



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

June 28, 2016

LEEPER CENTER – 3800 WILSON AVE.

Work Session – Wright Engineering- 6:30pm

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

PRESENTATIONS

Amendment 69 – Coloradoans for Coloradoans

CONSENT AGENDA

- Board of Trustee Minutes for May 24, 2016
- Board of Trustee Minutes for June 14, 2016
- CAC Minutes for April 18, 2016
- CAC Minutes for May 16, 2016
- CAC Minutes from Special Meeting May 31, 2016
- Park Advisory Board Minutes for May 17, 2016

OLD BUSINESS

1. Development Agreement for Wellington Downs
2. Agreement with Windsor Ditch on Pedestrian Crossing.

NEW BUSINESS

1. Ordinance 14-2016 - Conditional Use Beauty Salon
2. Ordinance 15-2016 - Conditional Use Lots 2 & 3 Wellington Gardens
3. Main Street Program Update
4. Appointment to Park Advisory Board
5. Ordinance 16-2016 - Electric Skateboards, Scooters and Segways
6. Resolution 25-2016 - Street Closure for Fireworks Display
7. Discussion – Support for School Bond
8. Bills for Approval
9. Town Attorney Update
10. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

11. Executive Session
12. ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
June 28, 2016

Following a work session with Wright Engineering, the Regular Board Meeting was called to order at 7:31p.m. June 28, 2016 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: MATT MICHEL, TIM SINGEWALD, ASHLEY MACDONALD,
TRAVIS HARLESS, PAUL COX, DANIEL SATTLER and
JACK BRINKHOFF

TRUSTEES ABSENT: NONE

PRESIDING: JACK BRINKHOFF, MAYOR

ALSO PRESENT: LARRY LORENTZEN, TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
MIKE CUMMINS, FINANCE DIRECTOR
BRAD MARCH, TOWN ATTORNEY
DON SILAR, TOWN ENGINEER

Additions to or deletions from the agenda

Trustee Harless asked how we could add a discussion item about the claim that is set to be addressed in executive session. Mr. March said it should be listed on the agenda, but he could update the board on the information during his update. Trustee Singewald said there is an Executive Session listed on the agenda. Trustee Harless said he would bring it up later in the meeting.

Conflicts of Interest

None

Public to be heard on non-agenda items.

Nathan Hubenka, of 7305 Indigo Run, asked if there had been any response from CDOT on the barrier issue. Mr. Lorentzen said he received a communication from CDOT and had sent that information on to the Board members. He also had Stantec look at prices for materials and they came up with similar prices. He said a double beam guardrail or a post and cable system are both about \$30.00 a lineal foot. There is concern that a guardrail would not be allowed under state standards. The cable system has been used in this type of situation and there are not as many regulations, so it would be the easiest and least expensive of the options. Mr. Hubenka asked why the state would not allow a guardrail. Mr. Lorentzen explained that guardrails are used in cases where it would protect the driver from harm, like on an overpass. The question would be how to pay for it. Mayor Brinkhoff said they would contact the developers and the HOAs and property owners to see if they would participate in the project. He said he would contact the state. Mr. Lorentzen could calculate the cost for the distances along the eastside frontage road. This would be added as a discussion item for the next meeting.

Correspondence

None

Presentations

Amendment 69-Coloradans for Coloradans

Freddie Gaudet, representing Coloradans for Coloradans, explained that amendment 69 deals with a statewide health care plan that would require increase taxes on businesses and workers. He gave several reasons why this system would be detrimental to the benefits workers are currently getting. He described

how the plan would be administered and there would not be any checks or balances as to what the benefits would be. He explained that passing this plan, as an amendment would change the state constitution. They tried passing this plan as a bill and it failed. They urged the Board to vote no on amendment 69. Trustee Singewald said at the CML conference he attended this was discussed and general consensus was to vote no on this amendment.

Proclamations

None

Consent Agenda

- Board of Trustee Minutes for May 24, 2016
- Board of Trustee Minutes for June 14, 2016
- CAC Minutes for April 18, 2016
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Trustee Singewald said there was something missing out of the May 24th minutes. Ms. Sullivan explained that she had the wrong version in the packet.

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to approve the consent agenda minus the Board of Trustee Minutes for May 24, 2016. Roll call was taken and the motion passed unanimously.

OLD BUSINESS

1. Development Agreement for Wellington Downs

Mr. March said he has been working on the development agreement with the developer and they have a meeting tomorrow to finalize the agreement. He suggested tabling until the next meeting. Mr. Lorentzen said we could ask if they want to participate in the guardrail project.

TRUSTEE SINGEWALD MOVED AND TRUSTEE COX SECONDED to table until the next meeting. Roll call was taken and the motion passed unanimously.

2. Agreement with Windsor Ditch on Pedestrian Crossing

Mr. March said he has an agreement, but there was an issue about what the town is participating in with regard to the culvert. He suggested this item be tabled.

TRUSTEE SATTLER MOVED AND TRUSTEE MACDONALD SECONDED to table until next meeting. Roll call was taken and the motion passed unanimously.

NEW BUSINESS

1. Ordinance 14-2016 – Conditional Use Beauty Salon

Yadhira Morales, applicant.

Mr. Lorentzen said this is a mixed use in a Community Commercial zone. The applicant renovated the garage for the business and is renovating the home. These renovations were done without the required building permits. The applicant has been issued the permits and the only life safety issue is the electrical. Safebuilt has been working with the applicant and they are waiting for a certified electrician to fix the issues. Once that is approved then he could issue a temporary certificate of occupancy (CO) for the

business. The residence does not need to be completed for the business to be opened. He said there were two recommendations, one is the issuance of the temporary CO and the second was the paving of the parking lot. He said the paving has been completed.

Mayor Brinkhoff asked when the electrical would be done. Ms. Morales said the electrician is supposed to come tomorrow and meet with the inspectors.

Trustee Harless said that she had done a nice job on the exterior improvements.

Trustee Macdonald asked why she did not get the building permit before she started the work. Ms. Morales said she was trying to save money. She has learned that it has been more expensive in the long run. Mayor Brinkhoff asked how long it would be from the issuance of the temporary CO to get the CO. Mr. Lorentzen said he usually gives two weeks for a temporary CO, but could make extensions if needed.

Trustee Singewald asked if the electrical in the home would have to be completed before the CO is issued on the business. Mr. Lorentzen said the electrical would need to be reviewed under that building permit, but only the business has to be done by a certified electrician. He said since the home was occupied before the renovations were started it would not need a CO for them to live in.

Trustee Michel asked why this was not done as a home occupation. Mr. Lorentzen said because the business would have outside employees and you cannot have outside employees in a home occupation.

Trustee Singewald asked if we could give a home occupation for her to open if she is the only one working. Mayor Brinkhoff said the issues with the electrical would cause a problem if someone were injured.

TRUSTEE MICHEL MOVED AND TRUSTEE HARLESS SECONDED to approve ordinance 14-2016 conditional use of 8101 Sixth St. as a beauty salon once conditions are met. Roll call was taken and the motion passed Trustee Macdonald voted against.

2. Ordinance 15-2016 – Conditional Use Lots 2 & 3 Wellington Gardens

Representative was not in attendance.

Mr. Lorentzen said we could take public testimony and then table the issue.

Trustee Singewald asked if that property was zoned for residential. Mr. Lorentzen explained when Downtown Commercial zone was designated residential remained as a conditional use to allow the existing homes to be able to make renovations or repairs. If residential were left out of the zone, then all the existing homes would become non-conforming to the code.

Trustee Harless felt that development on the lot was important and that residential structures could be used as commercial properties. Mr. Lorentzen said the Planning Commission could set additional architectural requirements for this zone. He talked with the applicants about the type of homes they would build. They are looking at Victorian style homes, which would meet the standards. They would have to take site plans back to the Planning Commission for approval. Trustee Sattler said he did not know why they would build a home on a property that had so many construction issues. Trustee Cox said the applicant stated at the Planning Commission meeting that they have owned the property for 10 years and have tried to sell it for commercial use and have had little interest. There was further discussion about the problems with the property.

Wendell Nelson, of the Chamber of Commerce, said other than the building issues the price of the lot is too high and the Chamber was against it.

TRUSTEE SATTLER MOVED AND TRUSTEE MICHEL SECONDED to table ordinance 16-2016 indefinitely. Roll call was taken and the motion passed unanimously.

3. Main Street Program Update.

Wendy DuBord, Main Street Program Director, said she would be retiring. Her original commitment was for 2 years and that will be up at the end of the year. She would be available for consulting after her commitment. They have advertised for the position and have received about 15 applications. She asked for a couple of trustees to be on the interview committee. Trustee Harless and Trustee Macdonald were willing to serve on the interview committee.

Ms. DuBord updated the Board on the following items.

- New Entry Sign – Was completed. She is working with the Business to get an agreement to use their electricity, because the cost of running an electrical line would be too expensive. Trustee Singewald asked about solar. Ms. DuBord said it was also expensive and the batteries do not last long and are expensive to replace.
- Flower Planters and light pole banners have all been installed.
- Summer Concerts – The first was last Thursday and went well. It brought people into the park. The beer garden also went well. There was discussion on flyers and inventive ways to distribute them.
- Certified Local Government (CLG) Training – Ms. DuBord thanked Trustees Singewald, Harless, and Ryan Abbott for attending. She mentioned that History Colorado created a video of entrepreneurs in historic buildings and highlighted Old Colorado Brewery.
- Downtown Historic Building Survey/Inventory – Consultant has started collecting data and meeting with individual property owners. Project should be completed in February 2017.
- Movable LED sign – We received a grant from DOLA for the purchase of the sign. Ms. DuBord asked whom she needed to work with at the town. Mr. Abbott would be the contact for the purchase.
- National Main Street Conference in Milwaukee – Ms. DuBord said she and Shane Armstrong attended the conference. There were 26 people from Colorado at the Conference. They made a lot of networking contacts.

Ms. DuBord mentioned that Mr. Armstrong had taken a full time position in Fort Collins. She said at this time they would not fill the assistant position, because the new director might want to be full time.

Trustee Singewald commented on the CLG training and said that Wellington was used as an example of how to become a member of the Main Street Program. He thanked Wendy for her service.

4. Appointment to Park Advisory Board

Mayor Brinkhoff said this is to appoint Ashley Schwader to the vacancy on the Parks Advisory Board. Trustee Harless said that Ms. Schwader works with Poudre School District and would be a good addition to the Board.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to have the Mayor appoint Ashley Schwader to the Parks Advisory Board. Roll call was taken and the motion passed unanimously.

5. Ordinance 16-3026 – Electric Skateboards, Scooters and Segways

Mr. March said there had been a suggestion that these vehicles be allowed. He did not add a helmet requirement. Trustee Michel said this keeps the ban on gas-powered vehicles.

Trustee Singewald commented that helmet requirement should not be added.

Trustee Harless asked about the gas-powered scooters, like Vespas. Mr. March said they are street legal and fall under the model traffic code.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to approve Ordinance 16-2016 use of Electric Skateboards, Scooters and Segways. Roll call was taken and the motion passed unanimously.

6. Resolution 25-2016 – Street Closure for Fireworks Display

Mayor Brinkhoff said this was missed on the 4th of July street closures.

TRUSTEE SINGEWALD MOVED AND TRUSTEE COX SECONDED to approve Resolution 25-2016 street closure of Sixth for Fireworks Display. Roll call was taken and the motion passed unanimously.

7. Discussion – Support for School Bond

Trustee Macdonald said there was a kick off where the community was divided into subcommittees. She emailed the information to Mr. Lorentzen for distribution to the Board members. She suggested that the Board wait for a resolution to be submitted before making a decision. Mr. Singewald said the School District is actively meeting with property owners, in the Wellington area about available land for a new school. His concern was that this should already be done already and that we do not have the wording for the bond issue. He mentioned the possibility of becoming our own district. There was further discussion on this issue.

8. Bills for Approval

Blaster Bouncer	\$ 1,972.00
Soper	2,200.00
DPC Industries, Inc.	2,846.76
Boys & Girls Club	3,000.00
Northern Colorado Landscapes	3,930.00
Martin Marietta	11,542.76
Courtesy Lawn & Tree Care	13,525.00
First National Bank	22,454.99
Dellenbach Motors	23,710.00
Stantec	<u>40,376.60</u>
	\$125,448.11

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to approve the bills in the amount of \$125,448.11. Roll call was the taken motion passed unanimously.

9. Town Attorney Update

Mr. March updated the Board on the following:

- Personnel Code – working with Mr. Abbott

- Advertising - Wendy's position

10. Town Administrator Update

Mr. Lorentzen updated the Board on the following:

- Bids out for Garfield Stormwater Phase one bid package goes out on July 5th
- Bid packet for Old town street projects will go out July 11th
- RFP for preliminary design and cost estimates for trail connection between Jefferson to Washington
- RFP for Highway One access control study request from CDOT for the restriping of the interstate and Cleveland Avenue
- Public works
 - Getting potholes patched.
 - New material on trails and in dog park.
 - Ready for 4th of July
- Auditors - Second meeting in July

Scheduling of Work Session

CIP or construction standards/driveway compaction

Other

Trustee Harless asked about the water pressure in old town – Mr. Lorentzen said there had been some power failures at the water plant, which could have caused the problem.

Trustee Harless said he had comments about why the time of ribbon cutting at park had changed

Trustee Harless mentioned an issue with opening email attachments.

Tim Singewald updated the Board about archery event and said the Fishing Days would be held on August 6th and 27th. He asked for advertising from the town. Mr. Lorentzen said that it was on the website and would check to see if it was in the newsletter

Trustee Singewald mentioned that the Town Administrators evaluation. Mr. Lorentzen said we could do it now or what until October. It was decided to put it on the next agenda

Trustee Singewald said the Boxelder Basin construction project is almost complete they are doing aerial photos and are working on the LOMAR's. He asked about the coordinating with the other groups. Mr. Lorentzen said this was to be an independent study.

Tim Singewald suggested that the town look at our street standards / driveway compaction. It was decided to look at this in a work session. Mr. Lorentzen said he would get Russ Weber to put something together for the work session.

Tim Singewald said there had been a correspondence that has not been addressed.

- Letter from resident concerning cable service – Mr. Lorentzen said he would write a letter informing them on what the franchise agreement requires. Trustee Singewald asked if this should have been on the agenda. This email was sent directly to all the Board members. Mayor Brinkhoff forwarded it to Mr. Lorentzen.

- Letter from County Commissioners –Trustee Singewald said the Commissioners were requesting someone be appointed to a working group on affordable housing and requested this appointment be an item on the next agenda.

Trustee Macdonald attended the Northern Colorado Housing Committee Meeting. She listed the groups that attended. She said they are looking at how the region could work to make housing more affordable. She said this includes a single busing system, regulations, diversified housing. The Board of Realtors would be paying a consultant to look at these issues.

Trustee Sattler commented on issues that he heard about at the CML conference. He asked if we could look at Bob's Rules. Mr. Abbott said we could look at those in the retreat. Mr. March said he would look at the town's ordinance. He asked if the town used CIRSA (Colorado Intergovernmental Risk Sharing Agency), Mr. Lorentzen said we use Traveler's Insurance

Trustee Sattler went to the EDC meeting and there would be a subcommittee created with a couple of members from each of the entities. He and Mr. Abbott would be representing the town. This will allow a more focused conversation on the goals of the Community. Wendell Nelson said he felt this would help move things in the right direction and help with communications. Trustee Macdonald asked if economic development should be looked at for a full time position in the future. Trustee Sattler stated he believed this is a partial duty of the Assistant Town Administrator is adequate at this time.

Mayor Brinkhoff said he hoped everyone has an enjoyable 4th of July.

Executive Session - Litigation

Mr. March said they would be going into executive session for conference with the attorney to receive legal advised on specific legal question Pursuant to CRS§24-6-402(4)(b).

TRUSTEE MACDONALD MOVED AND TRUSTEE SINGEWALD SECONDED to go into executive session at 9:25pm. Roll call was taken and the motion passed Trustee Michel voted against. At this time Trustee Michel left the building.

TRUSTEE HARLESS MOVED AND TRUSTEE SINGEWALD SECONDED to come out of executive session at 9:38pm. Roll call was taken the motion passed Trustee Michel was absent and Trustee Macdonald abstained.

TRUSTEE SINGEWALD MOVED AND TRUSTEE SATTLER SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 9:40pm.

Respectfully submitted:



Cynthia Sullivan, CMC
Deputy Town Clerk