

Town of Estes Park, Larimer County, Colorado, September 23, 2008

Minutes of a Regular meeting of the Board of Trustees of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Town Hall in said Town of Estes Park on the 23rd day of September, 2008. Meeting called to order by Mayor Pinkham.

Present: William C. Pinkham, Mayor
Mayor Pro Tem Chuck Levine
Trustees Eric Blackhurst
Dorla Eisenlauer
John Ericson
Trustee Homeier
Jerry Miller

Also Present: Greg White, Town Attorney
Jacquie Halburnt, Town Administrator
Jackie Williamson, Town Clerk

Absent: Lowell Richardson, Deputy Town Administrator

Mayor Pinkham called the meeting to order at 7:00 p.m. and all desiring to do so, recited the Pledge of Allegiance.

PUBLIC COMMENT.

David Habecker/Town Citizen spoke to the separation of church and state and again requested the Board remove God from the Town Board proceedings and refrain from reciting the Under God Pledge of Allegiance.

John Meissner/Town Citizen presented a digitized copy of the 1921 Trail. He stated the digitized file allows for word-searches that a scanned image does not. He requested both the Trail and the Library provide a timeframe for digitizing their archived newspapers.

John Cordsen/Trail Gazette Editor stated a timeframe for digitizing the paper has not been established due to the expense and time consuming endeavor. The Estes Park Mountaineer has been scanned to CD and the originals would be given to the Library.

TOWN BOARD COMMENTS.

Trustee Blackhurst reminded the public that the Public Works Committee scheduled for Thursday at 8:00 a.m. in the Town Board Room has been cancelled.

Trustee Ericson informed the public the Town Board Budget Study Sessions will be held on the first four Friday mornings in October from 8:00 a.m. to 12:00 p.m. in the Board room.

Trustee Homeier thanked staff for the additional news releases. The information helps to keep our citizens informed.

Mayor Pinkham stated Grand Lake held an election tonight to elect a Mayor due to the contested April election results. He welcomed the visitors from our Sister City Monteverde, Costa Rica.

1. CONSENT AGENDA:

1. Town Board Minutes dated September 9, 2008.

2. Bills.
3. Committee Minutes:
 - A. Community Development, September 4, 2008:
 1. Auto Extravaganza Car Show Rescheduled for September 27, 2008, Road Closure – Park Lane and McGregor Ave. from Elkhorn to Park Lane.
 - B. Utilities, September 11, 2008:
 1. Mary's Lake Utility Bridge Crossing – Cornerstone Construction Concepts, Inc. - \$114,509 and L&P - \$60,000, Budgeted.
4. Estes Valley Planning Commission, August 19, 2008 (acknowledgement only).
5. Estes Park Urban Renewal Authority, August 20, 2008 (acknowledgement only).
6. Larimer Emergency Telephone Authority (LETA) Board Appointment – John Baudek for 2-yr term, expiring December 31, 2010.
7. Fireworks Permit for Park School District on September 26, 2008.

Trustee Homeier requested Item 6 be removed for discussion as an action item. It was **moved and seconded** (Levine/Miller) **the Consent Agenda Items 1, 2, 3, 4, 5 and 7 be approved**, and it passed unanimously.

Item 6 – Larimer Emergency Telephone Authority (LETA) Board Appointment

Trustee Homeier questioned the method used to select the appointee John Baudek. Mayor Pinkham stated John Baudek was appointed to the LETA Board during his term as Mayor and he requested reappointment to the LETA Board. Mayor Pinkham recommended the appointment because of Mr. Baudek's police background, knowledge of communication systems, small communities and emergency response. Appointments to the LETA Board are must be approved by all the communities served by LETA. Trustee Blackhurst stated items of this nature should be brought forward to the entire Board as an action item in the future. It was **moved and seconded** (Eisenlauer/Levine) **that Item 6 be approved**, and it passed unanimously.

2. REPORTS AND DISCUSSION ITEMS.

1. **Rocky Mountain National Park Update.** Superintendent Vaughn Baker reported on the status and ongoing mitigation efforts related to the Mountain Pine Beetle within the Park: removing hazard trees, fuels reduction (prescribed fires) and spraying of high value trees. The Park completed the Elk Management Plan/EIS a year ago and has begun implementing the conservation tools outlined in the plan including fencing, redistribution, culling, etc. The elk population has declined from 2,800 – 3,500 animals in 2001 to approximately 1,700 – 2,200 due to drought and harder winters. A small scale culling operation would be conducted this winter as a trial. The Park is proposing an increase for the RMNP Annual Pass from \$35 to \$40 in the spring of 2009. Two newsletters were handed out to the Board regarding the Highway 7 Recreation Improvement Plan and the Bear Lake Road Reconstruction Phase 2.
2. **Community Development Block Grant (CDBG) Awarded to Victim Advocates.** Director Mary Mesropian stated the Town of Estes Park has submitted an application for a CDBG for a Victim Advocates safehouse. The \$210,000 granted would be used to purchase the safehouse. She thanked Town staff for their efforts in preparing and supporting the grant proposal.

3. **Proclamation and Costa Rican Presentation.** Mayor Pinkham presented a Proclamation to the visiting delegation from the Town's Sister City of Monteverde, Costa Rica. Nick Molle/Sister City Representative thanked the Town and the School District on behalf of the Sister City program for their continued support. A delegation of Estes Park High School students visited Monteverde in June and presented a short slide show. Nick Molle presented a video that captured the student's apprehension during the beginning of the trip and later the joy of discovering a new culture and new friendships. The Costa Rican students performed a traditional dance for the Board. The delegation welcomed the Trustees to their country and encouraged the Town to continue to support the efforts of the Sister City program.

Mayor Pinkham called a break at 8:45 p.m. and reconvened the meeting at 8:50 p.m.

3. **PLANNING COMMISSION AGENDA:**

Mayor Pinkham: Open the Public Hearing for all Consent Agenda Items. If the Applicant, Public or Town Board wish to speak to any of these consent items, they will be moved to the "Action Item" Section.

1. **CONSENT ITEMS:**

a. **PRELIMINARY SUBDIVISION**

1. Solomon Resubdivision of Outlots A & B, Prospect Highlands Subdivision, Central Administrator's Inc. **Continued to October 28, 2008.**

b. **BIG BEAR ESTATES (ELKHORN LODGE) LAND USE ITEMS:**

Four Metes and Bounds parcels (parcel identification numbers 35261-00-001, 35261-05-046, 35261-06-001, and 35252-53-018) and Outlot A, Sallee Resubdivision, Rock Castle Development Company/Applicant.

1. **REZONING** - Rezoning of Parcel #35261-00-001 from RE – Rural Estate to CO – Commercial Outlying. Rezoning of Parcel # 35261-05-046 and Outlot A, Sallee Resubdivision from E – Estate to CO – Commercial Outlying.
2. **PRELIMINARY SUBDIVISION PLAT.**
3. **PRELIMINARY PLANNED UNIT DEVELOPMENT (P.U.D.) #08-01.**

Rock Castle Development Co./Applicant has requested all items related to the redevelopment of the Elkhorn Lodge be withdrawn.

It was **moved and seconded** (Levine/Homeier) **to approve the Planning Consent Agenda**, and it passed unanimously.

4. **ACTION ITEMS:**

1. **APPOINTMENT OF TREE BOARD MEMBERS.**

Mayor Pinkham stated a reorganization of the Tree Board was conducted to remove two staff members and replace them with community members. The staff members would continue in an advisory capacity. The Tree Board has three vacancies open. Applications were accepted and background checks were completed. The Mayor recommended the appointment of two Tree Board members, Mike Richardson and Sandra Burns, for 4 year terms expiring April 30, 2012. It was **moved and seconded** (Homeier/Eisenlauer) **to approve the**

appointments of Mike Richardson and Sandy Burns to the Tree Board for 4 year terms expiring April 30, 2012, and it passed unanimously.

2. **RESOLUTION #17-08 - SURPRISE SIDEWALK SALE, OCT. 11 & 12, 2008.**

Director Pickering stated the shoulder-season event takes place the weekend prior to Columbus Day and is open to all businesses in Estes Park from 9:00 a.m. to 5:30 p.m. The Resolution allows for outdoor sales during this event, which would otherwise be a violation in the CD – Commercial Downtown zoning district. Trustee Ericson requested staff ensure the businesses participating in the sale observe Items 4, 5 and 6 within the Resolution. He stated accessibility can be difficult during the sale when businesses do not adhere to the regulations. It was **moved and seconded** (Blackhurst/Ericson) **to approve Resolution #17-08**, and it passed unanimously.

3. **DESIGN OF INTERSECTION IMPROVEMENTS AT RIVERSIDE & ELKHORN.**

Director Zurn stated staff has worked with the Colorado Department of Transportation (CDOT) on a downtown Master Plan to improve traffic flow. The Public Works Committee recommended staff move forward with the reconfiguration of the Riverside/Elkhorn intersection to create a continuous traffic flow. Improvements to the intersection would include improving the geometry of the north-bound turn lane from East Riverside Drive, a pedestrian safety island between lanes on East Riverside Drive and relocation of the traffic signal pole. One parking spot may be lost or reconfigured for motorcycle parking. An RFP was issued for a transportation consulting engineer to design the surface improvement, produce construction drawings and coordinate approval of the project with CDOT. Three proposals were received:

Nolte Associates, Inc.	Fort Collins, CO	\$ 6,545
P B S & J Engineering	Denver, CO	\$ 12,894
Felsburg, Holt & Ullivig (FHU)	Centennial, CO	\$ 16,920

Staff recommends Nolte Engineering at \$6,545 and requests an additional \$3,455 as contingency for unforeseen changes required due to field findings, modifications in design criteria or CDOT requirements. The design should be completed within three weeks and major construction completed by the end of November. The intersection could go to a four-way stop while CDOT moves the traffic signal. The intersection would be fully operational in January 2009.

The Trustees requested the merchants be notified of the project, including timelines and project progress. It was **moved and seconded** (Blackhurst/Levine) **to approve the contract with Nolte Associates, Inc. for the redesign of the Riverside/Elkhorn intersection for a total cost not to exceed \$10,000 from account #204-5400-544-35-51.**

4. **PUBLIC HEARING – BIG BEAR ESTATES ANNEXATION – RESOLUTION #18-08 & ORDINANCE #15-08 – PUBLIC HEARING.**

Administrator Halburnt stated the applicant has requested a continuance of the annexation application to October 28, 2008. The Mayor opened the public hearing and hearing no comment closed the public hearing. It was **moved and seconded** (Miller/Ericson) **to continue the Big Bear Estates Annexation**, and it passed unanimously.

5. **TOWN ADMINISTRATOR REPORT.**

- Director Zurn was commended for the relationship he has created with CDOT. The Public Works Department has received a beautification grant through CDOT for the downtown portion of Moraine Avenue.
- The Crags/Moraine intersection was restriped by CDOT to improve traffic flow and safety.

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- Channel 12 programming has been updated to include the school's sports events.
- A warm welcome to the Snow and Ice Conference attendees.

6. **ADJOURN.**

Whereupon Mayor Pinkham adjourned the meeting at 9:23 p.m.

William C. Pinkham, Mayor

Jackie Williamson, Town Clerk