



TOWN OF WELLINGTON

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BOARD OF TRUSTEES

September 27, 2016

LEEPER CENTER – 3800 WILSON AVE.

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 (time limit of 3 minutes per person)

CORRESPONDENCE

PRESENTATIONS

CONSENT AGENDA

- Board of Trustee Minutes for August 23, 2016
- Board of Trustee Minutes for October 13, 2016
- Community Activities Commission for July 18, 2016
- Larimer County Sheriff's Report for August, 2016
- Boxelder Basin Regional Stormwater Authority Minutes for July 27, 2016

WATER ENTERPRISE BOARD

1. Ordinance 1-2016WE – Amending Utility Code – Concerning Billing Procedures

OLD BUSINESS

1. IGA – I-25 Funding from Road and Bridge Tax
2. Agreement with Windsor Ditch on Pedestrian Crossing

NEW BUSINESS

1. Preliminary Plat – Southgate – Replat of Block 10, Wellington Pointe- Commercial & Townhomes
2. Resolution 33-2016 – Country Lane Farms Annexation – Substantial Compliance & Setting Public Hearing
3. Resolution 34-2016 – Temporary Street Closure – Wellington Fire District
4. Access Study Proposals and Cleveland Striping.
5. Main Street Monthly Update
6. Ordinance 19-2016 – Amending Municipal Sign Code
7. Ordinance 20-2016 – Amending Municipal Code Concerning Loitering
8. Discussion – De-Criminalizing Code in response to HB – 1309, Providing Defense Counsel
9. Discussion – County Impervious Surface within BBRSWA Boundary Study – Final Report
10. Bills for Approval
11. Town Attorney Update
12. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

13. Executive Session

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
September 27, 2016

The Regular Board Meeting was called to order at 7:30p.m. September 27, 2016 at the Leeper Center 3800 Wilson Ave, Wellington CO.

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

TRUSTEES ABSENT: None

PRESIDING: JACK BRINKHOFF, MAYOR

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

Additions to or deletions from the agenda

Trustee Singewald asked that we move items 3 and 5 to the beginning of the New Business. Approved.

Conflicts of Interest

None

Public to be heard on non-agenda items.

Lina and Sidney of Girl Scout Troop 4291 informed the Board of Trustees about the Witchy Wellington 5K Fun Run that they are hosting on Saturday October 29th from 8:30-10:30am. Lina said that they would use the same route as with their last run in June. This route does not require any street closures.

Trustee Sattler asked if this would be a fund-raiser. Lina said it would be a fund-raiser for a trip to Costa Rica. They would also be collecting canned goods.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to approve the Girls Scout Witchy Run. Roll call was taken and the motion passed unanimously.

Correspondence

None

Presentations

None

Consent Agenda

- Board of Trustee Minutes for August 23, 2016
- Board of Trustee Minutes for September 13, 2016
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Trustee Singewald asked for a correction in the wording on item 11 from not needed to postponed.

TRUSTEE MICHEL MOVED AND TRUSTEE SATTTLER SECONDED to approve the consent agenda with correction. Roll call was taken and the motion passed unanimously.

WATER ENTERPRISE BOARD

Mayor Brinkhoff asked if the ordinance should be tabled to add corrections. Mr. March said there are changes to the section with regard to materials that are no longer being used. Mr. Cummins asked for clarification on why this was being tabled. Mr. Lorentzen said that the other changes are in the same article as the fees.

1. Ordinance 1-2016WE – Amending Utility Code – Concerning Billing Procedures

TRUSTEE SINGEWALD MOVED AND TRUSTEE MICHEL SECONDED to table Ordinance 1-2016WE until the next meeting. Roll call was taken and the motion passed unanimously.

OLD BUSINESS

1. IGA – I-25 Funding from Road and Bridge Tax

Mr. March said the IGA was for the County to be able to use the money from Road and Bridge Tax for the funding of the renovations of the bridges so the interstate could be widened to six lanes. They are requesting that the municipalities contribute their portion of these funds for these projects for a 4-year period.

Trustee Singewald asked how much per year would the town be giving them. Mr. Cummins said between \$11,000 and \$15,000 a year. Trustee Singewald said that Mr. Lorentzen was going to contact Linda Hoffman to request a table with the brake down of the contributions from the public and private entities. Mr. Lorentzen pointed out the table on page 60 of the packet. He said that based on current evaluations, the annual amount would be closer to \$15,000. Trustee Harless mentioned what the town could use that money for. Trustee Singewald pointed out number 9b of the IGA regarding the use of the funds if the project is not feasible. Mr. March clarified that if the project is not feasible then the County would pay any amount remaining back to the municipalities or if the parties may agree to an alternate use as long as it benefits roads or transportation system within the jurisdiction. There was further discussion on this issue. Trustee Singewald wanted to make sure that the Town would only have a 4-year commitment and that we have a say on any alternatives that are proposed.

Chuck Mayhugh, of 9049 Painted Horse Lane, stated that the County was trying to pull in money from all the municipalities in the County for this project even though it would not directly benefit all the municipalities. He suggested not approving the agreement.

TRUSTEE MACDONALD MOVED AND TRUSTEE SATTTLER SECONDED to approve the IGA funding from the Road and Bridge Tax. Roll call was taken Trustees Singewald, Macdonald, Cox and Mayor Brinkhoff voted for and Trustees Harless, Michel and Sattler voted against the motion passed.

2. Agreement with Windsor Ditch on Pedestrian Crossing

Mr. March said that the agreement is done, but there are a couple of corrections. He said there is a concern from the Wellington Point Subdivision about the location of the crossing. They want to meet with himself and Trustee Singewald about the project and location of the crossing. There was confusion with the wording. Mr. March said he would make sure the document is cleaned up. He mentioned that since we have a signed document from the ditch company we should take advantage of it now. If we wait we could

lose the two years we have already spent on this agreement. Trustee Singewald said there is no date for the start of phase II. He asked if there would be more clarification in the spring. Mr. March said that is what the ditch company has said. There was a suggestion that a temporary path be placed this year until we know when and where phase II will be completed. Trustee Singewald said the Wellington Pointe HOA has issues about the water seeping into the properties and this partial pipe would not fix the problem. Mr. March said they could schedule a meeting with the HOA. Mr. Lorentzen said based on the street obstruction permit we received they are going to put the first pipe on the east end where the HOA wants the crossing.

Wyatt Knutson, of Mammoth Court, felt the agreement was badly written with regard to where the piping will be placed compared to where the crossing needs to go. He did not want the town to be stuck with a contract that was so open ended. Mayor Brinkhoff said this has already taken two years and we will get 500 feet of pipe installed. We can put a crushed rock path in now and when they extend the pipe next year we can concrete a better location. He said by signing the contract tonight it will get the work started.

Mr. Mayhugh said this is an important step in connecting the subdivision to the school and suggested that the board sign the contract. He noted that they did not limit the town to one crossing, but will allow multiple crossing.

TRUSTEE MICHEL MOVED AND TRUSTEE MACDONALD SECONDED to approve signing of the Ditch Crossing Agreement. Roll call was taken and the motion passed Trustee Cox voted against.

NEW BUSINESS

3. Resolution 34-2016 –Temporary Street Closure – Wellington Fire District

Rachael Gonzales, representing the Wellington Fire District, said they are requesting a street closure for the Fire Department open house on October 15, 2016 from 3:00-7:30 pm. They would like to close Third Street from Cleveland to McKinley and McKinley from Third to just past the fire station.

Mr. Silar said the town will be starting some curb and gutter work on McKinley, but will check to see how far the work goes on McKinley.

TRUSTEE SINGLEWALD MOVED AND TRUSTEE HARLESS SECONDED to approve Resolution 34-2016 temporary street closure. Roll call was taken and the motion passed unanimously.

5. Main Street Monthly Update

Wendy DuBord, Wellington Main Streets Executive Director, gave her monthly report.

- Main Street Director Recruitment –She thanked Trustees Macdonald and Harless for participating in the selection committee. She introduced David Michaelson who started September 19th. Mr. Michaelson gave his background with regard to urban design and small town downtown revitalizations. He would be in the office 5 days a week, but has not set the hours.
- New Entry Sign-Update – The east entry sign should be completed in the next two weeks.
- Summer Concerts – The first year went well, but they need to market it better for next year. They will not have a September concert next year due to football season. They will look at continuing the beer garden. They would apply for the grant from the Bohemian Foundation again next year.
- Downtown Historic Building Survey/Inventory is ongoing and should be complete in the spring.
- Mobile LED sign – There was a 3 way split on the purchase of the sign by Wellington Main Street Program, Fire Department, and the Town. Ms. DuBord has been working with Mr. Abbott and Mr. March on the policies for use of the sign.

- EPA Grant Application – Ms. DuBord has been working with Mr. Abbott and Gene Macdonald of, Ayers Associates on the grant application.
- 2017 Main Street Budget Request – They are asking for the same amount as last year of \$75,000.00. They continue to look for additional funding. She submitted a list of their 2016 accomplishments and proposed projects for 2017.
- Centennial Park – Second round of re-design from University of Colorado Denver (UCD). Ms. DuBord said Mr. Michaelson got us \$10,000.00 in free GPS software to use at the park. They also have a plotter that can print the larger maps. She said there was concern about putting the cannon in the park. There was a request for diagonal parking on 4th Street and to design a smaller entrance sign. Main street will pay UCD \$600.00, but they need the memoranda of understanding (MOU) signed.
- Do Gooders Unite Campaign – This is a campaign started by Blue Federal Credit Union to attract new customers and raise funds for the local community. They will match the donations they receive and give that amount to the Main Street Program to offset the cost of artistic bike racks for downtown. They will look at local businesses to build the bike racks. Trustee Harless suggested they contact Mr. Winick.
- 4th Quarter funding request -\$18,750.00 is listed in the bills for approval.
- Annual meeting on November 9th at the Brewery catered by Wellington Grill.

Trustee Singewald asked Mr. Michaelson what his hours would be. Mr. Michaelson said he would like to be in the office 5 days a week.

1 Preliminary Plat – Southgate – Replat of Block 10, Wellington Pointe – Commercial & Townhomes

Justin Beckner, representing the applicant, reviewed the proposal and the changes that the Planning Commission had requested.

Planning Commission Recommendations:

- 1) *Development/landscape plan to show development of a pocket park on Tract C with a minimum of a play structure and shade. Bump out parking spaces from Seabiscuit and Kelso for Pocket Park and overflow parking.*
- 2) *Provide trail system through open space areas. Trail in Tract D should connect to sidewalk along south side of commercial area (Lot 16 Block 3) connecting to sidewalk on Wellington Blvd. Trail should connect to Seabiscuit and the Pocket Park on the west side.*
- 3) *Increase minimum front yard setback requirement for PUD to 22.5 feet, so as to have minimum 20-foot-deep driveways for off-street parking.*
- 4) *Restrict Parking to one side of streets to provide minimum 23-foot drive lane for Fire District. Add areas of off street parking to compensate for reduction in street parking.*
- 5) *Eliminate all but eight townhouse units backing onto Cleveland and expand commercial lot adjacent to Cleveland.*
- 6) *Provide footprints and elevations of commercial buildings with fronts oriented toward Cleveland and Wellington Blvd.*
- 7) *Provide architectural details on back sides of Seabiscuit Townhouse units backing on Cleveland. (Porches or roofs over back door, shutters on window, etc.)*

Mr. Beckner addressed each of the recommendations. He said they are proposing to connect this with the open space in Westgate and develop that open space for the pocket park. He showed the trail system. They redesigned the residential so they would have the required driveway length and eliminated parking on one side of the street to allow for emergency vehicles. He showed the additional commercial space and said there is room to push the commercial to the west if needed. He said the one item that he did not have exact details on is the commercial buildings design. That would be submitted with final plans.

Mayor Brinkhoff said that they addressed all the changes requested by the Planning Commission.

Trustee Harless said we have already given up too many commercial lots and this plan would not be beneficial to the community. Trustee Singewald asked how much commercial have we given up in the last ten years. Mr. Lorentzen at least 40 acres. Trustee Singewald felt that the town should not give up any more commercial especially on Cleveland. He also had an issue with the width of the streets and the private maintenance of the streets. Mr. Beckner said Arkle Way is an alley with no parking on either side.

Trustee Harless asked if these units would have basements. Mr. Beckner said the plan is for all the units to have basements.

Trustee Macdonald said the planning commission had the same concerns about parking and the cluttered look of the project. She felt the developer had made the changes to address the concerns and it looks like a much better plan. Mayor Brinkhoff asked if the location of the utility lines were a factor in the placement of the units. Mr. Beckner said the main lines run down Seabiscuit Way and Ribot Drive and were taken into consideration when designing this project.

The main issues were the street width, maintenance and the commercial lots. Mr. March said the plat needs to show the ownership and access of the roads and the parks.

Trustee Sattler asked if the builder brought in this plan when the proposal to the west was approved. Mr. Beckner said when the builder bought the property to the west it was already an approved design. Trustee Michael had a problem with using the open space in Westgate for the requirement of a park for Southgate since that area was not part of this plan. Mr. Lorentzen gave a background on the Westgate project that was approved around 2002 and the town did not have a zoning plan in place at that time, so the requirements for parks and open space was not in effect.

Barbara Hines, representing the property management company for Wellington Pointe HOA, said these units would be part of the Wellington Pointe HOA and they would have access to all the open space in the subdivision. She also said that the alley is strictly controlled.

Mr. Mayhugh was concerned with who would be responsible to fix the private streets if the town has to work on the utilities under the private street.

Don Irwin, 3490 Timber Wolf, commented on the possible problem with the traffic coming out of this development onto Wellington Blvd as well as onto Cleveland. He was also concerned about the access to the commercial being off of a private street. He said the drawings in the packet did not address the location of the sidewalk/bike path along Cleveland.

Ms. DuBord said even though this property is not currently part of the downtown if you look 20 years down the road it could be considered part of the downtown. The Main Street Program would like to see this property stay as commercial, but would consider mixed use of first floor commercial with second floor residential space. Mr. Michaelson referred to a letter he had sent concerning this project. He felt reducing commercial because it has not been developed is not a good thing. We need the commercial for future growth of the downtown area. He pointed out some detail that he thought needed to be available for the commercial development. He would be willing to work with the developers.

Wendell Nelson, representing the Chamber of Commerce, felt this item needed to be tabled, because the town needs to look at possible growth to the west.

Sergeant Reardon, Larimer County Sheriff's Dept., said that privately maintained public roads are still enforceable by their department. He asked if there would be a traffic study. Mr. Lorentzen said they would have to submit an amended traffic study at final submittal. There was further discussion about when the original was done and for what period of time.

Mr. Beckner said the commercial does not directly access Cleveland Avenue because it is a state Highway. His concern is that the traffic to the commercial would be off Wellington Blvd and customers would probably not want to travel the 850-foot distance to the west end of the commercial. Mr. Beckner pointed out the trail/sidewalk along Cleveland Ave. There was further discussion on this issue.

Edward Ernste, developer, said he has researched the size of commercial units that would do well in this area and they range from 600-1000 square feet. He talked to a restaurateur about this location and he said there would need to be 30-35 thousand residents before a restaurant could be sustained 7 days a week. Trustee Harless asked about the possibility of stacked units with retail below and residential above. Mr. Ernste said it is expensive to put residential above commercial and his insurance company was not interested in looking at that option.

TRUSTEE MACDONALD MOVED AND TRUSTEE COX SECONDED to approve the preliminary plat for Southgate – a replat of Block 10 Wellington Pointe for commercial and townhomes. Roll call was taken Trustee Macdonald and Mayor Brinkhoff voted for Trustees Harless, Michel, Singewald, Cox, Sattler voted against, motion failed.

Trustee Singewald suggested that the Town needed to update Planning requirements for Cleveland Ave. so potential developers can know up front what we are looking for.

2 Resolution 33-2016 – Country Lane Farms Annexation – Substantial Compliance & Setting Public Hearing

Applicant Steve and Michele Lane.

Les Crawford, engineer for applicant, described the location and the proposed development of the property. The proposal consists of 20.53 acres on the east side of the property for 21 single family homes and 5 acres of open space along the Boxelder Creek with a connecting strip along the north end of the properties. He said the owner has a home in the center and would retain 15 acres surrounding the home in the county. There is a town water and sewer line running through the property. They will be requesting that the property be zoned R-2 Residential Medium Density, but would like to have the road side ditches instead of gutter and sidewalk.

Board members asked about the location of the utility lines and the access to proposed lot 21. Mr. Crawford pointed out the location of the lines across the property then south to the sewer treatment plant. He said that lot 21 currently has a home on it, but that would be removed and the access to that lot would be between lots 18 and 19.

Mayor Brinkhoff asked how the open space would be accessed. Mr. Crawford said there is an access road east of the Boxelder Creek that is an agricultural easement and would be the border for the open space. Mr. Lane said the access road is to the properties to the south. He mentioned that the open space is in line with the current trail in the Meadows and could be used to extend the trail system.

Mr. March had a concern that the measurement for the contiguity requirement was not met. There was further discussion about the possibility of a separate annexation of the green space if the contiguity is not met. It would be a serial annexation and just an amendment to the annexation agreement. Mr. Lorentzen

said the numbers on the annexation map show that it does meet the requirement. Mr. Crawford said he would recheck his numbers.

Trustee Sattler asked what the price point of the lots would be. Mr. Lane said just under \$500,000.00.

Mr. Crawford said there is an issue with regard to the flood plain designation of this property. They are working on a LOMA to get the property out of the flood plain, but it may take a couple of years.

Mr. Mayhugh asked if the length of the street meets the town standards with regard to fire protection. He also asked if a street designed with barrow ditches were part of the towns street designs. Mr. Crawford said there would be an intermediate cul-de-sac to meet the fire protection requirements. Mr. Lorentzen said barrow ditches are allowed in R-1, but we will have to work on it as part of an R-2 zoning.

Mr. Lorentzen said the process tonight is to pass the resolution showing that it meets the requirements for annexation and setting a public hearing.

TRUSTEE MICHEL MOVED AND TRUSTEE MACDONALD SECONDED to adopting Resolution 33-2016 finding substantial compliance with the Country Lane Farms Annexation Petition and Setting a Public Hearing for November 8, 2016. Roll call was taken and the motion passed unanimously.

4. Access Study Proposals and Cleveland Striping

Mr. Lorentzen said that CDOT requires the town to complete an access study before they would re-stripe Cleveland. He said a Request for Proposal (RFP) was sent out and 2 proposals were received. He listed the proposal costs and asked if it would be worth the cost if the striping ends up not being done.

Mayor Brinkhoff asked if CDOT would allow the town to do the re-striping. Mr. Lorentzen said we could ask.

Trustee Singewald said the town should wait to see how the vote for the new school pans out. Trustee Harless felt that the proposed turn lanes would not help with pedestrians crossing the street.

Mr. Mayhugh said the drainage on Cleveland should be addressed before changing the striping.

The was a consensus not to go forward with the study.

6. Ordinance 19-2016 – Amending Municipal Sign Code

Mr. March reviewed the Supreme Court decision with regard to limitations and language of signage on personal property. He asked for guidance from the Board on how to proceed. There was a discussion about what the suit was about and how it affects our town. There was a consensus to have Mr. March research the issue more.

Mr. Nelson asked about home occupation signs. Mr. Lorentzen said if they have gone through the process for a home occupation they are allowed.

TRUSTEE MICHEL MOVED AND TRUSTEE MACDONALD SECONDED to table until more information is gathered. Roll call was taken and the motion passed unanimously.

7. Ordinance 20-2016 – Amending Municipal Code Concerning Loitering

Mr. March suggested deleting 10-6-40 - loitering section out of the code.

Sergeant Rairdon said the portion of the code that the Supreme Court dealt with was with regard to pan handling. The other portions of this section are covered in other sections of the code with regard to enforcement.

Mr. March pointed out that this ordinance would be adopted as an emergency and would need a super majority vote.

TRUSTEE SATTLER MOVED AND TRUSTEE MACDONALD SECONDED to adopt Ordinance 20-2016 deleting restrictions prohibiting loitering and declaring an emergency. Roll call was taken and the motion passed unanimously.

8. Discussion – De-Criminalizing Code in response to HB-1309, Providing Defense Counsel

Mr. March said this law will go into effect in 2017. It states that if there is a potential for a jail sentence in a case that the municipality would have to provide council. He said we can remove all jail sentences. He explains what the jail currently does with arrested individuals. He said if we de-criminalize it would take away the courts ability to issue arrest warrants. We could still issue show cause orders. The idea is to take the municipalities out of the putting people in jail business. If there is a concern with an incident, then the Law Enforcement Officers can site the person into County Court. To continue with our current system, we would have to provide and pay for council to be defense council. Colorado Municipal League(CML) is taking the position a legislative mandate that is not funding is a non-enforceable mandate. He suggested that we could change to civil court, get judgements and utilize collection agencies.

Trustee Singewald asked for example if someone committed a theft. Mr. March said there are 2 options. One is to write the ticket into Municipal Court or Second write the ticket into County Court. Sergeant Rairdon said the biggest change for law enforcement is when someone doesn't go to court. Mr. March said we could with regard to an outstanding judgment warrant(OJW), for a traffic citation, instead of arresting the individual we take their driver's license. Sergeant Rairdon said other than barking dogs and some parking violations all violations are covered under state statutes.

Mr. March said he would bring back an Ordinance and look at contacting a collection agency.

9. Discussion – County Impervious Surface within BBRSWA Boundary Study – Final Report

Mr. Lorentzen said we have received the final report from Informaption and it should be ready to send to Pinnacle. He said there are several discrepancies that need to be corrected or explained. Trustee Singewald said he and Trustee Harless had wanted to work with Informaption to understand how they processed the data and to run some test data. They have not been allowed to do that. There was discussion about why they were not part of the process. Mayor Brinkhoff suggested that Trustees Singewald and Harless meet with Informaption and get answers to their question before the report is sent to Pinnacle.

Trustee Singewald asked about the calculation of the agricultural properties. Mr. Lorentzen said they are based on residential calculations of 2,000 sq. feet of impervious surface. Trustee Singewald asked when and who decided that would be how agricultural properties are assessed. Mr. Lorentzen said the Boxelder Basin Regional Stormwater Authority set the amount by Resolution adopting the storm water fees. Trustee Harless asked where it is written that agricultural is considered residential. Mr. Lorentzen said it was part of the resolution he would send that to them. Trustee Singewald said he felt that some of the agricultural properties should have been charged a lot more. Mr. Lorentzen agreed completely. Trustee Harless said the report does show that Boxelder Basin Regional Stormwater Authority needs to do consistent analysis. Trustee Singewald felt it might be beneficial to contact Mr. Cohn to review the data.

10. Bills for Approval

September 13, 2016

Atlas Copco	\$ 1,045.76
Connell	1,085.76
Sport About	1,237.50
Integrated Voting Solutions, Inc.	1,254.50
DPC	1,296.77
Informaption Inc.	2,205.00
Standard Purification	3,432.00
NALCO	4,434.00
Chemtrade	4,698.55
GE Betz, Inc.	6,046.56
Dana Kepner	6,855.36
UNIVAR	10,160.00
Martin Marietta	11,492.54
March, Olive & Pharris, LLC	<u>11,816.02</u>
	\$ 67,060.32

September 27, 2016

DPC Industries, Inc.	\$ 1,761.40
Buffalo Creek Subdivision At Wellington	1,244.53
JVA Consulting Engineers	4,690.00
Anton Collins Mitchell LLP	9,444.12
Courtesy Lawn & Tree Care Inc.	12,162.50
Wellington Colorado Main Street Program	18,750.00
Stantec	44,272.98
ECI Site Construction Management, Inc.	<u>76,422.32</u>
	\$168,747.85

Trustee Harless asked why they did an overlay on Grant if they will have to go in and redo it later. Mr. Lorentzen explained it was done to extend the surface until the work can be done in the next two years. He said that portion was about \$6,000.00.

Trustee Singewald asked for an update on when ECI would come in and fix the issues in the park. Mr. Lorentzen said we are in the two-year warranty period. He will get with Jim Miller on what has been fixed and what still needs to be finished from the punch list. Trustee Singewald commented on the way the project was done. He asked that we hold off paying the ECI bill until they have fixed the issues.

Trustee Singewald would also like to pull the payment to Informaption. Mayor Brinkhoff felt the company did their job and would not have a problem sharing their process.

TRUSTEE MICHEL MOVED AND TRUSTEE MACDONALD SECONDED to approve the bills from September 13th and September 27th in the amount of \$159,385.76 minus the ECI bill. Roll call was the taken motion passed Trustee Singewald voted against.

11. Town Attorney Update

Mr. March did not have an update. Trustee Singewald asked if Mr. March had any information that he was not sharing with the Board. There was a suggestion that could be discussed in an executive session.

12. Town Administrator Update

Mr. Lorentzen updated the Board on the following:

- Garfield Storm Sewer Project – Finishing the replacement of the water line will start with the storm water pipe next.
- Waiting for Ken Padilla to return to town to get an easement for the bore from the railroad tracks to the Boxelder Creek across his property.
- Lane Annexation flood plain issue. FEMA is working on a new risk mapping for the Boxelder Creek which will be a new flood plain map. FEMA will probably ask for the town to adopt the new map. This might not be for two years, but there might be areas of Buffalo Creek that end up in the flood plain and require LOMA's. There was discussion about the Lane property and the south end of the Meadows. Trustee Michel asked if FEMA was looking at properties north of Wellington. Mr. Silar said the risk mapping would go up to the SCS dams. There was discussion about who looks at a breach in the dam vs 100-year flood. Mr. Lorentzen said for the town they look at the 100-year flood. They look at a dam breach as a catastrophic event and would require that the overflows be constructed of concrete overflows.
- Getting started with old town street and curb project on 2nd and McKinley.
- Walk through on the streets in Columbine Estates Phase 2 to review punch list items. The warranty will be up at the end of October.
- Bonfires getting streets paved. They should be ready for a walk through next week.
- The County is looking for a joint meeting with the Trustees. Suggested date is December 8th. No time or place yet.
- Town Administrators evaluation on next meeting.

Scheduling of Work Session

Budget at 6:30pm.

Other

Trustee Harless

- Asked if all the water line in Garfield was being pulled out. Mr. Lorentzen said we are running new line and abandoning the old line in place from First to Third street.

Trustee Singewald

- Asked if the Trustees pay is based on the number of meetings attended or a monthly amount. Mr. Lorentzen said a monthly amount.
- Timer and lights for next Board Meeting. Mr. Abbott said he would order it.
- Street lights at 6th and Washington. Mr. Lorentzen said we signed the contract and gave them a check. They said it would take 2-3 weeks. He would check on the progress.
- The Board gave direction to have Ken Wright work on water acquisition. Could be get an update. Mr. March said he spoke to Ken Wright about his progress. There has been discussion with Mr. Harrison. Mr. March said he would like to discuss this in an executive session.

Mayor Brinkhoff

- Pointed out a thank you card from one of the dance groups.
- He received an email concerned about the lack of parking especially handicap parking on Cleveland. Mr. Lorentzen said it is hard to have handicap spots in parallel parking. There is a spot in the Town Hall parking lot and in the open lot across the street from town hall. Trustee Macdonald mentioned a commercial truck that has parked over the handicap spot or multiple spaces in that lot. Mr. Lorentzen said he would check on that.

Regular Board Meeting

September 27, 2016

Page 11

Executive Session

TRUSTEE MICHEL MOVED AND TRUSTEE SINGEWALD SECONDED to adjourn the meeting. Roll call was taken and the motion passed unanimously. Meeting adjourned at 11:02pm.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk