



TOWN OF WELLINGTON

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BOARD OF TRUSTEES

August 23, 2016

LEEPER CENTER – 3800 WILSON AVE.

Work Session – Capital Improvement Plan - 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

- Wellington Middle School Cross Country Meet – Community Park

CONSENT AGENDA

- Board of Trustee Minutes for August 9, 2016
- Larimer County Sheriff's Report for July 2016
- Boxelder Basin Stormwater Authority Minutes for June 27, 2016

NEW BUSINESS

1. Ordinance 17-2016 – Subdivision & Conditional Use Lot 2 Wellington Manor
2. Ordinance 18-2016 - Thimmig Subdivision Plat
3. Resolution 31-2016 - Street Closure for Duathalon
4. Resolution 32-2016 - Adopting Bob's Rules
5. Proposal for Preliminary Trail Design - JUB
6. IGA – I-25 Funding from Road & Bridge Tax
7. Discussion – Transients and Public Safety
8. Bills for Approval
9. Town Attorney Update
10. Town Administrator Update

SCHEDULING OF WORK SESSIONS

OTHER

11. Executive Session

ADJOURN

BOARD OF TRUSTEES
REGULAR BOARD MEETING
August 23, 2016

Following a work session on Capital Improvement Plan the Regular Board Meeting was called to order at 7:31p.m. August 23, 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
CYNTHIA SULLIVAN, DEPUTY CLERK
BRAD MARCH, TOWN ATTORNEY
DON SILAR, TOWN ENGINEER

Additions to or deletions from the agenda

None

Conflicts of Interest

None

Public to be heard on non-agenda items.

None

Correspondence

None

Presentations

Wellington Middle School Cross Country Meet – Community Park

Greg Strutz, Dean of Students Wellington Middle School, said the school has been asked to host a cross-country meet this year. They would like to hold the event at the Wellington Community Park. Trustee Harless asked how many laps would they do. Mr. Strutz said about two, they have mapped out the course. The meet would be October 5th from about 3:30 pm to 4:30 pm. He said that 3 other schools would participate with about 100 students. They would need parking for 3 buses. Mr. Lorentzen said they would not need any street closures. Mr. Strutz said they would like to mark the course with chalk and possibly field chalk. Trustee Harless asked if this needed a motion, Mr. Lorentzen said it would only need a consensus. All Board members were in agreement.

Consent Agenda

- Board of Trustee Minutes for August 9, 2016
- Larimer County Sheriff's Report for July 2016
- Boxelder Basin Stormwater Authority Minutes for June 27, 2016

Trustee Singewald asked if Sergeant Rairdon noticed any increase in calls. Sergeant Rairdon said they are working on a presentation to show the increase in calls and how they correlate to the increase in population.

TRUSTEE SATTLER MOVED AND TRUSTEE MACDONALD SECONDED to approve the consent agenda. Roll call was taken and the motion passed unanimously.

NEW BUSINESS

1. Ordinance 17-2016 – Subdivision & Conditional Use Lot 2 Wellington Manor

Justin Beckner, of United Civil Engineering representing the applicants Bruce and Vicky Beckner, said this proposal is the subdivision of a lot for four townhomes. The .33-acre lot is located on the southwest corner of Harrison Avenue and Fifth Street. He showed the size and elevation of the units. He spoke about the towns requirements for a minimum lot width of 25 feet and how it compares to other municipalities. They would be going to the Variance Board to ask for a reduction for the interior lots. He mentioned the use of 24-foot-wide would help with building since construction is based on 16-foot segments for walls. Mr. Lorentzen said the ordinance as written approves it subject to amending the plat or receiving a variance. He said that other municipalities do work differently with lot widths, the Planning Commission will be looking at possible changes to the code. Trustee Michel asked if there were any concerns from the public at the Planning Meeting. Trustee Cox said there were concerns about parking. Mayor Brinkhoff said these units provide off street parking for their residents so that addressed the parking issue.

Trustee Singewald asked if either of the Board members on the Board of Adjustment as alternates would need to attend the Board of Adjustments meeting. Mr. Lorentzen said he did not know if all the regular Board of Adjustment members would be at the meeting, so it is possible that the alternates might need to attend.

Trustee Michel asked if the 4 plex across the street had separate parcels. Mr. Lorentzen said at one time it was separate lots, but there was a request to remove the lot lines. Mr. Beckner said these would be sold separately unless an investor wanted to buy all four units.

Mr. March pointed out the signature block on the plat and said that this needs to be corrected.

TRUSTEE SATTLER MOVED AND TRUSTEE MACDONALD SECONDED to approve Ordinance 17-2016 an ordinance relating to plat approval for Villas at Wellington Manor. Roll call was taken and the motion passed Trustee Michel voted no and Trustee Singewald abstained.

2. Ordinance 18-2016 – Thimmig Subdivision Plat

Mr. Lorentzen said the Town is the applicant for this item. He explained that the town and Boys and Girls Club purchased part of this property. The other portion is owned by a church who received it through a donation by a previous owner. He said the intent would be to legally divided the property into three parcels. The Wellington Community church as the northern most 10 acres. The rest would be divided equally between the Boys and Girls Club taking the northern part of the jointly owned parcel and the town would take the southern part. Chuck Mayhugh, representing the Boys and Girls Club, said they would like to start working on their part of the site.

Trustee Michel asked if the church had any concerns. Mr. March said he spoke with a representative for the Church and would follow up. He said the Church is required to sign the plat. He would need to certify that all signatures are from the owners of the properties. He would also need to check to see if there were any easements for utilities or the ditch company and have it certified by an attorney. There was a question on how long that would take. Mr. Mayhugh said they are trying to schedule soils tests in the next 60 days and infrastructure design work with the town. Mr. March said the town should not have a problem with moving forward with the testing. Trustee Michel said the county's map already shows the parcels so do

we still need to involve the church. Mr. March gave a history on how the parcel was conveyed. Unfortunately, it was never legally subdivided. Mr. Lorentzen said the legal description that had been given to the Church showed they owned half of Sixth Street. This ordinance would clean up all these issues. Mr. Lorentzen said the street on the map is not named. The Boys and Girls Club suggested Great Futures Place. He said it aligns with Franklin Avenue, but is not a through street. Ms. Sullivan explained how the street names work in the county system and with emergency services.

Trustee Harless asked will this limit the towns ability to sell our portion of the property. Mr. March said there might be issue with being a public property. Sales of town property has to go to the voters.

Mr. Mayhugh said they will want to work with the town on the extension of the water/sewer, electrical and gas lines through the property to the cul-de-sac. There was discussion about improvements to Sixth Street.

TRUSTEE MACDONALD MOVED AND TRUSTEE SATTLER SECONDED to approve Ordinance 18-2016 the Thimmig Addition plat with recommendation to name the Street Great Futures Place. Roll call was taken and the motion passed Trustee Michel voted no.

3. Resolution 31-2016 – Street Closure for Duathalon

Mr. Lorentzen said this is an annual event for the Schools. There are no changes in the course. The event will be on September 29th from 5-7pm. No negatives comments were received. Trustee Macdonald asked that they be reminded to take down all directional signs after the event.

TRUSTEE SINGEWALD MOVED AND TRUSTEE COX SECONDED to approve Resolution 31-2016 street closures for Eagle Fit Duathlon. Roll call was taken and the motion passed unanimously.

4. Resolution 32-2016 – Adopting Bob’s Rules

Mr. March said by adopting Bob’s Rules it helps to simplify how this legislative body runs. Robert’s Rules are extensive and covers a multitude of procedures that are needed at the Federal and State level governments, but may be confusing for local or small governmental entities. This would be general guidelines for this governmental Board.

Trustee Singewald thought that part of this adoption would be to set some specific standards. Mr. March felt the specifics could be addressed as policies and not make them part of the code which would be covered in this resolution.

There was discussion on setting time limits and equipment to note time available. Mr. Lorentzen said we can add a statement to the agenda the time limit for public comments. Mr. Abbott is looking into equipment and software to facilitate this issue.

Trustee Harless mentioned the section on the use of abstaining on a motion. There was further discussion about abstentions.

TRUSTEE SINGEWALD MOVED AND TRUSTEE SATTLER SECONDED to approve Resolution 32-2016 adopting Bob’s Rules for governance of Town Board Meeting. Roll call was taken and the motion passed Trustee Macdonald voted against.

5. Proposal for Preliminary Trail Design – JUB

Mr. Abbott explained that a Request for Proposal (RFP) went out for the Boxelder Creek Trail System and we received 5 proposals. He, Don Silar and Lorilyn Bockelman reviewed the proposals. They chose 2

companies, Alta Planning and Design and JUB Engineers, to interview. Mr. Abbott said based on the interviews and completeness of their proposal we recommend JUB Engineers Inc. in the amount of \$40,402.00.

Trustee Singewald asked what the scope is of the work they will be doing. Mr. Silar said this is the preliminary study which is 30% of the design of the trail that entails alignment of the trail and any environmental issues. They will submit several alternative routes. Mr. Lorentzen said the goal would be to get a proffered trail plan so the appropriate easements and crossing permits could be requested. This would be from Jefferson Avenue to Washington Avenue.

Trustee Harless asked if the final design would cost over \$160 thousand. Mr. Silar said that we have not negotiated the amount for the final design or construction.

Trustee Michel asked about the \$10,000.00 difference in the proposals. Mr. Abbott explained that JUB had more in their scope and their community involvement. Mr. Silar said the goal is to have three alternatives. Jeff Temple and Kirsten Armbruster, of JUB Engineers, were in attendance and available for questions. Mr. Temple said they would have several options with Pros and Cons and costs. They would have it complete by the end of the year. Mr. Silar explained that anyone can put a proposal on paper so the interview is important when choosing the right company. There was further discussion about how the decision was made and funding for the project as a whole. Mr. Abbott said he would be putting in grants for GOCO money.

Mr. Mayhugh felt the company should be able to give some sort of estimated for the cost. Trustee Singewald asked Mr. Temple if the \$200,000.00, discussed in the work session, per section would be a good estimate. Mr. Temple explained that the trail materials would not be the expensive part. He listed several items that they won't know the cost of until they get more into the study. There was further discussion on this item. Trustee Singewald said the trail system is important to a lot of residents. He said we should go with the recommendation from the interviewing group. Trustee Cox asked how close in cost will you be when you bring us back the three options. Mr. Temple said they would probably be within 10 percent plus or minus. He noted that their company is currently doing a project in Boulder County where they are working with the railroad on an access under the railroad tracks. We will be able to use that information toward this project. Mr. Silar said even though there was about \$11,000.00 difference between the bids. We looked at what was being provided in the bid and if you add some of the things that were left out of Alta's proposal it would add up to be a small difference in the bids.

TRUSTEE SINGEWALD MOVED AND TRUSTEE SATTLER SECONDED to approve proposal from JUB Engineers Inc. in the amount of \$40,402.00. Roll call was taken and the motion passed Trustees Singewald, Cox, Sattler, and Mayor Brinkhoff voted for and Trustees Harless, Michel, and Macdonald voted against.

6. IGA – I-25 Funding from Road & Bridge Tax

Mr. March said the purpose of the Inter-Governmental Agreement (IGA) is to increase the amount in the Road and Bridge Fund to raise money for the repair and enlargement of several bridges along the I-25 corridor. The money they raise is to be used as matching funds for grants. The need for the repair on the bridges are to allow Colorado Department of Transportation (CDOT) to widen the interstate to three lanes. He explained based on CRS 43-202 if the county raises the mills for the Road and Bridge Fund it is supposed to split this revenue 50-50 with the municipalities. The County is asking the municipalities to contribute their 50% back to the County to use on the bridge project. Wellington's portion of these fees is around \$13,000.00. Mr. March was asking if the Board had any problem with contributing their amount

back to the County. He said the agreement is still a draft and all parties would have to review it before it is signed.

Trustee Michel asked if this would be increasing taxes. Mr. March clarified that additional money from property taxes would be allocated toward the Road and Bridge Fund.

Trustee Singewald commented that this is a CDOT project and our bridge is not being looked at. He said if none of the entities participate then we don't get any money. If the others entities participate the money is available for us. The County would like us to contribute that money to this project. There was discussion about the use of the new third lane as a toll lane.

Trustee Sattler asked what the difference was between this and Resolution 27-2015. Mr. Lorentzen said the county was trying to raise matching funds for a grant, but did not receive the grant. This project they are trying to raise \$25 million from both government and private entities.

Trustee Harless asked how we would know that it will stop once the project is complete. Mr. March said these funds would have to be appropriated annually.

Trustee Cox asked how much have we been getting. Mr. Lorentzen said approximately \$13,000.00. He said Linda Hoffman is supposed to provide us with a table of the contributions from the public and private sectors. That information would be brought back for review when the IGA is put on the agenda for action. Mr. Lorentzen said Fort Collins would be contributing \$2 million over their allotted amount from the Road and Bridge Fund.

No action was needed.

7. Discussion – Transients and Public Safety

Trustee Harless said there have been a lot of comments on social media and he had received concerns about transients. He asked Sergeant Rairdon if Wellington residents should be concerned and is there an increase in transients in town and is there anything we could do? Trustee Macdonald asked for clarification of what type of comments are being made. Trustee Harless said comments of trespassing on private property. Sergeant Rairdon said he did not see any increase in calls from the old town area. Most of this is rumor mill and social media makes it easier for rumors to perpetuate. He said we have seen more transients. He blamed that on Fort Collins for providing more services to help homeless and are attracting more transients. Wellington does have homeless people who do need help. Transients tend to stay close to the interstate and the worse thing people could do is give them money. This gives them a reason to stick around. He said their department contacts these people and to see what kind of help they need or where they are going and usually gives them a ride. With regard to pan handling there is not much they can do but they can do something if the person is trespassing on private or public property. Trustee Harless said he just wanted to address an issue that was of concern. Mr. March mentioned that the interstate off ramps is not under our jurisdiction and so people cannot be ticketed for trespassing. Sergeant Rairdon said the only time they could contact a person is if they are interfering with the traffic. Trustee Michel said he has a business close to the interstate and the only contact he has had is people asking if there were any jobs available.

8. Bills for Approval

Fort Collins Baseball Club	\$ 1,590.00
Seacrest Group	1,675.00

Buffalo Creek Subdivision at Wellington	1,121.33
DPC	1,761.40
Ramey Environmental Compliance	2,285.10
Interstates Construction Services	4,600.00
Carnes Services	4,800.00
Shelter Specialist, LLC	6,705.00
JVA Consulting Engineers	9,075.00
ECI Site Construction Management	19,555.26
First National Bank	22,454.99
Hydro Construction Company	<u>119,517.68</u>
	\$195,140.76

TRUSTEE SINGEWALD MOVED AND TRUSTEE MACDONALD SECONDED to approve the bills in the amount of \$195,140.76. Roll call was taken and the motion passed unanimously.

9. Town Attorney Update

Mr. March updated the Board on the following:

- Waiting on the agreements from Tim Dow about the Pedestrian Crossing.
- Talked with Ken Wright about the water report. Mr. Wright was going to get in touch with Mr. Harrison.
- Item with regard to signage and the current State Supreme Court decision. He will suggest some provisions be changed in the code regarding business signage and political signs. He would check with other municipalities on how they are dealing with this decision. Trustee Michel asked what Fort Collins is doing with this item. Mr. March said he has a meeting with the Fort Collins Attorney next week to discuss this issue.

10. Town Administrator Update

Mr. Lorentzen updated the Board on the following:

- Request for Proposal for Highway access study for the restriping of Cleveland Ave. The problem is that CDOT wants the study before they decide on the striping plan and we were looking for the striping plan before we did the study. Mr. Lorentzen said we will have to do a study at some point because there will be additional access requests on Highway One for the Sage Meadows Subdivision.
- Wellington Downs – Had to issue a stop work order on Wednesday August 17th until we received the Letter of Credit. The letter was received on Friday August 19th.
- O'Reilly's site plan for Cleveland and Sixth will be on the September Planning Commission meeting. They have changed the type of building from a steel to block.
- Sage Meadows is still working with North Poudre Irrigation on an agreement for the ditch.
- Boxelder Commons is moving forward with the next phase. He met with them on how they are going to complete the phases, connection to a sewer line and abandon another, and completion of Third Street to Jefferson. We will need a new letter of credit.

Scheduling of Work Session

None

Other

Trustee Harless

- The last concert in the park had a better turn out.
- County is not keeping the weeds down around the eastside detention pond.

- Asked about the role of the Economic Development Committee as an autonomous group – Mr. March said he was contacted as to whether they fell under open records requests. He felt it is not a town committee and is not subject to open meetings or open records. There was a discussion about who is on the committee. Mr. March said that Mr. Abbott could not hold an office on the committee if he is attending as an employee and any documents he receives would be subject to open records request. He also mentioned if a Trustee is participating as a representative of the town all documentation they receive would be subject to open records requests. Trustee Macdonald asked how other town's deal with economic development. Mr. Lorentzen said some towns have staff members that go to these meetings as part of their jobs. There was further discussion. Mr. March and Mr. Abbott would collect more information from other communities.

Trustee Singewald

- The Mexican Restaurant is open.
- Asked if there was an update on the boxelder study. Mr. Silar said he received the report. He and Mr. Lorentzen wanted to go through the commercial properties before bringing it back to the board. Trustee Singewald said he and Trustee Harless would like to check some test properties before it goes to the Board.

Trustee Macdonald

- Doing interviews for the Main Street Directors position. Five applicants are being interviewed.

Trustee Cox

- Asked when updates would be made on the website for the minutes and parks. Ms. Sullivan said the minutes have been updated to the last meeting in July. Mr. Abbott said we are getting new pictures.

Trustee Sattler

- Reviewed the information he received from the DOLA Small Communities work shop he attended. He received a lot of good information and it was a good way to network with other communities.

11. Executive Session – Town Administrator Evaluation

Postponed.

TRUSTEE SINGEWALD MOVED AND TRUSTEE MACDONALD SECONDED to adjourn the meeting. Roll call was taken and the motion passed Trustee Michel abstained. Meeting adjourned at 9:47pm.

Respectfully submitted:

Cynthia Sullivan, CMC
Deputy Town Clerk