

## **Nederland Downtown Development Authority Minutes for December 3, 2009**

**Board members present:** Teresa Warren, Bunny Spangler, Director Paul Turnburke, Steve Culver, Betty Porter, Ken Adler and Ron Mitchell.

**Absent:** Will Guercio.

**Also present:** Susan Tate and Lynn Hirshman.

Meeting called to order at 8:11 A.M.

1. Susan Tate, the new Nederland Area Chamber of Commerce Administrator introduced herself and talked about upcoming Chamber functions and the "Shop Local" campaign.
2. Paul Turnburke reported on the progress of the sidewalk project. Paul said there wasn't an update meeting this week and at last weeks meeting they said they hope to finish the sidewalks up to the bridge before the end of the year. The exception to that is by Boulder Street, where there is an Excel line that is not buried deep enough and needs to be moved. Until that is done they cannot complete that section. New Design Construction will be moving their equipment out of the staging area along the highway sometime in Dec. and will probably move it up to the Community Center parking lot area. Paul said that the re-vegetation along the sidewalk will not get done until next spring.  
Paul said that Tim Underwood and Jim Stevens will be looking into utility vehicles for maintaining the new sidewalks.
3. Betty Porter reported that the application to Colorado State Parks for construction of the Riverwalk missed approval by only a few points and she would recommend that we re-apply to Colorado State Parks in the next grant cycle. Betty also said that the planning grant application to the U.S. Forest Service was denied this month.
4. Betty Porter reported on the BOT meeting this week. Betty said they expect to have a replacement for Dallas Master's seat on the BOT on the 15<sup>th</sup> of Dec. Betty said they have three applicants. Betty said the public is welcome to come to the Dec. 15<sup>th</sup> BOT meeting and lobby for their favorite candidate.
5. There is no financial report for this meeting as nothing has changed in the last two weeks.

6. Teresa Warren asked Paul Turnburke about his Nederland Downtown Development Authority Executive Director job description draft, did it include the state statutes information on DDA Directors. Paul said he based his job description on other state DDA's Directors job description and he would look into what is available from the state, add that into his description if needed and we can approve that at our next DDA meeting.

7. Teresa Warren updated us on the parking strategies for the First St. business area. She is considering a press release that will state they are working towards limited time parking, without meters, on the first eight spaces along First St. as well as limited time parking for the spaces along the highway through town.

8. Next up was approval of some DDA bills.

Betty Porter made a motion:

To approve payment for the two bills for Paul Turnburke & Assoc. for \$1000.00 each for his work for the DDA in November and December of 2009. To approve payment to Sign Edge for \$165.00 for the new sign showing the contribution of the Nederland businesses to the sidewalk project.

Bunny Spangler 2<sup>nd</sup> the motion. Motion was approved unanimously.  
#120309-1.

7. Teresa asked if there were any changes for the minutes from our last meeting.

Ken Adler made a motion:

To approve the minutes from the November 19<sup>th</sup>, 2009 DDA Board meeting as written.

Betty Porter 2<sup>nd</sup> the motion. Motion was approved unanimously.  
#120309-2.

8. Under new business Teresa Warren asked Betty Porter if the BOT has addressed the issue of the allocation of revenue from the service fees for sales tax collections from town businesses. Betty said this will be brought up again when the BOT gets specific ideas on dollar amounts and where it should be spent.

Ken Adler made a motion.

The DDA would like to see the Town of Nederland use the revenue from service fees collected for sales tax collections in the following way: 75% given to the Nederland Area Chamber of Commerce to use in

advertising the town, using the 2004 Nederland Area Market Analysis as a guide on how and where to advertise; and 25% to use for sidewalk maintenance and improvements.

Ron Mitchell 2<sup>nd</sup> the motion.

Before the motion was voted on Bunny Spangler expressed that she would like to see 100% of the revenue used for advertising.

The motion did not pass as there were no votes in favor of it.

Betty Porter made a motion.

That the DDA request the BOT to give 100% of the revenue from service fees collected for sales tax collections to the Nederland Area Chamber of Commerce to do an advertising and marketing campaign for Nederland using the 2004 Nederland Area Market Analysis as a guide on how best to allocate these funds.

Ken Adler 2<sup>nd</sup> the motion. Motion was approved five for and one abstained. #120209-3.

Bunny Spangler said she would like to see new and different types of advertising considered. Ron Mitchell said he would like to see some oversight from the DDA on how the Chamber will use the funds. The DDA asked Susan Tate from the NACC to get some information together on how they might proceed on an advertising and marketing campaign and get back to the DDA for our input.

9. Teresa Warren asked the DDA to consider a resolution to investigate the Town's staff new interpretations of the change in use of a business in a building and then applying new building codes. Ken Adler thinks a judge has already decided that occupancy of a building is separate from building code regulations.

Betty Porter said we need to focus on specific questions about what is happening to ask the Town's staff. What is a building code violation? What is a zoning violation? It was suggested that the Town and BOT look into the history of trying to enforce these types of violations. What happened in the past?

Ron Mitchell wanted to know what the philosophy of the Town is towards businesses.

Bunny Spangler made a motion:

That the DDA ask the BOT to hold an investigation into the Town staff's new interpretations of building code violations and what constitutes a change in use for existing businesses.

There was no second for the motion so the motion dies.

Paul Turnburke recommended that the DDA request a work session with the BOT to talk about this subject.

Ron Mitchell made a motion.

The DDA requests a work session with the BOT on the specific issue of when a change in use requires a building permit.

Bunny Spangler 2<sup>nd</sup> the motion. Motion passed five for and one against.  
#120209-4.

Our next DDA meeting will be on Thursday, December 17th. The meeting will take place at 8:00 A.M. at the Pioneer Inn, unless otherwise notified.

Meeting was adjourned at 10:00 AM.

Submitted by Stephen Culver, Secretary.