

RECORD OF PROCEEDINGS

Town of Estes Park, Larimer County, Colorado, September 3, 2009

Minutes of a Regular meeting of the **COMMUNITY DEVELOPMENT COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in Town Hall in said Town of Estes Park on the 3rd day of September 2009.

Committee: Chair Levine, Trustees Eisenlauer and Miller

Attending: Chair Levine, Trustees Eisenlauer and Miller

Also Attending: Town Administrator Halburnt, Deputy Town Administrator Richardson, Directors Pickering, Kilsdonk, Joseph and Marsh; Managers Mitchell and Winslow, PIO Rusch, and Deputy Town Clerk Deats

Absent: None

Chair Levine called the meeting to order at 8:00 a.m.

PUBLIC COMMENT.

Mike Menard, President of the Estes Valley Contractors Association, noted that bid documents for the grandstands at the fairgrounds did not include a provision for local preference. He stated that the construction industry in the Estes Valley is struggling and asked if the bid documents could be amended to include such a provision. He also requested that the Contractor's Association be notified of Town work that is going out to bid. The Committee voiced their support of local participation in Town projects. Town Administrator Halburnt stated that construction of the grandstands is an Estes Park Urban Renewal Authority (EPURA) project and that EPURA staff would be contacted regarding a local preference addendum to the bid documents.

Mark Westover, Westover Construction, stated that since it would take approximately 100 hours and money out of pocket to prepare a bid for the grandstands project he may not bid the job without a local preference provision. He said with the possibility of local preference being applied he would attend the pre-bid meeting and make a decision about bidding the project.

Kerry Prochaska, Cornerstone Construction Concepts, Inc., stated that on a project such as the grandstands it would not be possible to use all local contractors as the structure requires a steel erection contractor which is not available in Estes Park. He stated the prospect of an EPURA project staying local may stop a trend of EPURA work leaving town that has developed over the past years, and emphasized that money spent in town stays here.

CONVENTION & VISITORS BUREAU.

SURPRISE SIDEWALK SALE RESOLUTION.

This year's Surprise Sidewalk Sale is scheduled for October 11th and October 12th from 10:00 a.m. till 5:30 p.m. This shoulder-season event is open to all Estes Park businesses; space in Bond Park is offered to businesses without a downtown location to encourage participation in the event. Event guidelines/rules will be distributed to participants with Code Enforcement Officer Hart available to address merchant concerns prior to the Sale. Staff recommends adoption of a resolution to allow the Surprise Sidewalk Sale to be held in the CD zoning district. The **Committee recommends approval of the Resolution**, as presented.

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REPORTS.

Reports provided for informational purposes and made a part of the proceedings.

- Marketing Committee
- Media Relations

Reports indicate that Visitor Guide requests have increased 63.2% over 2008 with visitors to the CVB up as well. Coordinator Blackhurst reported that a \$5000 gift certificate will be utilized for an on-line campaign on the USA Today website to promote summer visitation in 2010. Coordinator Blackhurst won the gift certificate while at a marketing conference in Atlanta.

MUSEUM/SENIOR CENTER SERVICES DEPARTMENT.

REPORTS.

Reports provided for informational purposes and made a part of the proceedings.

- Museum Monthly Report
- Senior Center Monthly Report

Dir. Kilsdonk introduced Alicia Mittelman, Curator of Education, who was recently hired at the Museum. She stated two consultants visited the Museum during the first week of August through a non-matching grant from the National Endowment for the Humanities; their recommendations will be reviewed at a future Community Development Committee meeting.

Mgr. Mitchell reported that July visitation at the Senior Center was the highest ever recorded.

COMMUNITY DEVELOPMENT.

SKILLS AND KNOWLEDGE BASED QUALIFICATIONS FOR CONTRACTOR LICENSING.

The Town currently requires contractors and subcontractors working inside the city limits to purchase a business license. The cost for the business license is \$200 and the issuance is not based on testing or qualifications. Larimer County recently enacted a new qualifications-based contractor licensing program. This approach is common in many Colorado jurisdictions and the Larimer County program could be used as a template for a transition to a qualifications-based Town license. The Town would accept testing-based and experience-based qualifications from Larimer County or any other Colorado jurisdiction that adheres to the same locally adopted standards. Division of Building Safety staff is recommending testing and licensing of contractors and all commercial building permit applicants within the Town. Staff recommends the following exemptions to Town contractor testing and licensing requirements:

1. Contractors requiring State licensing and/or approved pre-engineered/proprietary certification, and projects where the scope of work is limited to such contractors, shall not require additional testing, but shall require Town business licenses.
2. Owners of structures regulated by the International Residential Code shall be permitted to work on their own home and accessory structures without required licensing, provided they occupy the dwelling. Exemption from required testing and/or licensing does not include exemption from any other requirements including, but not limited to, obtaining required permits.

Staff recommends the types of contractor licenses and licensing requirements be consistent with the requirements of Larimer County. Dir. Joseph stated his purpose was to introduce the topic to the Committee with no expectation of action until additional input can be gathered from local contractors. Discussion included the following: Larimer County implemented licensing to address gypsy contractors; County licensing

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requirements include proof of citizenship, certification that employees are lawfully present in the U.S., proof of insurance coverage, and a valid current license issued by another Colorado entity or a passing grade on the International Code Council (ICC) exam; standardized test is administered nationwide at testing centers; testing translates into considerable expense for time away from work, book, testing and licensing fees; consider experience when licensing; contractor's license should be distinguished from business license; no fee increases for contractors; and code adoption and contractor licensing are two separate issues. Chair Levine stated that discussion on this topic will continue at next month's Community Development Committee meeting.

Rex Poggenpohl, County resident and retired architect, suggested that, as this is a major change for local contractors, consideration be given to the issuance of a conditional license to allow contractors a defined period of time to qualify and comply with the licensing requirements.

SIGN CODE TASK FORCE RECOMMENDATIONS.

Discussion related to banners and the sign code which took place earlier this year, led to the creation of a Sign Code Task Force to conduct an evaluation of the existing sign code. The Task Force membership consisted of downtown business owners, owners of businesses in outlying areas, sign makers, Town staff, Town Administrator Halburnt and Trustee Miller. The Task Force has completed their evaluation, identified approximately 50 points for consideration, and summarized their recommendations for review. Dir. Joseph stated that revision of the sign code represents work that may be accomplished in phases as an in-house staff task and requested direction from the Committee. The Committee's discussion of the recommendations is summarized as follows: move ahead with banner revision as independent topic separate from general sign code housekeeping issues; categorize recommendations into housekeeping items and long-term items; don't wait for complete re-write of sign code to take care of simple amendments and housekeeping issues; prioritize remaining recommendations; proposed special review process would add element of flexibility within the code; special review not for everyone, but could provide uniformity for large projects; and what entity would perform such a review?

Karen Steadman, owner of Karen's Flowers and member of the Sign Code Task Force, stated that two things became apparent after serving on the Task Force. 1. Estes Park does not have an underlying theme/town image; and 2. the sign code must be enforced uniformly and fairly. She stated that the existing sign code does not make sense for our community but an underlying theme/town image would make the codes make sense. She said that complaint-driven sign code enforcement appears to be selective and that without uniform enforcement, the work of the Sign Code Task Force was a waste of time, and stated that she has been the object of selective enforcement in the past. Trustee Miller added that during conversations about enforcement the Sign Code Task Force discussed implementing standardized fines, similar to parking tickets, for violations to the sign code.

Chair Levine thanked the members of the Sign Code Task Force for their efforts and their ideas related to increasing the public's knowledge of the code and providing front end information to businesses. Staff will work on revising and prioritizing the summary of recommendations and return to the October Community Development Committee meeting to request approval to proceed with sign code revisions.

REPORTS.

Reports provided for informational purposes and made a part of the proceedings.

- Community Development Financial
- Monthly Building Permit Summary

Dir. Joseph stated that the Permit Tech position recently vacated by Connie Bowser, will

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not be filled at this time due to the downturn in new construction and development projects.

ADMINISTRATION.

PROCUREMENT DRAFT POLICY REVIEW.

At the direction of the Town Board, a draft Procurement Policy was prepared for review by the Community Development Committee. The Committee expressed overall satisfaction with the policy which focuses on purchases for goods and/or services in excess of \$30,000, but requested that the current procedure for purchases less than \$30,000 be added to the policy. Discussion included: the draft policy has been prepared with input from department heads and reviewed by Town Attorney White; should agencies receiving Town funds, such as recipients of Community Service Grants be subject to this policy?; distinguish between government entities and organizations that receive funding from the Town; separate procedures for Requests for Proposals (RFP) from bids; general clause to retain a degree of flexibility; policy addresses sole source purchases; define multi-phased projects; continuity between multi-phase construction projects; include local contractors association to be advised of construction projects; show commitment to local contractor preference; and include finalized policy in packet for new trustees. Staff will address the points of discussion and move forward with the policy.

There being no further business, Chair Levine adjourned the meeting at 9:54 a.m.

Cynthia Deats, Deputy Town Clerk