

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466 Multi-
Purpose Room
January 15, 2014 @ 6:30pm

Regular Meeting Minutes

A. CALL TO ORDER

Meeting was called to order by Vice-Chairperson Jeffrey Greene at 6:35pm in Chairperson Everson's physical absence. Pat will be attending the meeting virtually via FaceTime. May it be noted for the record that this meeting was conducted without the benefit of consistent lighting as the lights for the Multi-Purpose Room are on a different grid from that of the rest of the Community Center. Make-shift lighting allowed attendees to conduct the meeting.

B. ROLL CALL

Members Present: Jeffrey Greene, Katrina Harms, Amanda Kneer, Karina Luscher, Susan Schneider, Chairman Everson via FaceTime video conferencing

Absent: Chris Perret

Also Present: Town Administrator Alisha Reis, Town Treasurer Eva Forberger, Interim-Secretary (for production of minutes) Deputy Town Clerk Cynthia Bakke, Conor Merrigan via conference call to report on Informational Item 4: Nedpeds Update.

C. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)

Pam North, Mountain-Ear journalist was the only Public in attendance.

D. CONSENT AGENDA

1. Approval of November 20, 2013 Joint DDA/Planning Commission Minutes

Vice-Chairperson Jeffrey Greene noted that the minutes submitted with revisions for clarity, not change of content are the minutes to be approved.

Katrina Harms noted an amendment to the minutes as during the Public Comment portion of this Public Hearing, a comment was made by Betsy Buck, not Nancy Buck, as had been written. Katrina Harms motioned to approve the minutes as amended, seconded by Susan Schneider, all in Favor.

2. Approval of warrants

Warrants submitted for Holiday Lights, NedPeds Project, and NedPeds Project 90% Completion. Amanda Kneer was asked by Trustee-Liaison Chris Perret to forward his comments to the meeting in his absence regarding payment to NedPeds Engineering Firm Huitt-Zollars. He suggested that the firm not be paid for the 90% completion costs due to the addition of recent changes. Treasurer Eva Forberger responded that Project Manager Conor Merrigan already approved the invoice as the required steps were completed. Town Administrator Alisha Reis responded that the changes were included prior to payment of Huitt-Zollars.

Karina Luscher motioned to approve the current warrants, seconded by Amanda Kneer, with 6 in favor.

E. INFORMATIONAL ITEMS

1. Treasurer's Report – Eva Forberger

Treasurer Eva Forberger referenced the preliminary financials included in the packet, and said that despite continuing to receive invoices, she anticipates only minor changes. The NedPeds design is at the 90% completion stage, though construction costs are unknown until after the bid process. She asked that any year-end invoices be forwarded to her as soon as possible.

Katrina Harms asked if proceeds for the Holiday Lighting program and the First Friday Art Tour were funneled from funds set aside for sidewalk beautification. Eva Forberger affirmed that money from this fund, as well as a \$1000 donation by My Therapy helped to fund the Holiday Lights and the First Friday Art Tour.

2. Christmas Lights Committee Report

Karina Luscher reported that the Holiday Lights program was a success with support and positive feedback, as well as coming in well under-budget. Karina Luscher noted that the lighting throughout Town was made possible by Public Works and a handful of volunteers. She will have a complete report to give once the lights are taken down, which will help create a standard operating procedure for future years. Karina said that ideally lights would go up sooner, but she'd like the white lights to stay up through the winter season. Reis asked for a specific removal date to direct Public Works. Katrina Harms said that Amanda MacDonald has requested the lights remain up for the Frozen Dead Guy Days Festival. As the lights are LED, the expense would be fairly negligible.

Katrina Harms noted that the DDA will have to request loaned strands from participating businesses. Karina Luscher said that some loss due to damage is anticipated, however does not expect this to be significant. Katrina Harms noted that they will need more support for business participation moving forward. Susan suggested approaching businesses earlier in the season, with the success of the pilot program to help build momentum for future involvement. Karina said she'll inquire where Gilpin County and City of Boulder purchase their lights for a volume discount and availability of other styles.

3. Hiring Committee Report for DDA Secretary

The Hiring Committee consists DDA Members: Karina Luscher, Katrina Harms, and Jeffrey Greene. Vice-Chairperson Jeffrey Greene said that they received 7 resumes to include local applicants. Katrina Harms said that she was encouraged by the submissions, and expects more as there is still time before the deadline. Discussion ensued if the finalist would be chosen by the Hiring Committee or if the Committee would forward their decision to the DDA Board. Amanda Kneer noted that the Hiring Committee is half of the Board, thus the determination was made that if the decision is unanimous, the DDA will support the committee's recommendation. If there is a split vote, the decision will be made by the DDA collectively. Chairperson Everson, via Facetime video conference agreed she would support this arrangement.

4. Nedpeds Update by Conor Merrigan via conference call

Conor Merrigan gave an overview of the NedPeds project, which is now awaiting final approval of the design by the Board of Trustees. CDOT is still reviewing the historical clearances, and now anticipates the clearance to be finalized by March 10, which is the earliest time the project could go out to bid, if given final Board of Trustees approval.

Conor said they received about 20 survey responses from 2nd Street residents, and that responses are generally supportive of the project. The scheduled removal of Tori Carpenter's spruce trees at 155 E 2nd Street has upset some residents, which Conor said to expect attendance specific to this issue at the Board of Trustees meeting.

Conor said that the engineering team would like to conduct more survey work to look at the height of the existing culvert. He expressed the team's desire to have a distributed gravel layer on top to raise the height, which with work and analysis, will cost similarly to formerly proposed concrete box culvert. The current baseline project costs are \$733,000, with additional options for spurs if desired, as an extra

expense. He said the cost estimate for road re-design and grading work, if spruce trees are to be saved at all cost, is about \$12,000. Conor said that per DDA and Planning Commission direction to hire an ecologist, the spruce trees would be included within the ecologist assessment. The final report by the ecologist noted that no nests were observed, nor any habitat for rare or threatened species in this semi-urban area. Conor noted that homeowner Tori Carpenter commissioned an arborist who demonstrated good health of the spruce trees, which may even withstand another pruning to clear branches from the power lines. It was noted that root damage due to roadway construction could damage up to 35 percent of the root mass, without road realignment. The trunks of the spruce trees are within the right-of-way, and the canopy extends roughly six feet into roadway, which would require trimming up to twenty-feet to allow for delivery truck access. Along with road redesign, the area under the canopy would have to remain as dirt instead of gravel, which would not assist with drainage in this area. The current recommendation is to remove the spruces with other trees planted in this or another location.

Town Administrator Alisha Reis said that the ecologist suggested returning willow species to key areas along the creek, which could be accomplished inexpensively with volunteer labor. She said she will forward the ecologist's report to DDA Board members. Amanda Kneer inquired if removal costs are known and included within the construction budget. Conor said they are to be included, though he doesn't have a cost yet. Katrina Harms inquired if expense for removal exceeds the cost of road redesign. Chairperson Pat Everson responded that Brian MacLaren had estimated removal costs of about \$1200 per tree at the Joint meeting in November.

Amanda Kneer provided written commentary by Trustee-Liaison Chris Perret. He said that concessions have been made on several properties, therefore all residents should be afforded the same. Per Perret's comments, he was unaware of the survey despite living in the neighborhood and owning a business, as the contact method is via email. Conor said there has been outreach along the street by community volunteers, as well as email contact. He said in general, impacts have been mitigated as much as possible while trying to maintain the design integrity. He noted that height of driveways presented a considerable challenge from an engineering standpoint. Conor said that with regard to the spruces upon Tori Carpenter's property, there is still a possibility of compromise. Conor said that all the people who expressed major concerns about impacts have been in communication, with compromises extended where able.

{At this point in the meeting, the power fully shut down with only emergency egress lighting available.}

Board member discussion continued as to whether each situation was reviewed fairly and compromises sought. Vice-Chairperson Jeffrey Greene summed up that it appears as if each situation was evaluated fairly, however this may not mean that everyone will get what they want.

Jeffrey Greene noted that the Ecologist report was sent via email. Speaking to the concerns presented within Perret's comments, he said that as the January survey missed Perret, it is necessary to honor the request that there be more than one form of communication.

5. Town Administrator's Report – Alisha Reis

Alisha Reis introduced Alex Armani-Munn the intern who will be working with the Town Staff for the next two years. He will be assisting with the DDA Master Plan sometime later in 2014.

Reis noted that the first Recreational marijuana dispensary business application will be before the Board of Trustees on January 21. Katrina Harms inquired whether Canary Song will be providing retail, medical marijuana, or both. Reis said that the dispensary will be full retail without medical marijuana. She said that medical marijuana dispensaries must be in good standing with the State of Colorado and town regulations to pursue operation as a retail marijuana establishment. The Planning Commission will be reviewing a Special Review Use request for a for-profit club allowing cannabis consumption on January 22, 2014. (Please note: This has since been postponed to February 26, due to circumstances affecting quorum to hear the special review use request.)

Reis will be meeting with Xcel representatives the following day. The meeting was planned, however will now give her an opportunity to speak about the town-wide power outage affecting the meeting-in-progress. She reported that Xcel has fired subcontractor Par Electric, and will be subcontracting with Sturgeon Electric, which should hopefully eliminate the frequency of outages.

F. ACTION ITEMS

1. Consideration of updated Secretary to the Board job description

Katrina Harms said that she condensed the job description to include the responsibility for updating the website and social media, email lists, and responding to public requests for additional contact, as these were aspects being done by the previous DDA Secretary. Amanda Kneer inquired about the inclusion of executive director duties as previously discussed to expand the position. Katrina said that they do not have the budget, and that State Statutes allow for a Secretary. Katrina inquired if the position can be a combination of duties. Alisha Reis affirmed. Katrina said eventually there will be potential to steer the position toward larger involvement and responsibilities with appropriate compensation.

Susan moved to approve the job description with additions by Katrina, seconded by Karina, all in favor.

G. DISCUSSION ITEMS

H. OTHER BUSINESS

I. ADJOURNMENT

Amanda motioned to adjourn, seconded by Katrina, all in favor at 7:32pm.

NEXT REGULAR MEETING: February 19, 2014 6:30pm at the Nederland Community Center Multi-Purpose Room

The NDDA Board encourages citizen participation. Public hearings and the "unscheduled citizens" agenda item allow an opportunity to address the Board. Discussion is limited to 3 minutes and please address your comments to the Board. Thank you for your cooperation. The NDDA Board may take action on any item included on this agenda, regardless of the heading under which such item appears. Discussion items may become action items if the Board determines that deferring final action on an item to a subsequent meeting is unnecessary or unwarranted and that taking immediate action does not compromise any third-party's rights. The NDDA Board of Trustees meeting packets and agendas are prepared on Friday before the Wednesday meetings and are available on the NDDA website, www.neddda.org. Copies of the agendas and meeting packet are available at no cost via email from patricia.everson@gmail.com. The information is reviewed and studied by the Board members, eliminating lengthy discussions to gain basic understanding. Short discussion on agenda items does not reflect lack of thought or analysis.