrator  
Dan Sapienza, March & Olive, LLC, Town Attorney  
Cody Bird, Director of Planning  
Bob Gowing, Director of Planning  
Dave Myer, Engineer  
Hallie Sheldon, Management Analyst  
Krystal Eucker, Town Clerk

3. Amendments to Agenda  
Mayor Pro Tem Knutson asked if there was any amendment to the agenda this evening.

**Trustee Gaiter moved to remove item G.1, Executive Session from the agenda; Trustee Whitehouse seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Whitehouse, Knutson**  
**Nays – Macdonald**  
**Motion carried.**

**Trustee Kinney moved to move the Liquor License Authority before the Community Participation portion of the agenda; Trustee Gaiter seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**  
**Nays – None**  
**Motion carried.**

Mayor Pro Tem Knutson closed the regular meeting and opened the Liquor License Authority at 6:33 p.m.

## E. OTHER BOARDS

### Roll Call

Mayor Troy Hamman - ABSENT

Mayor Pro Tem Wyatt Knutson

Trustee Jon Gaiter

Trustee John Jerome - ABSENT

Trustee Rebekka Kinney

Trustee Ashley Macdonald

Trustee Tim Whitehouse

### 1. American Legion Wellington Post 176 - Special Event Permit Application

Ms. Eucker informed the Board that the American Legion has submitted a Special Event Permit Application to serve liquor on July 4, 2021 during the Wellington Car Show. The American Legion has submitted all documentation for the permit along with permission for use of the premise.

Alcohol sales will take place on July 4, 2021 from 12:00 - 5:00 p.m. Alcohol has been donated to the event with only beer and hard seltzers being served. All servers of alcohol will be TIPS certified and will be a member of the America Legion or Veterans of Foreign War. Chips and pretzels will be available within the licensed premise. Security for the licensed premise will include deputies from the Larimer County Sheriff's Office. Wristbands will be placed on individuals over 21 years old and tickets for drinks will be sold with a maximum of 5 tickets per person.

The notice of the application was posted and there have been no protest of the application.

Roy Cook with the American Legion addressed the Board and informed them that there will be two Larimer County Sheriff's Officers that will be monitoring the beer garden as well as two private security members. Also available will be a first aid booth, free water, 20' x 60' shade tent, and Uber vouchers for individuals that need a ride home.

Mayor Pro Tem Knutson opened the meeting for public comment to which there was none.

**Trustee Macdonald moved to move to approve the American Legion Special Event Liquor Permit Application; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**

**Nays – None**

**Motion carried.**

### 2. Loaf 'N Jug - Renewal Application

Ms. Eucker informed the Board that Mini Mart Inc, d/b/a Loaf 'N Jug has submitted their annual renewal for their Fermented Malt Beverage liquor license. A review of the application found the establishment is in good standing with the Colorado Secretary of State, the establishment is current with sales tax 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 the compliance inspection of the premise.

Mayor Pro Tem Knutson opened the meeting for public comment to which there was none.

**Trustee Macdonald move to approve the Renewal Application; Trustee Kinney seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**

**Nays – None**

**Motion carried.**

Mayor Pro Tem Knutson closed the Liquor License Authority and resumed the regular meeting at 6:38 p.m.

## **B. COMMUNITY PARTICIPATION**

### 1. Public Comment

Mayor Pro Tem Knutson opened the meeting for public comment to which there was none.

### 2. Presentation

#### a. Comprehensive Plan - Second Draft Presentation

Mr. Bird informed the Board that there have been a lot of work behind the scenes to reflect the comments that have been received from members of the public to revise the draft comprehensive plan. Many of the comments received have been incorporated into the second draft that is included in the packet material. The changes to the plan have been tracked in blue text to see where changes have been made. To date, over 2,000 comments have been received from 200 individuals. The second draft of the plan is available on the Town's website and comments are being received on the second draft. Hard copies of the plan are available for review at Town Hall as well as the Library. The Planning Commission is the official authority to adopt the plan and any revisions to it. The Planning Commission is scheduled to have a public hearing on the plan on July 12, 2021, at 6:30 p.m. at the Leeper Center.

Trustee Kinney commented that there has been extensive time and resources spent on the plan and the second draft and thanked staff for their effort.

## **C. CONSENT AGENDA**

### 1. Minutes of the May 18, 2021 Special Meeting and of the June 8, 2021 Regular Meeting

**Trustee Gaiter move to approve the consent calendar; Trustee Whitehouse seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**

**Nays – None**

**Motion carried.**

## **D. ACTION ITEMS**

### 1. Wastewater Treatment Plant Expansion: CMAR Contract Agreement for Phase 1 Preconstruction Services

Mr. Myer informed the Board that before them is phase 1 of the CMAR contract with Moltz Construction. The CMAR project delivery method was chosen in December 2020 and Moltz was selected as the contractor in February 2021. Since Moltz was selected, they have been participating in weekly meetings with staff and the design engineers and providing valuable information.

The contract is based off of Engineers Joint Contract Documents Committee (EJCDC) template and those are based off industry standards that are used throughout constructions projects between owners and contractors. EJCDC will remain consistent with project documents being used by Jacobs.

Contract negotiations began with Moltz and the Town Attorney in March of 2021 and there have been several meetings that have taken place to get to the agreed upon contract before the Board. There are three separate documents within the contract: General Conditions of the Construction Contract, Agreement and Attachment A to General Conditions.

The contract is for phase 1 preconstruction services with Moltz for a not to exceed amount of \$127,204.00. The contract will be revisited in phase 2.

Trustee Macdonald inquired about the sludge field being removed and if that was an over engineered addition or will that need to be addressed at a later time.

Mr. Myer stated that would be the drying beds and they only work well in the summer months; it is pretty labor intensive to deal with that process. The Town went with a different type of process, a screw compactor that will ultimately save the Town money and staff time.

Trustee Gaiter inquired if there was a breakdown of the \$127,204.00 for preconstruction services.

Mr. Myer stated Moltz will be billing the Town on an hourly basis for the efforts they will be putting in. The contract will be a lump sum although the invoices from Moltz will include all the work they have done to fulfill the contract.

Mayor Pro Tem Knutson opened the meeting for public comment to which there was none.

**Trustee Kinney moved execute the Contract for Preconstruction Services with Moltz Construction in the not to exceed amount of \$127,204.00; Trustee Macdonald seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**

**Nays – None**

**Motion carried.**

2. Resolution No. 17-2021 - A Resolution Granting Extension of Approval of Conditional Annexation of Country Lane Acres

Mr. Bird informed the Board that there have been some development changes that the owner of County Lane Acres is needing to evaluate. One of those is that the Federal Emergency Management Agency (FEMA) has recently undertaken an effort to update the floodplain boundaries along and adjacent to Boxelder Creek. Additional time is needed for the owner to evaluate recently proposed changes to the FEMA Risk Map and floodplain boundary changes affecting the development of the property and to incorporate necessary changes into an annexation agreement.

The proposed resolution would extend the conditions of approval of the annexation to December 15, 2021.

Trustee Gaiter inquired if the only item causing this delay was the floodplain change.

Mr. Bird stated the owner is also looking at some other factors as well. Town staff has indicated that we would like to consider some timing of adequate public services including water and wastewater. The owner is agreeable to those services although that language is

not yet included in the agreement.

Trustee Whitehouse commented that the floodplain process is not a quick process.

Mr. Bird stated it is not a quick process and one of the challenges is that the proposed floodplain changes are in draft form so the owners cannot make an official request to change a floodplain until it is adopted and official.

Mayor Pro Tem Knutson opened the meeting for public comment to which there was none.

**Trustee Whitehouse moved to approve Resolution 17-2021; Trustee Macdonald seconded the motion. Roll call on the vote resulted as follows:**

**Yeas – Gaiter, Kinney, Macdonald, Whitehouse, Knutson**

**Nays – None**

**Motion carried.**

## F. REPORTS

### 1. Town Attorney

None.

### 2. Town Administrator

Ms. Garcia informed the Board that there were some projects that were started in 2020 and rolled into 2021 based on things like supply issues. The Town has some invoices that will need to be paid and several of them are under the \$10,000 mark that is identified in the procurement policy. The two projects are for the backup generators and the crosswalk safety project. The \$12,000 invoice will be brought before the Board on July 13, 2021 and there will be an overview of the invoices that are under \$10,000 and then will be asking for consideration of the \$12,000 invoice.

### 3. Staff Communications

None.

### 4. Board Reports

Trustee Gaiter commented that there was an election presentation at the work session and after that a question was asked if the Town was limited to only being able to do a mail ballot election. It turns out that the Town has the ability to do a polling place election this year. Trustee Gaiter commented that he feels the Board needs to discuss what they want to do for the 2021 election.

Trustee Kinney asked about what additional expense the Town would incur for doing a polling place and mail ballot.

Trustee Gaiter commented on the Governor passing gun laws to the municipalities and would like to ask the Town Attorney to look into that and would like to give the residents the maximum freedom.

Trustee Macdonald recommended getting an update on any legislative bills that may be affecting local governments and not just the gun laws.

Trustee Gaiter commented that a resident raised a concern for safety when asked to give their address for public comment and asked if they could give their neighborhood instead of giving a physical address.

Mr. Sapienza commented that he did not believe it was a code requirement to give an address and believed it was a general practice of the Board but will look into that and provide information to the Board.

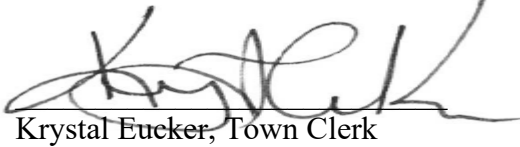
Trustee Whitehouse commented that there are more crosswalk signals on 5<sup>th</sup> Street and Cleveland;

Thank you.

Trustee Kinney wanted to give the same thank you as this project has been a long time coming. Flashing crosswalks do not make cars stop so be aware of the pedestrians.

**H. ADJOURN**

Upon a motion duly made, the meeting was adjourned at 7:04 p.m.

A handwritten signature in black ink, appearing to read 'Krystal Eucker', written over a horizontal line.

Krystal Eucker, Town Clerk