

**Town of Mead  
Minutes of the Regular Meeting  
Board of Trustees  
March 14, 2011  
6:30 p.m.**

The Board of Trustees for the Town of Mead met for a regular meeting on March 14, 2011. The meeting began at 6:30 p.m.

**REGULAR MEETING**

**Members Present**

Mayor Richard W. Macomber  
Trustee Robert J. Acker  
Trustee Richard E. Kraemer  
Trustee Kim Heard  
Trustee Liz Knapp

**Members Absent**

Trustee Debra Brodhead  
Trustee Penni Zelinkoff

**Staff Present**

Town Manager Dan Dean, Town Attorney Rick Samson, Town Planner Steve Stamey, Town Engineer Trent Marshall, Public Works Director Dan Dennison and Town Clerk Charlene Reed.

**Pledge of Allegiance to the Flag**

The assembly pledged allegiance to the flag.

**Open Space, Parks & Trails Master Plan Consultant Interview A – Winston & Associates**

Paul Kuhn, Senior Associate and Melissa Berry, Senior Planner, from Winston & Associates, Todd Peterson, Planner for Alta Planning and Design and Ron Benson from RPI presented information encouraging the Board to select Winston & Associates to prepare the Open Space, Parks and Trails Master Plan.

**Consent Agenda:**

Board members considered the consent agenda consisting of the minutes of the regular meeting held on February 28, 2011, the minutes of the Subcommittee Meeting held on March 8, 2011, the bills list from March 8, 2011, a bill supplement dated March 14, 2011, the financial statement from December 31, 2010, the financial statement from January 2011, and the aged receivables as of March 8, 2011.

Motion was made by Trustee Kraemer, seconded by Trustee Knapp, to approve the minutes of the regular meeting held on February 28, 2011. The motion passed unanimously.

Motion was made by Trustee Kraemer, seconded by Mayor Macomber, to approve the minutes of the subcommittee meeting held on March 8, 2011. The motion passed with Mayor Macomber and Trustee Kraemer voting YES and Trustee Knapp abstaining.

Motion was made by Trustee Acker, seconded by Trustee Knapp, to approve the bills list dated March 8, 2011 and the bill supplement dated March 14, 2011. The motion passed with a 5-0 vote.

Motion was made by Trustee Acker, seconded by Trustee Knapp, to approve the financial statements for December 31, 2010 and January 31, 2011. The motion passed unanimously.

Board members reviewed the Aged Receivables as of March 8, 2011.

### **Audience Participation**

Janet Torres addressed the Board, noting that two years ago, utilizing a grant from Livewell Longmont, the Town implemented a wellness program. Livewell Longmont continues to provide wellness activities for municipalities in the area, and they are sponsoring a meeting that will be held on Thursday, March 17, 2011 regarding "The Business Case for Wellness," and invited the Board to attend. She noted the Town is sponsoring a 9Health Fair which is part of the wellness program. The event will be held on April 9, 2011, and she encouraged Board members to participate or volunteer.

### **Reports/Presentations**

Chief Mark Lawley reviewed the Mountain View Fire Protection District incident report for February 1-28, 2011.

Board members reviewed the Mead Area Crime Report Summary and the Mead High School Crime Report Summary for February 2011.

Mayor Macomber closed the regular meeting and convened a meeting of the Mead Liquor Authority at 7:25 p.m. Trustee Knapp recused herself and left the chamber.

### **Mead Liquor Authority**

Don Dana, Executive Director of the Mead Area Chamber of Commerce was present to request a Special Event Permit for the bike rally which is scheduled for April 10, 2011.

Motion was made by Trustee Acker, seconded by Trustee Kraemer, to approve the request for a special event liquor license for the Mead Area Chamber of Commerce for April 10, 2011 from 7:00 a.m. to 4:00 p.m.

Trustee Heard asked what arrangements have been made for security. Mr. Dean noted that the Sheriff's office will be on hand to monitor the activities.

The motion passed unanimously.

Mayor Macomber closed the meeting of the Mead Liquor Authority and reconvened the regular meeting at 7:40 p.m. Trustee Knapp returned to the meeting.

### **Old Business**

#### **Old Mead Maintenance Facility – 535 Main Street**

Board members reviewed a letter from the Department of Transportation advising the Town that they wish to dispose of the property where the Public Works Department is located. The fair market value of the property has been established by appraisal at \$154,000.

Motion was made by Trustee Acker, seconded by Trustee Knapp, to purchase the Old Mead Maintenance Facility at 535 Main Street for the fair market value of \$154,000. The motion passed with a 5-0 vote.

#### **Medical Marijuana Ordinance**

Mr. Samson presented a proposed ordinance to repeal the current ordinances regarding licensure and zoning for marijuana operations in the Town of Mead. This ordinance would also prohibit Medical Marijuana Centers, Optional Premises Cultivation Operations and Marijuana Infused Products Manufacturing, and providing for the issuance of business licenses for primary caregivers, enacting a new Section 16-3-60 (f) (4) providing for Medical Marijuana Primary Caregiver Home Occupation Regulations, and providing penalties for violations.

Motion was made by Trustee Acker, seconded by Trustee Kraemer to approve Ordinance 687, an ordinance of the Town of Mead, Colorado, repealing Section 6-2-130, of the *Mead Municipal Code* regarding business licenses and regulations for medical marijuana dispensaries and grow facilities; amending a portion of Section 16-3-40 of the *Mead Municipal Code*, by the deletion of the "Use Category" line item identified as "Medical Marijuana Dispensary & Medical Marijuana Grow Facility" contained in "Table 3.1, Principal Uses Allowed;" repealing Section 16-3-50 (20) of the *Land Use Code* relating to Medical Marijuana Dispensary and Medical Marijuana Grow Facilities; enacting a new Section 6-2-130 of the *Mead Municipal Code* prohibiting Medical Marijuana Centers, Optional Premises Cultivation Operations and Medical Marijuana Infused Products Manufacturing, and providing for the issuance of business licenses for primary caregivers, enacting a new Section 16-3-60 (f) (4) providing for Medical Marijuana Primary Caregiver Home Occupation Regulations, and providing penalties for the violation thereof as modified.

Trustee Acker presented a list of modifications for the ordinance and Mr. Samson left the meeting to modify the ordinance.

### **Open Space, Parks & Trails Master Plan Consultant Interview A – Design Workshop**

Principal Richard Shaw, Anna Gagne, Associate, Project Manager and Planner, and Britt Palmberg, Economic Analyst presented information encouraging the Board to select Design Workshop to prepare the Open Space, Parks and Trails Master Plan.

Motion was made by Trustee Heard, seconded by Trustee Acker to take a break. The motion passed unanimously.

The Board adjourned for a break at 9:10 p.m. and reconvened at 9:20 p.m.

### **Open Space, Parks & Trails Master Plan Consultant Interview A – Norris Design**

Karen Ryan, Director of Parks and Recreation Planning for Norris Design and Andrew Knudtsen from Economic & Planning Systems, Inc. presented information encouraging the Board to select Norris Design to prepare the Open Space, Parks and Trails Master Plan.

### **Medical Marijuana Ordinance (Continued)**

Mr. Samson returned to the meeting and reviewed the changes requested by the Board.

The Board voted to approve the ordinance as amended. The motion passed unanimously.

Trustee Knapp left the meeting at 10:15 p.m.

### **New Business**

#### **Liberty Ranch Parks**

Blake Carlson distributed the existing plat for Liberty Ranch Filing II and a proposal to modify the plat. He explained that he received notice from Encana that they have the right to drill additional wells on the east side of the property. He noted the current drill windows put one drill site in the middle of the commercial tract which he would like to protect.

Mr. Carlson noted he met with his attorney and land specialists for Encana. He met with the Parks and Recreation Committee to ask if they would be interested in expanding the park in the Liberty Ranch Subdivision. The Committee suggested he have this discussion with the Board.

Mr. Carlson explained he is asking to vacate 126 lots in the final plat. That land would be donated to the Town to expand the park. There is \$611,600 in escrow for the next phase of the park and he asked to have a dialogue with the Board regarding how to spend those funds.

Board members agreed to work with Mr. Carlson to see if this can be structured as a charitable contribution. Mr. Carlson will be meeting with the Liberty Ranch Homeowners Association to get their agreements to the change in the plan.

## **Reports and Comments**

### **Dan J. Dean, Town Manager**

Board members reviewed Mr. Dean's activity report as of March 14, 2011.

Mr. Dean asked the Board to provide comments to be considered in the negotiations with the Longmont Humane Society. He noted staff closely monitors the items that appear on the bill, and any charges that should not belong to the Town are challenged.

### **Report on Revitalization of Mead**

Mr. Dean presented a report from Larry Gloss.

### **Richard Samson, Town Attorney**

Board members reviewed Mr. Samson's status report as of March 14, 2011.

### **Steve Stamey, Town Planner**

Board members reviewed Mr. Stamey's activity report for March 14, 2011.

### **Trent Marshall, Town Engineer**

Board members reviewed Mr. Marshall's staff report.

Mr. Marshall reported that CDOT has completed the paperwork for the WCR 9.5 project and there will be \$362,298.53 left after the traffic signal is paid. These funds must be used for the WCR 9.5 and surrounding roads. It has been suggested that these funds be used to pave WCR 28 from Third Street to WCR 9.5 since it is anticipated that traffic from Mead High School will be increasing. If the Board agrees with this suggestion, Mr. Marshall will work with CDOT to get the agreements completed so this project can go forward.

Motion was made by Trustee Acker, seconded by Trustee Kraemer, for Mr. Marshall to work on a formal agreement with Weld County to pave WCR 28 from Third Street to WCR 9.5. The motion passed unanimously.

### **Dan Dennison, Public Works Director**

Mr. Dennison thanked the Mayor for the recognition for his department in the Carbon Valley newspaper.

## **Mayor Macomber**

Mayor Macomber reported that the committee met and reviewed eight resumes for the Economic Development Specialist. The committee narrowed the group down to three. He asked if the

Board wants to interview the three candidates in a meeting. Board members suggested the Committee interview the candidates. Trustee Acker asked to be included in the Committee.

Mayor Macomber asked for a volunteer to attend the DRCOG meeting on March 16, 2011. The meeting is in Denver and starts at 6:30 p.m. Anyone who is available can contact him for information.

Board members discussed the selection of a planning firm to prepare the Parks, Open Space and Trails plan for the Town with input from Linda Trahern, Chairman and Linda Martin of the Open Space Committee.

Motion was made by Trustee Kraemer, seconded by Trustee Heard, to hire Norris Design to prepare the Parks, Open Space and Trails plan for the Town. The motion passed with Mayor Macomber, Trustee Heard and Trustee Kraemer voting YES and Trustee Acker voting NO.

### **Negotiations**

Trustees did not adjourn to an executive session.

Mr. Dean reported on the meetings that were held with the property owners from the Sekich Business Park and he explained the incentives they are requesting.

One property owners is requesting a reduction of approximately \$40,000 in impact fees. This business does not collect sales tax, and Board members were not in favor of rebating impact fees.

The second business pays property tax and collects sales tax, and are asking for a 50% rebate on their sales tax to offset the cost of their sewer tap. Mr. Dean noted this will be a rebate over a five year period, and the Town will not be out any money up front. The amount of the rebate will be limited to the cost of the sewer connection.

Motion was made by Trustee Kraemer, seconded by Trustee Heard, to negotiate for the rebate of 50% of the sales tax generated for up to five years, up to the amount of the cost of the outlay for the sewer line for the property at 4328 Hilltop Road and expressed a commitment to pave the road adjacent to the property when funds are available in a future budget cycle. The motion passed with Mayor Macomber, Trustee Kraemer and Trustee Heard voting YES and Trustee Acker voting NO.

### **Adjournment**

Motion was made by Trustee Acker, seconded by Trustee Kramer, to adjourn. The motion passed unanimously.

With no further business before the Board, the meeting adjourned at 11:10.

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Charlene Reed, CMC, Town Clerk

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Richard R. Macomber, Mayor