

RECORD OF PROCEEDINGS

Town of Estes Park, Larimer County, Colorado, November 20, 2003

Minutes of a Regular meeting of the **PUBLIC WORKS COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 20th day of November, 2003.

Committee: Chairman Barker, Trustees Doylen and Habecker

Attending: Chairman Barker, Trustee Doylen

Also Attending: Town Administrator Widmer, Public Works Director Linnane, Facilities/Const. Mgr. Sievers, EPURA Dir. Smith, Clerk O'Connor

Absent: Trustee Habecker

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

Public Works Director revised the agenda to include the following item:

ROOFTOP ANTENNA DISH LEASE – LESSEE REQUESTS RENEWAL.

As required in the Roof Access Lease Agreement, ESTESVALLEY.NET has requested a lease extension from January 1, 2004 through December 31, 2004. Dish installation is complete and in-service and staff is unaware of any outstanding issues. Dir. Linnane confirmed he will request a financial statement from the lessee, and **the Committee recommends approval of the one-year lease extension, with review in 2004 to ensure an unfair financial advantage has not been created.**

KNOLL-WILLOWS TRAIL – PREFABRICATED BRIDGE – REQUEST APPROVAL TO PROCEED WITH CONSTRUCTION.

At the September 18th Public Works Committee meeting, staff was directed to return for authorization to proceed with construction of the bridge. The original custom-built bridge cost estimate was \$28,000. Staff researched a prefabricated bridge and the estimated cost is \$21,000, installed. The 2003 Budget Fund Balance for this project is approximately \$90,000, and the estimated cost (\$21,000) includes metal railings that take maintenance into consideration. **The Committee recommends staff proceed with bridge construction, at a cost of \$21,000.**

ENOS MILLS SCULPTURE BOND PARK SITE SELECTION – REFERRED BY EPURA.

Bonnie Fulford, artist of the “Enos Mills & Scotch” sculpture presented her request for a site to display said sculpture to EPURA. At their 10/15/03 Board Meeting, EPURA recommended the sculpture be placed in the northeast corner of Bond Park. Bill Pinkham, President/Art Center, has been coordinating the project and was in attendance.

Dir. Linnane stated Streets and Parks personnel would assist with placement of the sculpture and they would select all materials required for installation. Miscellaneous costs, such as lighting, should be included in the fund-raising efforts organized by Mr. Pinkham and the Art Center, as the Town did not specifically budget for funding assistance with this project.

RECORD OF PROCEEDINGS

Public Works Committee – November 20, 2003 – Page 2

EPURA Dir. Smith provided background information on this project, adding that with Town staff, he investigated the site. As discussed in EPURA's minutes dated 10/15/03, future Bond Park master plans may require relocation of the sculpture and the proposed installation will accommodate that possibility.

The Committee discussed the philosophical issue of the sculpture itself, i.e. Enos Mills is known as the "Father of Rocky Mountain National Park", is the Park boundary (north or south entrance) a more appropriate site? Mr. Pinkham offered additional background information including confirmation that the Fall River Visitor's Center is opposed to placement on their site.

Street/Parks Supt. Speedlin reported he had met with the artist and a 9x4' rock base is needed, as well as a boom truck to unload the sculpture. The northeast section of Bond Park is conducive with the underground irrigation system and special events. The foundry will anchor the sculpture to the base and to facilitate undue hardship in the future, Supt. Speedlin will advise the foundry concerning potential relocation in the future. The sculpture should be placed the first week of December, 2003.

The Committee recommends approval to locate Ms. Fulford's Enos Mills sculpture in the northeast section of Bond Park for the time being, noting their desire to reserve their options for a permanent site pursuant to pending discussions on new entry signs on Hwy. 36. Additionally, the Committee stated their reservation is not intended to negatively reflect upon the artist nor the Arts Center. Furthermore, the Committee expects this item will be discussed during the upcoming Town Board meeting 11/25/03.

MUNICIPAL BUILDING REMODELING PROJECT DESIGN – REQUEST AUTHORIZATION TO PRESENT COST AND FINAL DESIGN DIRECTLY TO TOWN BOARD JANUARY 13, 2004.

Dir. Linnane explained that construction of the Municipal Building Remodeling Project can be completed two weeks earlier if staff and the architect could present the Final Design and Guaranteed Maximum Price at the 1/13/04 Town Board meeting in lieu of the January 16th Public Works Committee meeting. This design will not be completed by the December Public Works Committee meeting. As completion is expected to take six months, the early start-up would help ensure completion prior to July 4th. **The Committee recommends approval of staff's request to submit this item directly to the 1/13/04 Town Board meeting.**

TRANSFER STATION OPERATING AGREEMENT – REQUEST APPROVAL TO REVIEW WITH EXISTING PARTIES (3), INCLUDING THE PROVISIONS OF PARAGRAPH 3.G. TITLE TRANSFER OF FACILITIES.

Larimer County and A-1 Trash (A-1) are renewing their initial 1/31/84 Operation Agreement for the 10-yr. period of 12/31/03-12/31/13. The agreement establishes A-1 operations compensation procedures, the revenue margin, and establishes accounting guidelines used by the County to set transfer station rates, as well as other stipulations. The agreement contains a one-paragraph provision that requires Town approval.

Paragraph 3.G. Title of Facilities – states that upon contract termination, legal title of the buildings (gate house, original transfer station tipping floor area, and addition to the tipping floor area) shall be transferred to the Town. The office and garage buildings now occupied by A-1 are not included. Staff's interpretation is that the Town would pay the operator the difference between the initial actual cost of these buildings and the County's reimbursed depreciation. The Town has the right to refuse ownership, whereas the ownership would remain with the County. This clause benefits Estes Park residents by establishing either the Town or County, rather than private companies, as the regulating agency of solid waste transfer to the County Landfill.

Public Works Committee – November 20, 2003 – Page 3

Staff's opinion is that the Town is not currently in a position to accept the ownership and financial management responsibilities associated with the title transfer. Town Attorney White has reviewed the agreement and recommends the following amendment to Paragraph 3.G. of the Agreement:

"The terms and conditions of this Paragraph 3.G. shall supercede, replace and amend any conflicting provisions of Section 8.5 through 8.12 of the Ground Lease Agreement between the Town of Estes Park, as Landlord and Estes Park Investments, Inc., dba A-1 Trash Services, as Tenant dated December 13, 1996."

Larimer County legal counsel supports the Amendment. **The Committee recommends the Mayor be authorized to execute the Transfer Station Operation Agreement for a 10-year term, beginning 12/31/03 through December 31, 2013.**

REPORTS

Trail Projects.

- Mgr. Sievers reported that the curb/gutter work on Fish Creek Rd. for the Fish Creek Trail has been completed, the bridge should be delivered within the next 2 weeks, and concrete for the bridge abutments is being poured; staff anticipates completion of the second phase this year.
- Work on the W. Elkhorn portion of the Fall River Trail is nearly completed. In addition, a plaque commending the James Family will soon be installed on Lot 21, Sunny Acres Addition for the easement that facilitated the Fall River Trail.

Trustee Doylen emphasized the need for a *Trail System Map* that illustrates the Trail Master Plan, the amount of trails completed thus far, and the amount of Town-leveraged dollars expended to date.

West Riverside Drive Project. The project has been completed and the street is now open for vehicular traffic.

There being no further business, Chairman adjourned the meeting at 8:36 a.m.

Vickie O'Connor, CMC, Town Clerk