

## RECORD OF PROCEEDINGS

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*Town of Estes Park, Larimer County, Colorado, October 22, 2008*

Minutes of a Regular meeting of the **ESTES PARK URBAN RENEWAL AUTHORITY** of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 22<sup>nd</sup> day of October, 2008.

Commissioners: Chairman Newsom, Commissioners Cope, Halburnt, Little, Martinsen, White and Wilcocks

Attending: Chairman Newsom, Commissioners Cope, Halburnt, Martinsen, White, and Wilcocks

Also Attending: EPURA Dir. Smith and Deputy Town Clerk Deats

Absent: Commissioner Little

Chairman Newsom called the meeting to order at 8:00 a.m.

### **COMMUNITY COMMENTS.**

None

### **COMMISSIONER COMMENTS.**

None

### **MINUTES.**

The minutes of the regular meeting held September 17, 2008, were approved.

### **STANLEY STEAMER MUSEUM – DISCUSSION.**

John Cullen, owner of the Stanley Hotel, made a presentation to the Commissioners related to the renovation of the Stanley Carriage House. The existing building is not structurally sound and would require extensive renovation including the addition of a foundation. Mr. Cullen proposes the building be restored to serve as the Stanley Steamer Museum which would accommodate a history center, a restoration bay, a media area, and space for four operating Stanley Steamers to be used to give rides around the Stanley Hotel property. Mr. Cullen estimates that it will cost approximately \$700,000 for the museum to become operational and is requesting that EPURA pay construction costs estimated at \$400,000 for the renovation, with the Stanley Hotel subsidizing and supporting the operating costs at \$300,000. The renovation of the structure, which is not on the historic register, would be functional, not fancy, and preserve the character of F.O. Stanley's garage. He stated that the opening of the museum in May 2009 would tie in with the 100<sup>th</sup> anniversary of the Stanley Hotel and be a unique attraction that would bring people to Estes Park. Discussion followed and is summarized: what type of agreement would exist between the Stanley Hotel and EPURA; long term lease of 25-50 years with payback provisions if museum failed; the museum would be operated by a 501(c)(3) non-profit organization; parking for the facility; the Carriage House is within old URA boundaries; and have EPURA's structural engineer evaluate the building. Chairman Newsom thanked Mr. Cullen for his presentation and said the Commissioners would review his request and proceed with prioritizing future projects with Town Board input.

### **UPDATE – LAWSUIT RELATED TO THE ABOLISHMENT OF EPURA.**

Dir. Smith informed the Commissioners that Atty. Paul Benedetti was unable to be present at the meeting to speak about the lawsuit involving EPURA and the Town of Estes Park due to illness, but would be available at a later date to address this issue. Commissioner Cope expressed dissatisfaction with the involvement of EPURA in the lawsuit, stating EPURA was brought into the suit without discussion or consultation with the Commissioners, and that he has issues with the citizen's being denied a right to

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vote in regard to the existence of EPURA. Commissioner Halburnt stated that voters are not being denied the right to vote but that Colorado Revised Statutes (CRS) do not provide for the establishment of an urban renewal authority (URA) by a vote of the people, but a vote of the electorate can be sought for the abolishment of a URA. By state statute, EPURA can be, and was, established by the Town Board. The Commissioners requested that a special meeting be scheduled for the purpose of having EPURA Atty. Benedetti and Town Atty. White address the topic of the lawsuit.

**PARK THEATER MALL PROJECT – DISCUSSION.**

The Commissioners invited Sharon Seeley, owner of Park Theater Mall, to attend the regular meeting to assure her satisfaction with the condition of her property following completion of repairs to the north wall of Fall River earlier this year. Mrs. Seeley stated that vegetation along the south river wall was damaged and not returned to its original condition resulting in erosion and noxious weeds taking root. In addition, she stated that machinery damaged the entry tiles at the Park Theatre and requested \$1,500 reimbursement for one-half of the cost of legal fees associated with a written agreement that was drafted in regard to the project. Chair Newsom stated that Heath Construction will be back on site within the next few weeks and will address Mrs. Seeley's concerns at that time. It was **moved and seconded (Cope/Wilcocks) to reimburse \$1,500 to Mrs. Seeley for one-half the cost of attorney fees related to the project**, and it passed unanimously.

**PROPOSED EPURA EASEMENT MODIFICATION – DISCUSSION.**

Kevin Schwery, owner of property located at 240 E. Elkhorn Avenue, approached the Board to request modification of a 19-foot easement located at the east side of his property that provides access to a private parking lot behind his building. In the future, Mr. Schwery intends to develop the land currently used for parking and proposes to reduce the size of the easement from 19-feet to 10-feet to create public access to the Riverwalk. The proposed walkway will be much safer for pedestrians than the current driveway located next to the building. Mr. Schwery spoke with staff in the Community Development Department who agrees that a 10-foot easement will be adequate to accommodate foot-traffic from Elkhorn Avenue to the Riverwalk. It was **moved and seconded (Cope/Martinsen) to approve the easement modification request to reduce the easement width from 19-feet to 10-feet contingent upon approval by the Town of Estes Park**, and it passed unanimously. Mr. Schwery made an informal request that, at some point in the future, the Commissioners consider providing funding assistance for the construction of this Riverwalk access.

**ELECTION OF VICE CHAIRMAN.**

Chairman Newsom opened the floor to nominations for Vice Chairman and Commissioner White nominated Commissioner Wilcocks. Commissioner Martinsen seconded the motion and as there were no other nominations, Chairman Newsom declared the nominations closed. The motion passed unanimously, with Commissioner Wilcocks abstaining.

**EXECUTIVE DIRECTOR'S REPORT.**

1. Financial Reports – Finance Officer McFarland projects that \$1.3 million, less the cost of the CVB signage, repair work at Wiest, and legal fees, will be in reserve at the end of the year.
2. CVB Signage – Stones have been selected and the signs should be installed on Highway 34 and Highway 36 by the end of the year. Staff will prepare a press release related to the installation. Total cost of the project is expected to be approximately \$40,000.
3. Budget – Dir. Smith stated that draft budgets have been distributed to the Commissioners for review. The EPURA budget contains three funds: the General Fund, Capital Projects Fund, and Debt Service Fund. The 2009 budget includes \$200,000 of operating money from the Town of Estes Park, \$1.3 million, less expenditures through the remainder of 2008, and no debt service at this

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time. The budget will be advertised as required for adoption at the November regular EPURA meeting.

4. Larimer County Intergovernmental Agreement (IGA) – The IGA with Larimer County related to the continuation of EPURA has been agreed upon, but there is still a question whether or not the IGA is necessary. Staff will discuss this topic with Atty. Benedetti.

**MISCELLANEOUS.**

Chairman Newsom appointed a task force to further study a variety of façade improvement programs and provide information to the full commission to assist in setting priorities for upcoming projects. Commissioner Martinsen will lead the task force with Commissioners White and Wilcox participating.

Whereupon, Chairman Newsom adjourned the regular meeting at 10:00 a.m.

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Cynthia Deats, Deputy Town Clerk