

Town of Estes Park, Larimer County, Colorado, January 23, 2001

Minutes of a Regular meeting of the Board of Trustees of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 23rd day of January, 2001. Meeting called to order by Mayor John Baudek.

Present: John Baudek, Mayor
 Susan L. Doyley, Mayor ProTem
 Trustees Jeff Barker
 Stephen W. Gillette
 David Habecker
 Lori Jeffrey

Also Present: Rich Widmer, Town Administrator
 Vickie O'Connor, Town Clerk
 Gregory A. White, Town Attorney

Absent: G. Wayne Newsom, Trustee

Mayor Baudek called the meeting to order at 7:00 p.m.

PUBLIC COMMENT

Patrick Cipolla urged the Town Board to appoint a Police Chief from within based on the fact that the Town could save money and there is a qualified employee on board. Gregg Filsinger has over 20 years with the Town, and he is respected by the community, his peers, and most importantly by his subordinates. Other instances of appointing within the ranks were cited.

Mike Wallace addressed the Board on this same matter, reading a "Letter to the Editor" he plans on submitting to the newspaper.

Trustee Habecker urged the Town Board to reply on this matter, thus Town Administrator Widmer stated that some items cannot be addressed publicly, however, the subject was discussed at length by the Town Board. The decision to hire a recruiting firm to recruit candidates in no way reflects on Deputy Chief Filsinger; it is recognition that a Police Chief is an extremely important position. The needs and desires of the entire community, as well as different segments of community, is the only reason a firm was selected. Mayor Baudek added that hiring a recruiting firm does not imply that current employees will not be considered or selected.

TOWN BOARD COMMENTS

Mayor Baudek offered the Board's condolences to Mike Miller, former Trustee, in the passing of his wife, Kathleen. Kathleen was very involved with the Community and she will be missed.

1. CONSENT AGENDA (Approval of):

1. Town Board Minutes dated January 9, 2001.
2. Bills.
3. Committee Minutes:
 - A. Light & Power, January 11, 2001:
 1. Fall River Hydro Plant Interpretive Exhibit Contract – Revised.
 - B. Public Works Committee, January 18, 2001:

1. Stanley Ave./Hwy. 7 Intersection Reconstruction Project.
 2. Stanley Ave. Trail Project.
 3. Municipal Building Projects (Elevator Rehab.; Air conditioning; Rm. 203 Remodel; and Remodel Design Firm solicitation for 2002 Project).
 4. Resolution #3-01 – Approving CDOT Grant Contract for Causeway Underpass/Trail Project.
 5. Water Dept. Year 2000 Loop Project – Expand Scope (change order).
 6. Water Dept. Year 2001 Loop Project – Design scope of services.
4. Resolution #2-01 – Intent to Annex Dunraven Heights First Addition, and set public hearing on February 27, 2001.
 5. Resolution #4-01 – Intent to Annex Uplands/Fish Creek Road #1, Uplands/Fish Creek Road #2, and The Uplands at Fish Creek Addition, and set public hearing on February 27, 2001.

It was **moved and seconded** (Gillette/Doylen) **the Consent Agenda be approved**, and it passed unanimously.

2. ACTION ITEMS:

1. **TREE BOARD ANNUAL REPORT PRESENTATION.** Alice Gray, Tree Board Secretary presented said Annual Report. Board members include: Jeff Barker, Wendell Amos, Alice Gray, Dick Lang, Dan Speedlin, Tim Rische, and Russ Franklin. Year 2000 goals and activities were reviewed. Street/Parks Supt. Speedlin responded to a question on the overall condition of trees in Estes Park, reporting that the pine beetle is the largest threat to pine trees in the Estes Valley, and that elk and beavers pose a threat to trees in the downtown area. Appreciation was offered to the Tree Board for their efforts.
2. **EPURA – PRESENTATION OF 2001 PROJECT PRIORITIES.** Chairman Putney and Director Smith distributed a memorandum addressing EPURA's Revenue Stream and Cash Flow, and announced EPURA's established Project Priorities for 2001, as follows (not necessarily in order):
 - Extension of Streetscape amenities along the western periphery of Stanley Village within the right-of-way of Hwy. 34, to link Stanley Village to the CBD functionally and aesthetically.
 - Improvement of the existing Tallant Park parking area on the south side of the river to accommodate approx. 3 times as many parking spaces in close proximity to the Riverwalk.
 - Provide signage relative to the Riverwalk and the underpass connection to the Riverwalk.
 - Assistance in the implementation and financing of a community performing arts center.
 - Proceeding with the next steps relative to key real estate acquisition within the Walkway Westward project area.
 - Continuation of sunrise symposia.
 - Active involvement in the Estes Valley Transportation Alternatives Study.
 - Exploration of extension of EPURA financial life beyond 25 years and possible expansion of the Urban Renewal Area to achieve key community project goals.
 - Detailed planning and implementation of initial element(s) of Walkway Westward.

Chairman Putney requested the Board approve the aforementioned list of priorities. Administrator Widmer commented on the very successful retreat, adding that board members are working well together.

Trustee Habecker noted his concern that the project name “Walkway Westward” may be misinterpreted due to the implication the project is merely a “walkway”, when in fact, the proposed project includes several components, one of which is the extension of the existing hike/bike trail. Mayor Baudek commented that the exploration of the extension of EPURA is an important issue to the entire community, and he confirmed that approval of the priority list at this time includes the exploration of EPURA, not approval. Director Smith explained that any extension of EPURA would follow the public process, and that with expected costs of the Walkway Westward to the degree of improvements to the east, plus the proposed performing arts center, it is questionable that these projects could be completed within EPURA’s current lifespan of 7 years.

It was **moved and seconded** (Jeffrey/Gillette) **EPURA’s 2001 Project Priority List be approved**, and it passed unanimously. Mayor Baudek expressed the Board’s appreciation for the presentation.

3. **TOWN ADMINISTRATOR’S REPORT.**

1. Town Attorney White briefed the Board on the **ICM lawsuit** where District Court Judge John-David Sullivan/Larimer County has issued an **Order** regarding motions for summary judgment. In summary, the Ordinance preventing the proposed Wildlife Center was found (1) unconstitutional on the basis of special legislation and (2) it violated the equal protection clause. The Town cannot enforce the Ordinance and is prohibited from withholding a building permit. A ruling on the vested right issues (statutory and common law) was reserved by the Judge.
2. The Town has received notice from the **Government Finance Officers Association** that the Town has received a **Certificate of Achievement** in Governmental Accounting for 1999. An official plaque is forthcoming.
3. **Commercial ads** produced by Nick Molle’ for **promotion of the Historical Museum** were presented. Mr. Molle’ is a recent member of the Museum and he volunteered his expertise and equipment for production of the ads at no cost to the Museum. Mr. Molle’ and the entire Channel 8 staff were commended.

4. **REQUEST TO ENTER EXECUTIVE SESSION TO DISCUSS PROPERTY NEGOTIATION, ICM/WILDLIFE CENTER LITIGATION BRIEFING, and PERSONNEL.** It was **moved and seconded** (Barker/Gillette) **the Board enter Executive Session for those items identified above**, and it passed unanimously. Mayor Baudek noted that, should formal action be required, the Board would return to open session.

There being no further business, Mayor Baudek adjourned the meeting at 7:41 p.m. to Executive Session.

Mayor Baudek reconvened the meeting at 8:40 p.m.

5. **LAND ACQUISITION – APPROVAL.** Town Administrator Widmer presented contracts for the purchase of 3 parcels of land adjacent to the Conference Center for additional parking. A full description follows:

PROPERTY	CONTRACT AMOUNT
179 Stanley Ave.	\$175,000
330 Stanley Ave.	\$179,900
260 Stanley Ave.	\$145,000
TOTAL	\$499,900

The contracts for 260 and 330 Stanley Ave. include a clause allowing the owners to rent the houses and retain the rents, subject to a 30-day termination clause. The closing date is expected May 24th. It was **moved and seconded** (Gillette/Barker) **Town Administrator Widmer or Town Attorney White be authorized to execute the contracts**, and it passed unanimously.

Mayor Baudek adjourned the meeting at 8:43 p.m.

John Baudek, Mayor

Vickie O'Connor, Town Clerk