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BOARD OF TRUSTEES
June 25, 2019
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 item)

1. CORRESPONDENCE AND MINUTES FROM COMMITTEES AND BOARDS

- a. Parks Advisory Board Minutes for April 17, 2019
- b. Wellington Colorado Main Streets Program Report for May and June.

2. CONSENT AGENDA

- a. Board of Trustee Minutes for June 11, 2019

3. OLD BUSINESS

- a. Fire District Impact Fees

4. NEW BUSINESS

- a. Accept resignation of Barry Friedrichs from the Wellington Housing Authority
- b. Resolution 21-2019 - Appointment of Amy Combs to Wellington Housing Authority
- c. Ordinance 7-2019 – Lot 7, 6th Street Business Park Minor Subdivision
- d. Ordinance 5-2019 – 2018 Building Code Adoption
- e. Ordinance 8-2019 – Update Building Fee Schedule
- f. Ordinance 6-2019 – Conditional Use for 3749 Harrison Ave
- g. Wellington Downs Letter of Credit

5. STAFF REPORTS

- a. Town Attorney Update
- b. Town Administrator Update
 - Strategic Plan Quarterly Update
 - Communications Specialist IGA Termination
- c. Trustee Update

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
June 25, 2019

The Regular Board Meeting was called to order at 7:33 p.m. June 25, 2019 at the Leeper Center 3800 Wilson Ave, Wellington CO.

TRUSTEES PRESENT: WYATT KNUTSON, MATT MICHEL, TIM WHITEHOUSE,
TROY HAMMAN and DANIEL SATTLER

TRUSTEES ABSENT: JOHN JEROME and JOHN EVANS

PRESIDING: TROY HAMMAN, MAYOR

ALSO, PRESENT: ED CANNON, TOWN ADMINISTRATOR
KELLY HOUGHTELING, ASSISTANT TOWN ADMINISTRATOR
CYNTHIA SULLIVAN, DEPUTY CLERK
BOB GOWING, PUBLIC WORKS DIRECTOR
CODY BIRD, TOWN PLANNER
MICHELLE VANCE, ECONOMIC DEVELOPMENT MANAGER
BRAD MARCH, TOWN ATTORNEY

Additions to or deletions from the agenda

Trustee Sattler asked if he could make a motion to change the meeting start time. Mr. Cannon said there would be an ordinance at the next meeting. There was a consensus from the Board to start the next meeting at 6:30 P.M.

Conflicts of Interest

None

Public to be heard on non-agenda items.

Jon Gaiter, 8132 4th St, asked if a 4-way stop could be added on 4th and Cleveland. Trustee Sattler said the problem is that Cleveland is a State Highway. Mayor Hamman said the subject has been brought to CDOTs attention and we are currently working on a striping plan.

Jack Killingsworth, of 7467 Horsechestnut St, addressed the Board about an Eagle Scout project for the Skateboard Park. He showed a mockup of a half-pipe. He had met with the Parks Advisory Board and they approved the concept. There would be no cost to the town. His next step would be to submit the project to the Boy Scout Clubs of America for approval. His plan is to do the construction on 4 consecutive Saturdays in August.

1. CORRESPONDENCE AND MINUTES FROM COMMITTEES AND BOARDS

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2. CONSENT AGENDA

- a. Board of Trustee Minutes for June 11, 2019

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to approve the Consent Agenda. Motion passed unanimously.

3. OLD BUSINESS

a. Fire District Impact Fees

Gray Green, Fire Chief, reviewed a growth study that was done for the Fire District illustrative of the growth impact on District services. This prompted a need to generate fees for new growth to pay for additional equipment and locations in the Fire District. The District is asking the town to participate in an Intergovernmental Agreement (IGA) to collect an impact fee at the time of building permits issuance.

Trustee Michel asked where the money for this fee would be utilized since the Fire District is larger than the Town limits. Chief Green explained that the fees would be on new development and that the District will be going through the same IGA process with the County. He said monies collected from each entity would be kept separate and would be used only in those areas. There was discussion about a future substation. There were questions about the fee schedule as it pertained to commercial properties and when it would take effect. Chief Green said they would like the fee to take effect as of August 1st.

Steve Sarno, and Kelly Townsend, commented in support of the Fire District.

Mr. Gaiter asked for clarification as to how the fees were assessed. Chief Green explained that the District looked at necessary capital investments and divide the improvement costs by population in the service area.

Mr. March suggested an amendment to allow the town to terminate the IGA. The attorneys for the town and District will confer and Mr. March will report back to the board.

4. NEW BUSINESS

a. Accept resignation of Barry Friedrichs from the Wellington Housing Authority

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to accept the resignation of Barry Friedrichs from the Housing Authority. Motion passed unanimously.

b. Resolution 21-2019 Appointment of Amy Combs to Wellington Housing Authority

TRUSTEE WHITEHOUSE MOVED, AND TRUSTEE SATTLER SECONDED to approve Resolution 21-2019 appointing Amy Combs to the Wellington Housing Authority. Motion passed unanimously.

c. Ordinance 7-2019 – Lot 7, 6th Street Business Park Minor Subdivision

Mr. Bird said there are three components associated with this item. A minor subdivision of one lot into 2 lots, a conditional use to allow a future drive through and a site plan all of which had been approved by the Planning Commission. He reviewed the phasing of the two lots and noted that the lot next to 5th street would have the possible drive through. The ordinance has two conditions recommended by the Planning Commission. (1) Install a grease interceptor to accommodate the drive through, and (2) limit the drive through to not allow liquor sales. Only uses which are permitted by the zoning district standards shall be permitted unless other approval by the Town.

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to approve Ordinance 7-2019 Lot 7, 6th Street Business Park Minor Subdivision. Motion passed.

d. Ordinance 5-2019 – 2018 Building Code Adoption

Mr. Bird explained that the ordinance would update the building codes from the 2012 to the 2018 edition. He listed the additions and the amendments to the codes. He said in the past the code was amended to remove the requirement for fire sprinklers in new single-family homes to have fire sprinklers. Staff recommendation is to continue that amendment and add duplexes to the list of structures requiring sprinklers, but not to add residential buildings with three (3) or more attached units. The proposal is to add radon mitigation protection and ice and water shields for roofs and roof replacements. Appendix M in the international residential code is added to increase flexibility for in-home day care. This would increase the ability for day cares to have up to eight clients with one provider. The current code limit is 5.

Trustee Michel asked if staff had communicated with the local builders on how the changes would affect new building. Mr. Bird said staff began publishing and providing information starting on May 1st on the website and around the building department. There have been 4 public meetings to meet with builders and get their responses. Caleb Sulzen, from Safe Built, addressed how the changes could affect costs in construction.

Public Comment:

Comments regarding occupancy Vs clientele, speaking against the way appendix M was written were Allie Sutula, Mike Bean, Kirsten Normington-Mellon, Angie Billington, Casey Junker, Alicia MacArther, Ashley Shepard, Jordan Ferrero, and Alisha Myers.

Monica Sweere, the developer of Wellington Row voiced opposition to the requirement for fire sprinklers in townhomes that have 3 or more units.

Further discussion regarding impacts on in-home day care operators with further information from Caleb Sulzen and Gary Green. It was suggested that the Board approve the code as represented but allow those day care provides to apply for conditional use approval with additional fire mitigation.

TRUSTEE SATTLER MOVED, AND TRUSTEE KNUTSON SECONDED to approve Ordinance 5-2019 to adopt The International Building Code, 2018 Edition, The International Residential Code, 2018 Edition, The International Plumbing Code, 2018 Edition, The International Mechanical Code, 2018 Edition, The International Fuel Gas Code, 2018 Edition The International Fire Code, 2018 Edition, The International fire sprinklers Energy Conservation Code, 2018 Edition, The International Property Maintenance Code, 2018 Edition, The International Existing Building Code, 2018 Edition, and The International Swimming Pool and Spa Code, 2018 Edition with amendments. Motion passed, Trustee Michel voted against.

The Board recessed at 10:34 p.m. and reconvened at 10:40p.m.

e. Ordinance 8-2019 – Update Building Fee Schedule

Mr. Bird reviewed the changes and additions to the Building Fee Schedule and Land Use application schedule. The last fee increase was in 2011 and many things have changed including staffing and demand. There was discussion about when the new fees would go into effect and how that relates to

permits that are currently in process. Trustee Sattler asked what the difference was between conditional use and non-conforming use. Mr. Bird gave examples of non-conforming uses.

TRUSTEE KNUTSON MOVED, AND TRUSTEE WHITEHOUSE SECONDED to approve Ordinance 8-2019 Update Building Fees. Motion passed.

f. Ordinance 6-2019 – Conditional Use for 3749 Harrison Ave.

Mr. Bird said this is a single-family residential structure that was purchased by the Town to convert into office space and is allowed conditional use in the Transitional zone. As proposed two future occupancies would eliminate the conditional use. (1) change of ownership, and (2) a future re-zoning of the property to allow commercial use.

TRUSTEE SATTTLER MOVED, AND TRUSTEE WHITEHOUSE SECONDED to approve Ordinance 6-2019 – Conditional use for 3749 Harrison Ave. Motion passed unanimously.

g. Wellington Downs Letter of Credit

Mr. March updated the Board as to the Wellington Downs punch list and advised that required items had been complete, excepting the irrigation system and unpaid invoices. There was a discussion on the need to either pull the letter of credit or off set the amount owed to the Town from the reimbursements due to the developer for improvements to the interchange. The Board directed staff to pull the letter of credit if issues related to the unpaid invoices were not resolved.

5. STAFF REPORTS

a. Town Attorney Update

b. Town Administrator Update – Mr. Cannon mentioned the 4th of July activities. There was a discussion about the ice cream social.

Next meeting

- Ordinance for meeting times
- Tap fees
- Strategic Plan Update

c. Trustee Update

Trustee Sattler asked about the water pressure. Mr. Gowing said he would check on it.

There being no further business the meeting adjourned at 11:20 p.m.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk