

Town of Estes Park, Larimer County, Colorado, January 22, 2002

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 22nd day of January, 2002. Meeting called to order by Mayor John Baudek.

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

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., and he presented the Certified Municipal Clerk Designation Award to Deputy Clerk van Deutekom. Deputy van Deutekom entered the 3-yr. Municipal Clerk's Institute Program at CU in Boulder in 1999.

PUBLIC COMMENT

None.

TOWN BOARD COMMENTS

Trustee Habecker responded to a letter from Patrick Cipolla/OORG, concerning the Town's bidding practices, and Administrator Widmer stated the Town is a Statutory Town and state law does not require the Town to bid its projects. However, the Town, does in fact, in common practice, bid its projects.

Trustee Habecker also commented on the recent Town Board Study Session where condominium conversion was discussed, stating that the Town should increase their support of accommodations, i.e. through the advertising budget, in lieu of instituting new rules/regulations that make development of accommodation more restrictive.

Mayor Baudek commented on the February issue of *Sunset Magazine* that included an article on Estes Park - "*Winter Wonderful*", and the January-February issue of *Mountain Living* where in the *Best of High Country*, the Rooftop Rodeo was listed as the Best Mountain Rodeo.

1. CONSENT AGENDA (Approval of):

1. Town Board Minutes dated January 8, 2002 and Study Session January 15, 2002.
2. Bills.
3. Committee Minutes:
 - A. Light & Power, January 10, 2002:
 1. Policy & Procedure Manual - Revised
 - B. Public Works Committee, January 17, 2002:

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1. 2001 Water Loop Project Change Order, \$22,458.00, Kitchen and Co.
2. Causeway Underpass/Trail Project Construction Management Scope of Services, \$53,900.00, Cornerstone Engineering.
3. Board Room Project Change Orders, \$13,296.00, Thorp Associates.
4. Wildfire Ridge Annexation/Development Agreement – Request 60-day time extension from 2/06/02 to 4/09/02.

Alan Aulabaugh requested and received a description of the Town-requested Board Room Change Orders totaling \$13,296.00.

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

Trustee Barker introduced Libby Evans, President/National Honor Society, who appeared on the behalf of the Cardboard Recycling Dumpster Project recommended for approval, on a trial basis, by the Public Works Committee. The dumpster will be placed on the west side of the Fairgrounds.

2. **ACTION ITEMS:**

1. **INVESTMENT MANAGER - APPROVAL** – Finance Officer Brandjord reported that currently, investments have been managed internally. To optimize investment revenue for the Town, he is recommending (1) the Town enter into an agreement with MBIA Municipal Investors Service Corp. to provide expert investment advice and support. Additionally, staff is recommending (2) the investment portfolio be diversified to include other investments commonly used by local governments and allowed by State Statute. Funds will be invested in a safe manner, and the client references (Boulder, Colorado Springs, Lafayette, Frisco, etc.) were verified and found very favorable.

MBIA Representative Bruce Ely addressed the Board and distributed MBIA statistics (Triple A rated firm), and confirmed his firm will operate totally within the Town's Investment Policy.

Following a question and answer period, it was **moved and seconded** (Jeffrey-Clark/Gillette) **the Agreement MBIA be approved, and that other investments commonly used by local governments be allowed**, and it passed with Trustee Barker voting "No".

2. **FALL RIVER TRAIL PROJECT – PRELIMINARY REPORT.** Mayor Baudek confirmed that this presentation was a preliminary report, not an action item.

In a memo dated 1/17/02 submitted by Public Works Dir. Linnane, staff reported that the Town budgeted \$300,000± to design and begin construction of a Fall River Road Trail System. Currently, pedestrians and bicyclists use the Fall River Road narrow shoulder. An established, 8' trail would improve safety, as well as provide a very positive trail experience. This trail would extend the existing and proposed Downtown Riverwalk to the western Town Limit. Prior to construction and design of the trail, preparation of a right-of-way/access easement report would be necessary to assure good planning for all phases of the system. The recommended alternative generally follows the Fall River Road right-of-way.

Mike Todd/Cornerstone Engineering, presented the Preliminary Report, particularly, Neighborhood Survey (97 letters mailed, 44 postcard returned);

trail alignment (West Park Center to RMNP); timing and phasing (start at W. Park Center, working west, with funding availability for “Reach 1 and 2). Total distance is slightly less than 4 miles, and landscaping would include natural features. Approximately 98% of the trail (from Trappers Inn up to Fish Hatchery Road) would be located in the highway right-of-way.

Mayor Baudek noted his concern when it appears 57% of adjacent property owners do not support this proposed trail project.

Audience comments were heard from: Warren Clinton/Castle Mountain Lodge, Mike Wallace/Blackhawk Lodges, Nick Kane/Nicky’s Resort, Bob Mussman/Sunnyside Knoll Resort, and Jim Tawney/Ponderosa Lodge. Topics discussed included: safety issues, particularly with pedestrian/vehicle conflicts, previously established CDOT concerns, elevated walkways relative to snowplows, funding concerns when there are limited resources and perhaps other, more appropriate projects (low income housing), potential decrease in property value, and lighting.

Director Linnane responded to stated concerns, confirming that this Preliminary Report will be submitted to CDOT for their input—each phase will be reviewed by CDOT. Following additional discussion, consensus was reached that Director Linnane will schedule neighborhood meeting(s) to present maps and discuss and define design, construction, etc.

3. **REGULAR MUNICIPAL ELECTION, APRIL 2, 2002.** It was moved and seconded (Gillette/Doylen) **Resolution #3-02 setting the regular municipal election for April 2, 2002 and designating the Town Clerk as the Election Official, and, approving the Agreement with Larimer County for Rental of Election Equipment be approved,** and it passed unanimously.
4. **TOWN ADMINISTRATOR’S REPORT.**
 - A. **Sales Tax Report.** In comparing November 2000 and 2001 sales tax statistics, a 25% increase is observed; however, approximately 50% of the increase may have come from “catch-up” payments, resulting in a 10-12% genuine increase.
 - B. **Town Board Room and Dispatch Remodeling Projects – Update.** Beams have been set for the Board Room entrance, and the project is on schedule. The Dispatch remodel is nearing completion.
 - C. **Lawsuit.** Town Attorney White confirmed receipt of a lawsuit filed by Del Lienemann pertaining to water service in Fall River Estates. Additional information will be provided when available.

Following completion of all agenda items, Mayor Baudek adjourned the meeting at 8:41 p.m.

John Baudek, Mayor

Vickie O’Connor, Town Clerk