BOARD OF TRUSTEES
July 11, 2023
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Minutes

A. CALL TO ORDER

Mayor Pro Tem Macdonald called the meeting to order at 6:31 p.m.

1. Pledge of Allegiance

Mayor Pro Tem Macdonald asked all to rise for the Pledge of Allegiance.

2. Roll Call

The Clerk noted a quorum with the following roll:
Mayor Chaussee – absent.
Mayor Pro Tem Macdonald – present.
Trustee Dailey – present.
Trustee Gaiter – present.
Trustee Mason – present.
Trustee Tietz – virtual attendance.
Trustee Wiegand – present.

3. Amendments to Agenda

Mayor Pro Tem Macdonald asked if there were any amendments to the agenda; there were none.

4. Conflict of Interest

Mayor Pro Tem Macdonald asked if there were any conflicts of interest to any agenda items; there were none.

B. COMMUNITY PARTICIPATION

1. Public Comment

Mayor Pro Tem Macdonald called for public comment on non-agenda items and noted that the Board would not accept public comment on an imminent appeal from a decision of the Town's Planning Commission. There was no public comment.

2. Proclamation (Given Out of Order – See Item D.6 for Sequencing of this Item)

a. Parks & Recreation Month

Mayor Pro Tem Macdonald proclaimed the month of July as Parks & Recreation Month.

C. CONSENT AGENDA

1. June 13, 2023 Board of Trustees Regular Meeting Minutes

Mayor Pro Tem Macdonald called for a motion to approve the Consent Agenda.

Trustee Mason motioned to approve the Consent Agenda. Trustee Weigand seconded.
Yeas: Gaiter, Dailey, Mason, Tietz, Wiegand
Nays: Macdonald

The motion carried with a vote of 5 Yeas and 1 Nay and the Consent Agenda passed.

D. ACTION ITEMS

1. Resolution No. 22-2023: Wellington Senior Resource Center (WSRC) Annual Contract Renewal
Mayor Pro Tem Macdonald invited Ms. Jenny Jones, the Public Works Program Administrator, and Ms. Dorothy McClure, the WSRC Director, to present this item.

Ms. Jones and Ms. McClure presented this item to the Board. Members of the Board then posed questions and discussed this item.

Mayor Pro Tem Macdonald called for a motion on this item.

Trustee Dailey motioned to approve Resolution No. 22-2023: Wellington Senior Resource Center Annual Contract Renewal. Trustee Gaiter seconded.

Mayor Pro Tem Macdonald asked for final comments from members of the Board, then seeing none, asked for a roll call.

Yeas: Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald
Nays: None

The motion carried unanimously and Resolution No. 22-2023 passed.

2. Public Hearing: Proposed Rezone of Saddleback Subdivision from R-2 - Residential Low Density to R-3 - Residential Medium Density and Preliminary Plat of Saddleback Subdivision First Replat
Mayor Pro Tem Macdonald invited Mr. Cody Bird, the Planning Director, to present this item.

Trustee Tietz excused herself from the meeting at 6:47 p.m. given the subsequent quasi-judicial presentation and proceedings. Mr. Dan Sapienza, the Town Attorney, concurred with the excusal. Trustee Tietz requested text notification when the hearing concluded from Ms. Patti Garcia, the Town Administrator, which Ms. Garcia agreed to oblige.

Mr. Bird presented this item to the Board. Mr. Bird invited the applicant representative, Mr. Mark Devereux, to join him in presenting this item. During this presentation, Mayor Pro Tem Macdonald noted that the Proclamation for this meeting would be made Out of Order.

Mayor Pro Tem Macdonald asked for any conflicts of interest and ex parte communications on this item. Trustee Mason disclosed discussions with residents. Mayor Pro Tem Macdonald asked if there were any concerns from legal counsel; there were none. Mayor Pro Tem Macdonald then asked Mr. Bird to entertain questions from the Board. Members of the Board posed questions pertaining to this item.

Mayor Pro Tem Macdonald opened the Public Hearing on this item at 7:17 p.m. and invited public comment. Dawn Peacock, Elizabeth LaPole, Wes Sanford, Carlos Centeno, Ben Stewart, and Cassi Sanford provided public comment. Mayor Pro Tem Macdonald then closed the Public Hearing at 7:32 p.m.

3. Ordinance No. 07-2023: An Ordinance Rezoning a Portion of Saddleback Subdivision from R-2 - Residential Low Density to R-3 Residential Medium Density
Mayor Pro Tem Macdonald called for Board deliberations on this item and invited Mr. Bird to present it.

Mr. Bird presented this item and recommended that the Board pose questions to the applicants and staff as desired. The applicant, Mr. Devereux, presented additional information and answered questions from members of the Board along with Mr. Bird.

Mayor Pro Tem Macdonald called for a motion and a second on this item.

Trustee Dailey moved to approve Ordinance No. 07-2023: An Ordinance Rezoning a Portion of Saddleback Subdivision from R-2 – Residential Low Density to R-3 Residential Medium Density. Trustee Mason seconded.

Mayor Pro Tem Macdonald called for further deliberations from the Board. Members of the Board provided comments and posed questions on this item to Mr. Bird.

Mayor Pro Tem Macdonald then asked for a roll call.

Yeas: Dailey, Mason, Macdonald
No: Gaiter, Wiegand

The motion carried with a vote of 3 Yeas and 2 Nays and Ordinance No. 07-2023 passed.

4. <u>Ordinance No. 08-2023: An Ordinance adopting by reference the National Electrical Code, 2020 Edition or the succeeding edition currently adopted by the Colorado State Electrical Board, Division of Professions and Occupations, Department of Regulatory Agencies as updated from time to time.</u> Mayor Pro Tem Macdonald introduced then called for a recess at 8:16 p.m. Mayor Pro Tem Macdonald reconvened the meeting at 8:24 p.m. and asked for a roll call.

The Clerk noted a quorum with the following roll:
Mayor Chaussee – absent.
Mayor Pro Tem Macdonald – present.
Trustee Dailey – present.
Trustee Gaiter – present.
Trustee Mason – present.
Trustee Tietz – virtual attendance.
Trustee Wiegand – present.

Mayor Pro Tem Macdonald invited Mr.Bird to present this item.

Mr. Bird presented this item to the Board.

Mayor Pro Tem Macdonald called for public comment on this item; there was none.

Mayor Pro Tem Macdonald called for a motion on this item.

Trustee Mason motioned to approve Ordinance No. 08-2023: An Ordinance adopting by reference the National Electric Code, 2020 Edition or the succeeding edition currently adopted by the Colorado State Electrical Board, Division of Professions and Occupations, Department of Regulatory Agencies as updated from time to time. Trustee Gaiter seconded.

Mayor Pro Tem Macdonald called for final comments and direction from the Board. Trustee Tietz provided additional comments.

Mayor Pro Tem Macdonald asked for a roll call.

Yeas: Mason, Gaiter, Wiegand, Tietz, Dailey, Macdonald
Nays: None

The motion carried unanimously and Ordinance No. 08-2023 passed.

5. Resolution No. 20-2023, and Resolution No. 21-2023: Resolutions Finding Substantial Compliance of Petitions for Annexation for the Sage Farms Annexation and the Village at Sage Farms Annexation and Establishing a Date, Time and Place for a Public Hearing
Mayor Pro Tem Macdonald invited Mr. Bird to present this item to the Board.

Mr. Bird then presented this item to the Board. Members of the Board then asked questions and provided further comments.

Mayor Pro Tem Macdonald invited public comment on this item; there was none.

Mayor Pro Tem Macdonald called for a motion on this item.

Trustee Mason moved to approve Resolution No. 20-2023, and Resolution No. 21-2023: Resolutions Finding Substantial Compliance of Petitions for Annexation for the Sage Farms Annexation and the Village at Sage Farms Annexation and Establishing a Date, Time and Place for a Public Hearing. Mayor Pro Tem Macdonald seconded.

Mayor Pro Tem Macdonald invited final comments and direction from the Board; which the Board then provided. Trustee Tietz requested legal counsel on voting options available to members of the Board, and Mr. Sapienza then responded.

Mayor Pro Tem Macdonald then asked for a roll call.

Yeas: Dailey, Mason, Gaiter, Wiegand, Tietz, Macdonald
Nays: None

The motion carried unanimously and Resolutions No. 20-2023 and 21-2023 passed.

6. Resolution No. 23-2023 - A Resolution of the Town of Wellington, Colorado Amending Expenditures for the Fiscal Year 2022 Budget
Mayor Pro Tem Macdonald invited Ms. Garcia to present this item to the Board.

Ms. Garcia presented this item to the Board.

Mayor Pro Tem Macdonald invited questions and comments from members of the Board; which they then provided and to which Ms. Garcia and Ms. Smith.

Mayor Pro Tem Macdonald called for a motion on this item.

Mayor Pro Tem Macdonald then motioned to approve Resolution No. 23-2023 – A Resolution of the Town of Wellington, Colorado Amending Expenditures for the Fiscal Year 2022 Budget.

Mayor Pro Tem Macdonald invited further deliberation from the Board on this item; which they then provided.

Mayor Pro Tem Macdonald then asked for a roll call.
Yeas: Mason, Dailey, Macdonald
Nays: Gaiter, Tietz, Wiegand

The motion failed with a vote of 3 Yeas, 3 Nays and Resolution No. 23-2023 did not pass.

The Board then discussed procedures for reconsideration of Resolutions after a failed vote with Mr. Sapienza.

Mayor Pro Tem Macdonald gave the Proclamation listed in Item B.2 above.

Mayor Pro Tem Macdonald then closed the Regular Meeting and opened the Library Board Meeting at 9:06 p.m.

E. OTHER BOARDS

1. Library Board

Mayor Pro Tem Macdonald asked for a roll call.

The Clerk noted a quorum with the following roll:
Mayor Chaussee – absent.
Mayor Pro Tem Macdonald – present.
Trustee Dailey – present.
Trustee Gaiter – present.
Trustee Mason – present.
Trustee Tietz – virtual attendance.
Trustee Wiegand – present.

Mayor Pro Tem Macdonald then invited Mr. Ross LaGenese, the Library Director, to present this item.

Mr. LaGenese presented this item.

Mayor Pro Tem Macdonald invited questions and comments from Board; which they then provided.

Mayor Pro Tem Macdonald invited public comment on this item; there was none.

Mayor Pro Tem Macdonald then closed the Library Board Meeting and reopened the Regular Meeting at 9:22 p.m.

F. REPORTS

1. Town Attorney

Mayor Pro Tem Macdonald invited reports from the Town Attorney.

Mr. Sapienza reported on the imminent presentation to the Board of Trustees of a site plan appeal following a decision made by the Town's Planning Commission.

2. Town Administrator

Mayor Pro Tem Macdonald invited reports from the Town Administrator; there was no report.

3. Staff Communications

Mayor Pro Tem Macdonald noted further staff reports available in the Meeting Packet.

4. Board Reports

Mayor Pro Tem Macdonald then invited Board Reports.

Trustee Tietz – At 9:27 p.m., Ms. Garcia noted that Trustee Tietz was no longer virtually available and that she had no report.

Trustee Wiegand – No report.

Trustee Gaiter – reported on his request for a meeting with Mayor Chaussee and Ms. Garcia to address concerns related to finance. He further reported on a timeline of related events.

Trustee Dailey – reported on a variety of topics including: imminent events being hosted downtown, the Town's Parks, Recreation, Open Space, and Trails Board meetings; the carnival and Town's youth programs; community housing topics; and information gained via Colorado Municipal League conference attendance.

Trustee Mason – No report.

Mayor Pro Tem Macdonald – No report.

G. ADJOURN

Upon the motion duly noted, the Board adjourned at 9:38 p.m.

Ethan Muhs

Ethan Muhs, Town Clerk