

*Town of Estes Park, Larimer County, Colorado, October 14, 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 14<sup>th</sup> day of October, 2008. Meeting called to order by Mayor William C. Pinkham.

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

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

Absent: None

Mayor Pinkham called the meeting to order at 7:00 p.m. and invited any person desiring to participate to stand and recite the Pledge of Allegiance.

PUBLIC COMMENT

David Habecker/Town Citizen stated he questioned the appropriateness of bringing religion into the Town Board meetings, and again requested the Pledge be removed from Town meetings.

Cathy Homeier/Town Citizen requested the Town's vision care benefits be changed to allow Town employees the opportunity to receive eye care locally. The current VSP plan encourages retail leakage. A plan that allows fairness and sustainability in our community would benefit everyone.

John Tucker/Town Citizen commended the Town on the recent purchase of a hybrid vehicle by the Utilities Department. He requested the Town publish the benefits and performance of the vehicle in the mountain environment. Mr. Tucker stated the Planning Commission should be encouraged to move toward greener practices.

LOCAL MARKETING DISTRICT ADVISORY BOARD

Cory Blackman/LMD Advisory Board member provided an update on the activities of the Board since appointed earlier this month. The Board has established a website at [www.marketestes.org](http://www.marketestes.org), provided numerous presentations to local groups and conducted interviews with local papers. The Board has been invited to speak on the Barroom Politics radio show on October 24<sup>th</sup>. The Board members are excited and looking forward to the passage of the LMD. The Trustees commended the Board for their efforts to date.

TOWN BOARD COMMENTS

Trustee Homeier introduced Dr. Michael Prochoda. He stated the Estes Park Community is fortunate to have a full-time Ophthalmologist in a community the size of Estes Park.

Mayor Pinkham encouraged the electorate to get out and vote on November 4, 2008. He stated the Town Board continues to review the proposed 2009 budget to identify

options to reduce spending and save money. He invited those interested to attend the budget study sessions held on Fridays in October at 8:00 a.m. in the Board Room.

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

1. Town Board Minutes dated September 23, 2008 and Town Board Special Meeting dated October 3, 2008.
2. Bills.
3. Committee Minutes:
  - A. Public Safety, September 18, 2008:
    1. Halloween Road Closure – Elkhorn Ave. from Spruce to E. Elkhorn.
  - B. Community Development, October 2, 2008:
    - a. Catch the Glow Parade Letters of Understanding.

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

2. **LIQUOR ITEMS:**

1. **LIQUOR LICENSING: TRANSFER OF OWNERSHIP – FROM CLAIRE RAY dba CLAIRE'S ON THE PARK TO CLAIRE'S INC. dba CLAIRE'S ON THE PARK, CLAIRE RAY, 225 PARK LANE, HOTEL AND RESTAURANT LIQUOR LICENSE.** Town Clerk Williamson reviewed the application stating all necessary paperwork had been received. The owner of Claire's on the Park reorganized the business from a sole proprietor to a Corporation in July 2008. This change in structure requires a transfer of the liquor license. Mayor ProTem Levine reminded the applicant the Town requires liquor licensed establishments to check identification, and enforcement of the liquor laws start with the owner of the liquor license establishment. It was **moved and seconded** (Miller/Homeier) **the Transfer of Ownership Application filed by Claire's Inc. dba CLAIRE'S ON THE PARK, be approved**, and it passed unanimously.
2. **LIQUOR STIPULATION AGREEMENT FOR VEGA LLC DBA VEGA.** Police Chief Kufeld reviewed the charges and stated that following a meeting with the Licensee, staff prepared and executed a Stipulation Agreement. In the Agreement, staff is recommending a 21-day suspension of the Hotel and Restaurant License, with the actual time served of 14 days from 12:01 a.m. Saturday, November 1, 2008 through 11:59 p.m. Friday, November 14, 2008. The remaining seven days will be held in abeyance for one year from the date of the "Findings and Order of Suspension". The licensee was proactive in dealing with the underage serving, including the firing of the bartender the following day and closing the business for a full day to send all staff to T.I.P.S training. Mayor ProTem Levine thanked the owners for their efforts in mitigating the situation. He stated enforcement of the liquor laws begins with the licensee. It was **moved and seconded** (Levine/Miller) **the following be approved: (1) Stipulation Agreement, and (2) the Findings and Order of Suspension**, and it passed unanimously.

3. **ACTION ITEMS:**

1. **2009 EVENTS AND FACILITIES RATES.** Manager Winslow stated a review of the fee schedules for the Stanley Park Fairground and the Special Event Department confirmed the fee schedule has been charging too little or not at all for services. The last fee increase was five

years ago. The recommended fees reflect an evaluation of all areas to determine a fair fee structure for the services delivered. The fees would be used to offset maintenance costs that arise from event usage. The new fee schedule would affect any new agreement and not those already executed by the Special Event Department.

Discussion followed regarding the inclusion of fees for barns that do not exist and have not been approved. The Board requested staff meet with the nonprofits to discuss the new fee schedule for Bond Park prior to approval of associated fees. Additional fees for the usage of Town owned parks would discourage additional entertainment. Manager Winslow stated Town sponsored events would not be charged the new fees.

After further discussion, it was **moved and seconded** (Blackhurst/Ericson) **to approve the 2009 Fairground and Special Event Fee Schedule for inclusion in the Special Event Policy Manual, excluding the fee schedule for Parks, Parking Lots, New 28,000 sq. foot Barn and New 22,000 sq. foot Barn**, and it passed unanimously. Staff would bring the additional fee schedules forward after discussions with the nonprofits and/or approval of the two new barns.

**2. TOWN ADMINISTRATOR REPORT.**

- The next budget study session would be held on Friday, October 17<sup>th</sup>, and the following accounts are scheduled for review: Community Development, Museum, Senior Center, Buildings, Engineering, Parks, Streets, Fleet, Conservation Trust and Open Space.

Whereupon Mayor Pinkham adjourned the meeting at 7:50 p.m.

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William C. Pinkham, Mayor

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Jackie Williamson, Town Clerk