

Town of Estes Park, Larimer County, Colorado, February 24, 2009

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 24th day of February, 2009. Meeting called to order by Mayor Pinkham.

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

Also Present: Jacquie Halburnt, Town Administrator
Lowell Richardson, Deputy Town Administrator
Town Attorney White
Cynthia Deats, Deputy Town Clerk

Absent: None

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

RECOGNITION OF OUTGOING ESTES VALLEY PLANNING COMMISSIONERS.

Mayor Pinkham recognized Ike Eisenlauer, Bruce Grant, and Joyce Kitchen for their service to the community as members of the Estes Valley Planning Commission and read inscriptions from plaques prepared for each of the outgoing commissioners.

RECOGNITION OF ESTES PARK CVB POLICY ADVISORY BOARD MEMBERS.

Dir. Pickering stated that the Policy Advisory Board was created in 2005 to work with the Convention and Visitors Bureau (CVB) staff to provide direction regarding policy from businesses and the community. John Buller, Dorla Eisenlauer, Lee Lasson, Julie Pieper, and Chris Wood were recognized with a plaque in appreciation of their service to the advisory board.

PUBLIC COMMENT.

David Habecker, Town Resident, commented that it is sometimes a better idea to borrow against a reserve rather than to spend a reserve, and asked that the Town Board give up their practice of reciting the "under God" Pledge at Town Board meetings.

TOWN BOARD COMMENTS.

None

1. CONSENT AGENDA:

1. Town Board Meeting Minutes dated February 10, 2009 and Town Board Study Session Minutes dated February 10, 2009.
2. Bills.
3. Committee Minutes:
 - A. Community Development, February 5, 2009:
 1. Road Closures for 2009 Special Events

- Wool Market – Manford Right-of-Way (ROW) on June 13 & 14.
- Rooftop Rodeo – Manford (ROW) from July 7 – July 12.
- Auto Extravaganza – 100 block of MacGregor Ave.
- Elk Fest – MacGregor from Elkhorn Ave. to Park Ln.
- Parades – Elkhorn Ave.
 - Rooftop Rodeo - July 7 at 10:30 a.m.
 - Scottish Highland Festival – September 5 at 9:30 a.m.
 - Catch the Glow – November 27 at 5:30 p.m.

B. Utilities, February 12, 2009.

4. Estes Valley Planning Commission, January 20, 2009 (acknowledgement only.)
5. Estes Park Urban Renewal Authority, January 21, 2009 (acknowledgement only.)
6. Public Safety Vehicle and Emergency Equipment Replacement.
 - A. Two (2) 2009 Dodge Charger Police Vehicles, \$40,892.
 - B. Emergency Equipment, \$25,804.

It was **moved and seconded** (Levine/Ericson) **the Consent Agenda be approved**, and it passed unanimously with Items 6A and 6B being removed from the Consent Agenda for further discussion.

Trustee Homeier requested that Town Administrator Halburnt provide the Board with information regarding Items 6A and 6B, Public Safety Vehicle and Emergency Equipment Replacement. Administrator Halburnt stated that the new vehicles will replace two police cars, both of which meet or exceed the criteria for replacement, that the vehicles are being purchased at this time rather than later in the year in order to meet a March order deadline for police patrol vehicles, and that the new emergency equipment will replace equipment that has been in use on patrol cars for approximately ten years. She said hybrid vehicles are not currently available as patrol cars, but that the department will consider hybrids for non-patrol vehicles in the future.

It was **moved and seconded** (Homeier/Eisenlauer) **to approve Items 6A and 6B of the Consent Agenda**, and it passed unanimously.

2. LIQUOR ITEMS.

1. **EVEREST KITCHEN, LLC DBA THAI KITCHEN AND BAR, 401 S. ST. VRAIN, HOTEL AND RESTAURANT LIQUOR LICENSE – APPLICATION FOR TRANSFER.**

Deputy Town Clerk Deats stated that the necessary paperwork and fees have been submitted for the transfer. All aspects of the business will remain the same but will be operated with a change to the individual ownership under a new account number. Mayor Pro Tem Levine reminded the owners of their responsibility to uphold the liquor laws. It was **moved and seconded** (Blackhurst/Miller) **to approve the Transfer of Ownership Application filed by Everest Kitchen, LLC dba Thai Kitchen and Bar**, and it passed unanimously.

3. REPORTS AND DISCUSSION.

1. **4TH QUARTER SALES TAX REPORT.**

Finance Officer McFarland reviewed sales tax activity through the 4th quarter of 2008. He stated that although sales tax was .69% behind 2007, only the 2nd quarter trailed 2007 with the 3rd and 4th quarters up from 2007 figures. He stated that revenues have grown over the past 20 years and historical trends

show fall activities are extending the busy season, with indicators showing the increase in sales tax corresponding to traffic counts even though visitation counts have remained relatively flat. He noted trends that indicate restaurants are increasing their portion of the food category with the grocery category decreasing. He stated that actual figures for 2003-2008 can be used by staff for decision-making analysis to assist with budgeting and financial planning.

4. PLANNING COMMISSION ITEMS.

Mayor Pinkham opened the public hearing for the following Consent Agenda item:

1. CONSENT ITEM:

A. SUPPLEMENTAL CONDOMINIUM MAP

1. First Supplemental Condominium Map, Units 3 and 4, Bobcat Ridge Lot 2A, Shanafelt Minor Subdivision, Mark Theiss/Applicant.

As there were no comments, the Mayor closed the public hearing and it was **moved and seconded** (Homeier/Levine) **the Consent Agenda be approved with Staff conditions of approval**, and it passed unanimously.

5. ACTION ITEMS:

1. INTERGOVERNMENTAL AGREEMENT WITH UPPER THOMPSON SANITATION DISTRICT FOR WASTEWATER TREATMENT.

The Marys Lake Water Treatment Plant upgrades to increase treatment capacity from 2 million gallons per day (MGD) to 4 MGD and the change to a membrane filtration system will subsequently increase the plant's backwash discharge volume to the sewer from 4600 gallons to 20,000 gallons per day. Dir. Goehring presented an Intergovernmental Agreement (IGA) with Upper Thompson Sanitation District (UTSD) to purchase additional Plant Investment Fees (PIF) to accommodate for the additional discharge. Each agency's responsibilities are outlined in the IGA and the one-time cost for the additional PIF of \$331,100, budgeted in account #503-7000-580-35-54, is calculated as follows:

$$15,400 \text{ additional gal} / 200 = 77 \text{ PIF at } \$4300 \text{ per PIF} = \$331,100.$$

It was **moved and seconded** (Blackhurst/Ericson) **to approve the Intergovernmental Agreement with Upper Thompson Sanitation District for waste water treatment**, and it passed unanimously.

2. PUBLIC INFORMATION OFFICER.

Mayor Pinkham initiated a discussion regarding the Public Information Officer (PIO) position. Trustee Blackhurst recused himself due to a potential conflict of interest and left the meeting at 7:55 p.m. Mayor Pinkham read a statement addressing the addition of this position during the current economic climate and outlining the role of a PIO which would include preparing and disseminating informational materials in support of Town programs and services, and providing information to the public in times of emergency or crisis. In addition he stated that the position was included and funded in the 2009 budget.

John Tucker, Town resident, stated that although he agrees with the value of the position as it pertains to emergency situations, with the economic condition for 2009 being unknown the Town should not add staff at this time and should delay hiring for the PIO position until there is a better idea of what the 2009 economic condition will be for Estes Park.

David Habecker, Town resident, commented that when the Deputy Town Administrator position was added it was because additional duties were being added for the Administrator, such as getting the conference center built, and the assistance of a Deputy was needed. He questioned whether citizens will be

satisfied with being directed to speak with a PIO as opposed to the Town Administrator or the Mayor, and suggested the consideration of a part-time or on-call PIO position.

Mayor Pinkham stated that he and Town Administrator Halburnt will continue to be available to speak with citizens, and asked for comments from the Trustees.

Mayor Pro Tem Levine stated that he believes in the position but would support a delay in filling it in order to have the opportunity to reassess the economic situation later in the year.

Trustee Homeier stated that the Town has facilities and agencies to address emergencies and that in the current economic situation it is not good to establish a new permanent position at this time. He stated that although the PIO position was discussed during the budgeting process, the position was approved along with the budget as a whole, without the opportunity to vote on the individual item.

Trustee Miller expressed support for filling the position as soon as possible, stating that the position has been advertised and 69 applications for the job were received by the Human Resources Department. He said it is important for the Town to have someone who will provide information to the public in a concise and consistent manner and that a PIO will be important in dealing with public perception and alleviate the impact if Estes Park experiences an economic downturn in 2009. He stated the position has been approved and should be filled.

Trustee Eisenlauer voiced her support for the position stating that it was previously approved and that it is time to move forward.

Trustee Ericson concurred that the position should be filled immediately.

After further discussion it was **moved and seconded** (Levine/Miller) **to formally approve adding the position of Public Information Officer**, and it passed. Those voting "Yes" Trustees Ericson, Levine, Eisenlauer, and Miller. Those voting "No" Trustee Homeier.

It was **moved and seconded** (Miller/Ericson) **to approve the filling of the position of Public Information Officer immediately**, and it passed. Those voting "Yes" Trustees Ericson, Eisenlauer, and Miller. Those voting "No" Trustees Homeier and Levine.

Trustee Blackhurst returned to the meeting at 8:25 p.m.

3. TOWN ADMINISTRATOR REPORT.

- Town Board packets containing cover memos and draft minutes are available to view on-line at www.estes.org, in the Town Clerk's office, and at the Public Library.

Whereupon Mayor Pinkham adjourned the meeting at 8:27 p.m.

William C. Pinkham, Mayor

Cynthia Deats, Deputy Town Clerk