CALL TO ORDER

Mayor Mahoney called the meeting to order at 6:30 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Mahoney
        Mayor Pro Tem Jeffery
        Trustee Wescott
        Trustee Coen
        Trustee White
        Trustee Bristow
        Trustee Tapey

APPROVAL OF AGENDA

Motion made by Mayor Pro Tem Jeffery seconded by Trustee Coen to approve the agenda. Motion carried 7-0.

PUBLIC COMMENT

None

CONSENT AGENDA

Any item listed on the Consent Agenda can be removed upon request from any member of the Town Board. For the benefit of our audience, the mayor will read the items remaining on the Consent Agenda prior to the Board’s vote.

a. Payment Approval Report ($289,890.12)
b. May 16, 2023 Minutes
c. Resolution 2023-25 Approving Authorized Signatures for Bank Accounts

Motion made by Trustee Bristow seconded by Trustee White to approve the consent agenda. Motion carried 7-0.

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ACTION ITEMS

a. Resolution 2023-22 Ratifying And Approving Amendments To The 2022 Employee Handbook And Delegating The Authority To The Town Administrator To Approve Employment Policies and Amendments Thereto Within Budgeted and Appropriated Amounts

Brian McBroom, Town Administrator, stated that changes were made to the employee handbook to reflect the new employee benefits. Approval of this resolution would approve the new benefits. There are lots of policies within the handbook and there are several other administrative policies that are not in the handbook. Employee management is the responsibility of the Town Administrator; part of this resolution clarifies this and allows the Town Administrator to approve those policies.

Motion made by Mayor Pro Tem Jeffery seconded by Trustee White to approve Resolution 2023-22 Ratifying And Approving Amendments To The 2022 Employee Handbook And Delegating The Authority To The Town Administrator To Approve Employment Policies and Amendments Thereto Within Budgeted and Appropriated Amounts. Motion carried 7-0.

b. Resolution 2023-23 Approving A Subdivision Improvement Agreement Silver Peaks Filing No. 1, Amendment No. 1 Plat (Silver Peaks Planning Area 4)

Chris Horton, Community Development Director, presented information on the next phase of development in Silver Peaks. DR Horton will develop planning area 4, which is north of Silver Peaks East. The next step is for the developer to enter into an SIA with the town to govern construction of those improvements. The primary functions of the SIA is to identify the public improvements, provide cost estimates to install public improvements, and require collateral to ensure improvements are installed properly. The SIA will also ensure obligations of previous agreements and the Town’s Master Plan are met. Staff recommends approval of this SIA.

Discussion ensued about future installation of stop lights, sidewalks and medians, as well as how the park in the area would be developed.

Motion made by Trustee Coen seconded by Trustee Bristow to approve Resolution 2023-23 Approving A Subdivision Improvement Agreement Silver Peaks Filing No. 1, Amendment No. 1 Plat (Silver Peaks Planning Area 4). Motion carried 7-0.

c. Resolution 2023-24 Appointing An Interim Town Administrator And An Agreement For Employment

Maureen Juran, Town Attorney, stated that Brian McBroom is moving on to new opportunities, and Steve Stamey will be Town Administrator on an interim basis for the remainder of 2023 as we search for a permanent employee.

Motion made by Mayor Pro Tem Jeffery seconded by Trustee Coen to approve Resolution 2023-24 Appointing An Interim Town Administrator And An Agreement For Employment. Motion carried 7-0.

d. Cancellation of July 4, 2023 Town Board Meeting

Brian McBroom, Town Administrator, recommend cancelling the July 4th meeting since it falls on a Federal holiday. Staff is able to have necessary items covered on June 20th or July 18th, so there is no need to schedule a special meeting.

Motion made by Mayor Pro Tem Jeffery seconded by Trustee White to cancel the July 4, 2023 Town Board Meeting. Motion carried 7-0.

DISCUSSION ITEMS

a. Marijuana Licensing Process Overview

Brian McBroom shared that staff has begun work on a marijuana licensing program by doing research and laying out what needs to be accomplished. There are three categories; land use decisions, creating regulations and an ordinance, and working on revenue and community outreach. It would be about three to five years before a location could open in Town, mostly due to the fact that a storefront would have to be built from the ground up.

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Trustee Wescott inquired what the cost estimate is for this work.

Brian McBroom stated that there is no extra cost for staff time, we would just have to move around priorities to make time for this work.

Maureen Juran stated that going forward the Town can set fees on annual licenses to cover the actual cost of the enforcement and the licensing program. The question the Board of Trustees needs to think about is what they see as an appropriate location for marijuana, whether it is in Industrail or Commercial zoning.

Trustee Wescott shared how her family is in Colonial Williamsburg and visiting historical museums this week. The visit has reminded her how historically important it has been, and still is, for people to have a say in their government and to keep ourselves in a democracy. She believes that before more money is spent, this issue should be taken back to the voters to see what they want. It seems like voters are for it, but we need to ask them and having the question on the ballot is most appropriate. If anyone else feels the same, they could discuss making a motion to table this issue until it can be put on a ballot.

Maureen Juran shared that a ballot question would need to be certified by late August.

Trustee Coen agreed with Trustee Wescott. She is not in favor of any work being done on this issue and will continue to oppose it until it is taken back to the voters as a ballot item, not just a survey.

Trustee Tapey shared that she also agreed, and thinks a survey to the residents would be appropriate.

Mayor Pro Tem Jeffery stated that she is also in favor of this going to a vote, and will oppose moving forward.

Maureen Juran stated there are a few choices. The ballot can ask an advisory question about whether the Town supports retail marijuana operation in Lochbuie. This is not legally binding, and the Board is allowed to take contrary action to what the voters say. The other option is legally binding, and it is a ballot question asking the voters to support making a code change to allow marijuana, and asking a TABOR question about the tax.

Trustee Coen shared she is comfortable with either option, and her vote would be the same as what the voters say.

Mayor Pro Tem Jeffery shared that she would like to go the legally binding way so that it is up to the voters.

Maureen Juran stated that to go that route all of the research into creating a licensing program and making decisions on the land use and zoning would need to be complete before the ballot question is finalized.

Brian McBroom stated that if the board went that direction, we would be looking at having this question on the November 2024 ballot.

Trustee Coen stated that if the intent is to not spend resources on this project until the know the opinion of the voters, having a legally binding ballot question means the Town would have spent those resources before the vote is taken.

*Mayor Pro Tem Jeffery moved to have staff discontinue research and work toward the marijuana licensing process and table this discussion until a future board meeting to determine the direction we are going to head. Trustee Wescott seconded the motion.*

Mayor Pro Tem Jeffery stated that sending a survey, holding a town hall meeting, talking to neighbors, and having a discussion at the upcoming retreat are all options to speak on this issue further.

*Roll call vote was taken. Motion carried 5-2 (Bristow and White opposed).*

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Mayor Mahoney stated that to hire a new manager we could use a recruiting firm, but the price is steep. He wants to make sure that if we hire a firm, we are getting what we want in a timely manner as we need to have someone stepping in and getting up to speed in a timely manner. The annual retreat is still scheduled and will begin at 8:00 with breakfast. It is realistically three – five years before we can actually get a marijuana store, so he is fine with waiting until a vote happens to move forward on anything.

Brian McBroom stated he has worked with recruiting firms in the past, and an advantage is that they can move the process along more quickly, and they can cast their net further and wider than we can. Staff recommends to make the investment and the firm can handle all the hiring steps for a maximum of $20,000. We could get the firm under contract in a few day, or we could create the scope and have the board act at the June 20th meeting.

Trustee Coen stated that there were some suggestions from Public Safety Day that she will email in. One of the issues is with the stop signs north of the school area, which seems like it should be a four way stop. She is not opposed to using a hiring firm, and inquired what we can do to move forward today.

Mayor Pro Tem Jeffery agreed that a recruiter is the way to go. There is lots of momentum in town right now, and she is relieved that Mr. Stamey is coming back, but his time is finite. We should empower the Town with selecting a recruiter now, and the scope should be limited to gathering the applicants, and then staff can take it from there.

*Mayor Pro Tem Jeffery moved to empower the Town Administrator to secure a recruiting firm to help us determine a pool of applicants to interview for our new town administrator. Trustee Coen seconded the motion. Roll call vote was taken. Motion carried 7-0.*

Trustee Wescott thanked Brian McBroom for doing an excellent job of training her on her role, helping her understand the process of civil government, and being a great role model. She wished him luck in his new job. This has been a fun trip for her family and has been a reminder how important it is for citizens to be engaged in the civic process. Thank you to all the members of the board and all following a career path in civil services as it is important to mainer our civil freedoms.

Trustee White thanked Brian McBroom. She learned a lot from him and will miss his presence in town, and she wishes him the best. There is no doubt that the marijuana issue needs to be a voter decision. She has been passionate about the Town spending money on getting information presented to people to make some informed decisions, so she is excited to see that is happening.

Trustee Tapey stated that it has been a joy working with Brian McBroom. He has grace, passion, and patience when working with people. She appreciates him answering her questions and sharing his wisdom. She prays blessings over his family as he goes forward.

Brian McBroom stated that a gentleman arrived after public comment to speak, if the Board wishes to give him an opportunity to speak now. At the next meeting staff will be asking to increase the budget on the Greenways Trail. Design is complete and it is more than what is budgeted by about $400,000.00.

Darren Roadway, 329 Lilac Drive, addressed his concern with a commercial food truck business that is operating on his street. He has called for help from the police department and is not receiving the support necessary to stop the business that is operating every day, all day. Prior to worrying about other issues, the Town needs to get control of the neighborhoods.

Mayor Mahoney updated the board that there is a food truck business that has been adding grease to the sewer line, and work is being done with the Community Service Officer to get this rectified.

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ADJOURN

Motion made by Trustee White seconded by Mayor Pro Tem Jeffery to adjourn the meeting. Motion carried unanimously.

Mayor Mahoney adjourned the meeting at 7:39 PM.

_The Board may convene a lawfully called executive session at any time during a regular or special meeting of the Board._

Heather Meierkort  
Town Clerk

Michael Mahoney  
Mayor

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