



TOWN OF WELLINGTON

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BOARD OF TRUSTEES

July 12, 2016
LEEPER CENTER – 3800 WILSON AVE.

Work Session – Driveways- 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

CONSENT AGENDA

- Board of Trustee Minutes for May 24, 2016
- Board of Trustee Minutes for June 28, 2016
- Municipal Court Report for July 6, 2016
- Boxelder Basin Stormwater Authority Minutes for May 25, 2016
- Larimer County Sheriff's Report for June, 2016

OLD BUSINESS

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

NEW BUSINESS

1. County Impervious Surface Draft Report
2. Proposal – Cleveland Stormwater Design Proposal – Stantec
3. Main Street Program Update
4. Appointment to County Commissioners Affordable Housing Working Group
5. Resolution #26-2016 Appointments to Board of Adjustment
6. Board Retreat
7. Bills for Approval
8. Town Attorney Update
9. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

10. Executive Session – Personnel (Town Administrator Evaluation)

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
July 12, 2016

Following a work session on Driveways, the Regular Board Meeting was called to order at 7:32p.m. July 12, 2016 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: MATT MICHEL, TIM SINGEWALD, PAUL COX, DANIEL SATTLER
and JACK BRINKHOFF

TRUSTEES ABSENT: TRAVIS HARLESS and ASHLEY MACDONALD

PRESIDING: JACK BRINKHOFF, MAYOR

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

Additions to or deletions from the agenda

Discussion of CDOT Barriers be added under Old Business.

Conflicts of Interest

None

Public to be heard on non-agenda items.

Chuck Mayhugh, of 9049 Painted Horse, pointed out some issues with the town code regarding number and size of copies that need to be submitted for a conditional use application. Mr. Lorentzen said we typically require one digital copy and one full size copy. Updates need to be made to the municipal code. Mr. Mayhugh asked with regard to conditional use. If you have two lots and someone comes in and requests a conditional use would a person wanting to do the same thing on the second lot have to go through the entire process. Mr. Lorentzen explained that part of the conditional use process is to look at impacts to the neighborhood. So one conditional use might not make an impact but two could.

Correspondence

None

Presentations

None

Proclamations

None

Consent Agenda

- Board of Trustee Minutes for May 24, 2016
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- Boxelder Basin Stormwater Authority Minutes for May 25, 2016
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TRUSTEE COX MOVED AND TRUSTEE SINGEWALD SECONDED to approve the consent agenda. Roll call was taken and the motion passed unanimously.

OLD BUSINESS

Item Added to Agenda – Discussion on CDOT barriers.

Mayor Brinkhoff said he received an email from Mr. Nguyen who said that his boss was on vacation. Mr. Lorentzen said he had not received anything from CDOT or from the HOA's about interest in participating in this project.

Chuck Cross, of 4202 Alder Creek, said the Park Meadows HOA has not met to discuss this issue and would need to know the cost information before they could make a decision. Mayor Brinkhoff said approximately \$35.00 a foot. If they are interested, it would have to go out to the members to get it approved. There was discussion on the length of the barrier and who would participate in the project. Nathan Hubenka, of 7305 Indigo Run Street, felt the barrier was a necessary. He commented that a CDOT contractor would have to be used. Mr. Lorentzen said it would have to be a CDOT certified contractor. Mr. March explained that if the barrier is built on CDOT's right of way then we would pay them to do the construction, because they would have to assume the liability. There was a discussion on who had an easement on the west side of the subdivision. There were additional comments on the location, materials and how it would look.

1. Development Agreement for Wellington Downs

Andrew Gerk representing, the applicant.

Mr. March said there were a couple of changes that are redlined in the agreement. He said the developer would like to increase the number of permits they could pull from 75 to 100 permits before the intersection project is done. There had also been a discussion about how the fee would be charged and how the monies would be reimbursed. Mayor Brinkhoff asked if the barriers were part of the agreement. Mr. March said it was not discussed. Mr. Lorentzen said the developer has added a three rail fence along the west side. Mr. Gerk said the distance from the right of way is 80-foot to the lot line with a 20-foot rear setback on the lot. Mayor Brinkhoff asked if there was any willingness to participate in a barrier project. Mr. Gerk said the developer said he was not interested and felt his setback from the interstate and the fence was sufficient.

Trustee Singewald asked if the letter of credit was from a local bank. Mr. March said they would like us to look at different alternatives to a letter of credit. If the type of security is changed from a letter of credit, then it would have to come back to the board for approval. He said there is no stipulation that they have to use a local bank. He said the bank has to be FDIC insured.

TRUSTEE MICHEL MOVED AND TRUSTEE COX SECONDED to approve Development Agreement for Wellington Downs subject to staff approval. Roll call was taken and the motion passed unanimously.

2. Agreement with Windsor Ditch on Pedestrian Crossing

Mr. March said he would be meeting with Mr. Dowd tomorrow. He said there is a question about the deed for the property and access points.

Trustee Singewald said the Ditch Company put this off because they want to run water in the ditch. They have not run any water this summer. Mr. March said he would contact them again tomorrow. Mr. Lorentzen said the Ditch Company will probably wait until they are ready to start the work and we will need a special meeting just to pass the agreement.

Angela Delos Santos, of 3204 Mammoth Cir., thanked the Board for their efforts to get a safe route for access to town services. She commented on some of the concerns with current routes that are not safe.

No action was taken.

NEW BUSINESS

1. County Impervious Surface Draft Report

Mr. Lorentzen said that Tim Mather would be presenting the report and that he and Mr. Silar would meet with Mr. Mather to compare the data collected to the original data and put together a report on any changes that could be suggested to the Stormwater Authority or changes that we need to make in our district.

Mr. Mather described the scope of the study and how they collect and analyze the data. He said they digitized the commercial impervious areas and divided them into surface types. They used high-resolution satellite imagery. He introduced Abiah Shaffer to explain the data sets that were used in the analysis. Ms. Shaffer gave a synopsis of their process to identify the parcels that were within the boundary of the study area and what areas that were excluded from the study. They divided the data into two categories. Commercial dates included industrial, commercial, and multiple unit homes. Residential dates included mobile home parks, single-family homes and homeowner's associations. Homeowners associations were considered for their green belts. In their comparison, they looked for new data. This included new parcels that were created by the splitting of old parcels and where parcels had been merged. Impervious surfaces were digitized based on the satellite imagery and used to calculate commercial areas. They used four categories: Asphalt, Concrete, Rooftops and compacted Gravel. She explained the calculation used to get the area totals. They found that for residential there had been an increase of 12% from 1033 to 1157. Commercial properties increased from 178 to 221, which is a 24% increase. Mr. Mather pointed out these changes on the maps.

Trustee Singewald asked what the period of time for the 'new' areas. Mr. Mather said the comparisons were made from two snapshots of the area. One about 2 years ago and June 22, 2016. Trustee Singewald asked if the sections that were excluded were impervious surfaces or general property. Mr. Mather explained that there were slivers of parcels that fell into the data area that might not be within the boundary area. The imagery could be plus or minus 10 to 30 feet. Trustee Singewald was concerned about some parcels around Cobb Lake. He asked for more specific details about the process. Mr. Lorentzen said those are the areas that need to be looked at further. Mr. Silar said we want to make sure we have data that is defensible if we suggest changes to the Authority. The next step would be for Mr. Lorentzen and Mr. Silar to work with Mr. Mathers and company to further define the properties that are contained in the boundary and recalculate the fees based on the categories. They would submit the final report to the Board.

Mr. Mayhugh asked what the end results of the report would be and how it would affect the impact on future development. Mayor Brinkhoff said this report was to check the data to make sure everything was being assessed correctly. Mr. Mayhugh asked is the town prepared to look at future development that minimize impervious surfaces. Such as collection and reuse of runoff water. Mr. Lorentzen said that the Stormwater Authority looks at conditions of a hundred-year storms when the ground is already saturated.

Eric Sutherland, of 3520 Golden Currant Blvd., spoke about who in the Stormwater Authority was getting the benefit and was not contributing. His comments were not directly specific to this item, but were about the Stormwater Authority fees and collection.

No action was taken.

2. Proposal – Cleveland Stormwater Design Proposal - Stantec

Mr. Silar said this proposal is to design for piping storm water across Cleveland Avenue at 4th Street. This project will be funded by CDOT in an amount of \$100,000.00. He explained that the existing line is 18 inches and we want to put in as large a size pipe. There was further discussion on where the flow would go on the south side of 4th Street. There is limited space because there are other utilities within the street. Mr. Silar described how this would be tied into the Garfield drainage project.

Peter Pronko, 3744 Cleveland Ave, asked what the timeline is for the Garfield project. Mr. Silar said he would be taking bid and would be awarding the bid toward the end of August. He said this project would not be started until next year. Mr. Pronko asked if Department of Local Affairs (DOLA) had been contacted about the 50/50 plan that they have to pay for improvements. Mr. Silar said they have worked with Don Sandoval and the town would have to have an overall drainage plan in place before they could look at shared costs. Mr. Lorentzen said we could have done a master plan, but the town was pressed to get something done right away. Mr. Silar said all these projects would be added to the master plan.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to approve proposal for Design of Cleveland Storm sewer project by Stantec in an amount not to exceed \$20,002.00. Roll call was taken and the motion passed unanimously.

3. Main Street Program Update.

Wendy DuBord, Main Street Executive Director, updated the Board on the following:

- New Director Recruitment – They have received 15 applications and interviews will be the last week of July.
- New Entry Sign – Ms. DuBord asked if the Board wanted to have the sign for the west side of town start. This would be a 50/50 split in cost. The sign should be completed by September/October.
- Summer Concerts first concert went well next concert is on Saturday July 23, 2016.
- Downtown Historic Building Survey/Inventory – should be complete in the first quarter of 2017.
- Movable LED sign – ready to be ordered when received the town would pay for it and be reimbursed by Main Street and Fire Department.
- Re-apply to the EPA for a Brownfields Assessment – We did not get the grant, but have the changes that need to be made. Ayers and Associated will rewrite the grant for a fee. Ms. DuBord asked if the Board wanted to resubmit in September. There was a consensus to resubmit.
- 3rd Quarter Funding Request – Request for funding. Mr. Lorentzen said the request is part of the Bills for Approval.

They put ads in the FYI paper to bring more attention to Wellington activities.

Murals on Commercial buildings. Looking at local artists. The first will be on the Main Street Building. The T-Bar is also interested in having a mural. Ms. DuBord said she would bring back designs to the Board. Mr. Silar said there was an article in the Coloradoan about a group that is looking to do murals.

TRUSTEE SINGEWALD MOVED AND TRUSTEE COX SECONDED to approve purchase of second entry sign with Main Street Program in the amount of \$3,450.00. Roll call was taken and the motion passed unanimously.

4. Appointment to County Commissioners Affordable Housing Working Group

Mayor Brinkhoff said that Trustee Macdonald has been attending these meetings. He asked if anyone else would be interested. Mayor Brinkhoff appointed Ashley Macdonald to the Larimer County Affordable Housing Committee.

5. Resolution 26-2016 Appointments to Board of Adjustment

Mr. Lorentzen said Kevin Yerian's term is up and is ready for reappointment for a three-year term. He said we have been appointing 2 Board of Trustee members as alternates because the Board of Adjustments requires a super majority for approvals. He said Trustees Harless and Singewald have been serving. He said they normally ask someone who is not on the Planning Commission. Trustee Singewald said he would be willing to continue to serve. Since Trustee Harless was not at the meeting, he was also nominated for appointment.

TRUSTEE MICHEL MOVED AND TRUSTEE SATTLER SECONDED to approve Resolution 26-2016 appointment members to the Board of Adjustment with Travis Harless as first alternate and Tim Singewald as second alternate. Roll call was taken and the motion passed unanimously.

6. Board Retreat

Mr. Lorentzen said that Mr. Abbott had been working on this retreat and wanted to know if the Board wants to do the retreat. He also would like some dates and a location for the retreat.

Trustee Singewald suggested a morning session at the Leeper Center ending with an afternoon tour of the facilities. Thursday August 11th was suggested.

Mr. Lorentzen suggested that the Board members email Mr. Abbott with subjects for the retreat agenda.

7. Bills for Approval

Soper	\$ 2,200.00
Konica Minolta	2,563.41
Dana Kepner	3,427.68
Chemtrade	4,738.58
Bobcat of the Rockies	4,779.40
Stantec	15,154.56
Wellington Colorado Main Street Program	18,750.00
Wells Fargo	<u>165,951.88</u>
	\$217,565.51

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to approve the bills in the amount of \$217,565.51. Roll call was the taken motion passed unanimously.

8. Town Attorney Update

Mr. March updated the Board on the following:

- Use of Bob's Rules because it has a copyright and the town's code has the use of Roberts Rules.
- Money received from Shane Armstrong for the skate park.
- North Poudre meeting Monday about by-laws
- Meeting with Ken Wright.
- CDOT Building – check has not been cashed.

- Advertisement and personnel policies.
- Memo to Travelers Insurance about claim.

9. Town Administrator Update

Mr. Lorentzen updated the Board on the following:

- Pre-bids meeting for Garfield Stormwater Phase one.
- Permit received from Railroad company for boring under the railroad tracks.
- Bid out for Old town street projects for this year.
- Pre-proposal on Monday for preliminary design and cost estimates for trail connection between Jefferson to Washington due the end of next week.
- FEMA approved the Hazard Plan. Will have it for town adoption at next meeting.
- Possible petition for annexation of the Lane Property at next meeting.
- Planning Commission –
 - Reduction in number of units in Wellington Village.
 - Property west of the Wellington Vet Clinic – conditional use proposal for multifamily units and 8 bungalows from Monica Sweere for next Town Board meeting.

Mayor Brinkhoff asked if the Bids could be emailed to the Board. Mr. Silar said he could email it to the Board.

Scheduling of Work Session

Start work on the Capital Improvements Plan(CIP) at 6:30pm

Other

Trustee Singewald said the 4th of July events were good this year. Trustee Sattler suggested more dumpsters to help with trash issues. Mr. Lorentzen said that public works had a hard time getting through the crowds to empty the dumpsters. Will look at placing the dumpsters in a different location.

Trustee Sattler asked about the fish kill in the Meadows Ponds. Mr. Lorentzen said the biologist said there was a sudden drop of oxygen in one area of the pond. Possibly caused by a cherry bomb or a lighting strike. Trustee Singewald said that Nancy from Fish and Wildlife said she would try to stock some more fish in the pond.

Trustee Sattler asked if there is a way to limit the time public speaks on a subject. There was a suggestion of getting a light system or timer.

Trustee Michel mentioned the issue with Jake Reynolds playing on the leagues. Mr. Lorentzen said Mr. Reynolds is no longer supervising the officials. We now have a contract for the officials and Mr. Abbott felt there was no conflict. Mr. Lorentzen suggested he contact Mr. Abbott.

Mayor Brinkhoff said that Mr. Ehrich disked the area where they were shooting off the fireworks. He would like to be compensated for about \$200. Mr. Lorentzen said we have an invoice for the fireworks and that could be added for bills for approval.

Mayor Brinkhoff asked about the planning process. Mr. Lorentzen said since we have a new building permit tech, Ms. Sullivan will be working more on the planning process.

Trustee Singewald asked about the street lights. Mr. Lorentzen said he had not heard anything and would check.

Regular Board Meeting

July 12, 2016

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10. Executive Session – Town Administrator Evaluation

Mayor Brinkhoff said since all the Board Members were not in attendance this would be postponed until a meeting in September.

TRUSTEE SATTLER MOVED AND TRUSTEE MICHEL SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 9:44pm.

Respectfully submitted:

A handwritten signature in blue ink that reads "Cynthia Sullivan, CMC". The signature is written in a cursive style.

Cynthia Sullivan, CMC
Deputy Town Clerk