

*Town of Estes Park, Larimer County, Colorado, January 13, 2004*

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 13<sup>th</sup> day of January, 2004. 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  
                      G. Wayne Newsom

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

Absent:            None

Mayor Baudek called the meeting to order at 7:00 p.m. and the following presentations followed:

- **Fulfillment Task Force.** Mayor Baudek formally acknowledged the following members for their exemplary community service and presented Certificates of Appreciations and Pens: Kathy Asche, Deeva Boleman, Peggy Campbell, Don Cheley, Bruce Grant, Judy Haggard, Kent Meyer, Al Wasson, Ted Williams, Trustee Barker and Administrator Widmer.
- **Friends of the Museum.** President Quinnell and Member Hix presented a check in the amount of \$75,000 to assist in funding toward the Museum Expansion Project. Funding was obtained from the various fund-raising events hosted by the Friends.
- **Rooftop Rodeo Committee.** Mayor Baudek acknowledged the Committee's receipt of the "2003 PRCA Small Rodeo Committee of the Year" Award presented during the PRCA Convention in December. Estes Park was among 8 nominees selected from over 600 rodeos in their category in the U.S. This is the highest award presented by the PRPA to a rodeo and their committee. Trustee Barker shared the commitment observed by the Rooftop Rodeo Committee and joined Mayor Baudek in expressing his appreciation. A video of the Rooftop Rodeo Committee followed.

PUBLIC COMMENT

None.

TOWN BOARD COMMENTS

Trustee Habecker commented on the recent news article where the YMCA is requesting a ½ Million Dollar tax rebate. A previous request negatively impacted the School District, and Trustee Habecker requested the Town review any potential impacts to the Town. Following discussion, **Mayor Baudek directed Finance Officer Brandjord to review this matter and report his findings to the Town Board January 27<sup>th</sup>.**

1. **CONSENT AGENDA (Approval of):**

1. Town Board Minutes dated December 9, 2003.
2. Bills.
3. Estes Valley Planning Commission, December 16, 2003 (acknowledgement only).
4. Estes Valley Board of Adjustment, January 6, 2004 (acknowledgement only).
5. Resolution #1-04 – Public Place Designation for posting notices of meetings.

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

1A. **PLANNING COMMISSION AGENDA (Approval of):**

Mayor Baudek opened the Public Hearing for the following Consent Agenda Items:

1. **CONSENT ITEMS:**

1. FINAL & SUPPLEMENTAL CONDOMINIUM MAPS:

- A. **Lodges at Black Canyon Hills**, Final Condominium Map, Lot 1, Mount View Park and a Portion of Meyer's Addition, James Sloan/Applicant – **CONTINUE TO FEBRUARY 10, 2004.**
- B. **Lofts at Estes Condominiums**, Preliminary & Final Condominium Map, Portion of Lot 30 and 39' of Lot 29, Riverside Subdivision, SRG Properties, LLC/Applicant.
- C. **Lofts at Estes Condominiums**, Supplemental Condominium Map #1, Portion of Lot 30 and 39' of Lot 29, Riverside Subdivision, SRG Properties, LLC/Applicant.
- D. **Mountain Haven Condominiums**, Supplemental Condominium Map #1, Lot 1, Mountain Haven Subdivision, Michael & Caren Butler/Applicants.
- E. **Solitude Condominiums III**, Supplemental Condominium Map #3, Lot 3, Solitude Subdivision, Crystal Creek Development, Inc./Applicant.
- F. **Park River West Condominiums**, Supplemental (Final) Condominium Map, Phase XII, Lots 1 and 2, Park River West Subdivision, Richard H. Wille/Applicant.

2. REZONING.

- A. **Lot 19, Grand Estates Subdivision**, Timothy & Heather Leppert/Applicants – **WITHDRAWN BY APPLICANT.**

There being no public testimony, Mayor Baudek closed the public hearing. Trustee Habecker requested Item 1.F. be voted upon separately, thus it was **moved and seconded** (Gillette/Newsom) **Items 1. A., B., C., D., E. and 2. A. be approved**, and it passed unanimously.

It was **moved and seconded** (Doysten/Barker) **Item 1.F. be approved**, and it passed with Trustee Habecker Abstaining.

2. **ACTION ITEMS:**

1. **MUNICIPAL BUILDING REMODELING PROJECT – REQUEST TO PROCEED WITH CONSTRUCTION – PRESENTATION BY THORP ASSOCIATES**.

In a memorandum dated January 7, 2004 prepared by Public Works Dir. Linnane, staff is requesting authorizing to proceed with Construction of Phase I. The Master Plan proposes a multi-year, 3-phased approach to construction, the end result being the complete remodeling of both floors of the Municipal Building. Phase I has been budgeted this year and primary components include a new public restroom, new Finance Dept. workspace, new improved customer service lobby facilities and improved building and computer facilities security. Benefits of Phase I include:

- 24-hr. access to a new, modern public restroom facility. This facility will provide adequate space, with adequate access and is designed for efficient maintenance.
- Ease of access of the restroom and close proximity to the new Board Room.
- A new lobby and workspace that improves customer access and service. The proposed lobby/reception area will be more inviting to customers and visitors.
- Construction prices are favorable.

Previously, the Town Board made the determination to retain the Municipal Building at its present location, and Staff prepared a Master Plan. Staff is recommending Phase I begin as soon as practical; the tentative completion date is this June. Staff also noted that future phases would depend upon available funding. A design/build approach concept was planned, and the guaranteed maximum price of \$478,000 meets the 2004 Budget.

Roger Thorp/Thorp Associates provided additional insight to the proposal, confirming that the Town will pay actual costs, construction will begin with the public restrooms and Westover Construction anticipates opening the restrooms for use in mid-May. This portion of the project will then enable work to begin in remodeling the Finance Dept. The Finance Dept. will relocate to the Training Room during construction and a fairly smooth transition should take place. Additionally, with signage, cooperation of staff, a disruption of service should not occur. Concluding discussion, it was **moved and seconded** (Newsom/Habecker) **staff be authorized to proceed with construction of Phase I of the Municipal Building Remodeling Project for a guaranteed maximum price of \$478,000**, and it passed unanimously.

2. **RESOLUTION #2-04 – CAFETERIA PLAN CERTIFICATE OF ADOPTION.**

Finance Officer Brandjord reviewed the Section 125 Cafeteria Plan benefit that enables employees to receive reimbursement for eligible medical and dependent care expenditures on a pre-tax, salary reduction basis. The Town's benefit consultant has changed, and in order to fully comply with IRS regulations, the Cafeteria Plan needs to be adopted. Finance Officer Brandjord read Resolution #2-04, and it was **moved and seconded** (Doysten/Barker) **Resolution #2-04 be approved**, and it passed unanimously.

3. **TOWN ADMINISTRATOR'S REPORT.**

- A. **Request for Exemption from Local Special Event Liquor Permit Fee.** Clerk O'Connor reported that the Friends of the Museum have requested an exemption from the newly-approved local Special Event permit fee

(\$25.00/day/event) based on the fact that the Museum is a Town-owned facility. The permit is required as the Friends host various art exhibit receptions where liquor is served. It was **moved and seconded** (Doysten/Barker) **the request be** approved, and it passed unanimously.

B. **Economic Indicators.** Town Administrator Widmer reported on November statistics; year-to-date sales tax revenues are +2.5% ahead of 2003, and staff is optimistic December sales tax will also increase. The lag time in receiving the sales tax revenue report from the Dept., of Revenue is approximately 45 days.

4. **REQUEST TO ENTER EXECUTIVE SESSION:**

Mayor Baudek requested an Executive Session based on the following State Statute: 24-6-402(4)(b), C.R.S. – Conference with Town Attorney White for the purpose of receiving legal advice on the Overlook Lawsuit.

**Motion: Barker/Doysten move the Town Board go into Executive Session for a conference with Town Attorney White for the purpose of receiving legal advice as listed above, under C.R.S. Section 24-6-402(4)(b), and it passed unanimously.**

Mayor Baudek announced that no official action will be taken during the Executive Session, and the meeting was adjourned at 7:52 p.m.

Mayor Baudek reconvened the meeting to Open Session at 8:00 p.m.

It was **moved and seconded** (Gillette/Doysten) **the Town Board accept the settlement agreement for the Overlook Development Lawsuit**, with the terms to remain confidential as required in the settlement, and it passed unanimously.

Trustee Barker commented on a personal encounter with youth and drugs (marijuana) at the High School that resulted in the expulsion of one student. Trustee Barker intends to pursue an effort to prevent youth drug use, and all Trustees were encouraged to share their ideas with him.

Following completion of all agenda items, Mayor Baudek adjourned the meeting at 8:04 p.m.

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John Baudek, Mayor

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Vickie O'Connor, Town Clerk