



**TOWN OF NEDERLAND
BOARD OF TRUSTEES
REGULAR BUSINESS MEETING**

**NEDERLAND COMMUNITY CENTER
750 Hwy 72 Nederland, CO 80466**

July 19, 2016, 7:00 P.M.

MINUTES

A. CALL TO ORDER

Mayor Larsen called the meeting to order at 7:07 pm.

B. ROLL CALL

Present: Mayor Kristopher Larsen, Mayor Pro Tem Charles Wood, Trustees Topher Donahue, Julie Gustafson, Dallas Masters, Stephanie Miller

Absent: Trustee Kevin Mueller (unexcused)

Also present: Alisha Reis, Town Administrator; Paul Carrill, Town Marshal; Chris Pelletier, Public Works Manager; and Cynthia Bakke, Planning & Building Tech

C. CONSENT AGENDA

1. Approval of July 19, 2016 Accounts Payable
2. Approval of July 5, 2016 Regular Meeting Minutes
3. Approval of land purchase agreement for the Town Maintenance Shop
4. Approval of a lease agreement with JerkyMon for kitchen rental at the Community Center
5. Approval of Resolution 2016-22 appointing the Town Building Official and process to appoint Deputies

Motion to approve the Consent Agenda items 1, 2 and 4 was made by Trustee Miller, seconded by Trustee Masters, and passed by unanimous approval.

Reis explained the inclusion of the land purchase agreement for the Town Maintenance Shop. She said the 1.04 acre portion is in final negotiations with Boulder County prior to annexation via ordinance for town-owned property. She further explained that a \$9,000 portion refunded by Xcel Energy from the WWTP development was already earmarked for this acre portion.

Reis clarified the requirement to appoint a specific Building Official instead of naming the plan review and inspection service contractor SAFEbuilt, from previous requests to personalize this position. SAFEbuilt Building Official Michael Sizemore introduced himself to the Board.

Trustee Masters asked for clarification regarding sustainability funds returned to Boulder County. Reis explained that the returned grant funds were geared toward rebates for lowered water usage with only modest interest from residents and businesses, to include bulk purchase of sprayers for restaurants.

Motion to approve the Consent Agenda items 3 and 5 was made by Trustee Masters, seconded by Trustee Miller, and passed by unanimous approval.

D. STAFF REPORTS

1. Alisha Reis, Town Administrator

Reis said her staff report concerns the Cold Springs Fire and recovery, an event that cost over \$3.5 million for County and Federal response, not to include staffing or personal property loss. She said Mayor Kris Larsen signed the Disaster Decree on July 9 with Boulder County which will assist with federal and possibly state disaster assistance funding.

Reis commended local and national First Responders, Public Works staff and Special Projects Manager Kathy Weiss who kept the Town's website updated as information was available. Reis said the Community Center quickly transformed into the Incident Command Post, with Board interaction and presence at the Community Gathering very beneficial. She said many lessons have been learned with confirmation of the need for "mountain-friendly" evacuation shelters to allow small pets.

Reis said the Cold Springs Fire underscored the urgency of ongoing work to establish a Big Springs emergency egress. Boulder County Parks and Open Space Advisory Committee (POSAC) will hear the request on July 28, starting at 6:30 pm followed by the Boulder Office of County Commissioners (BOCC) on August 9 at 11 am, with both meetings open to the public, said Reis. Trustee Wood requested a notice on the Town website.

Reis said that the first round of mitigation was done on all public properties for the FEMA Pre-Hazard Mitigation Grant, with the USFS (Forsythe Project) still in environmental and public reviews. She said there will be curbside chipping in Big Springs to collect slash, with Sunnyside and Stinky Gulch neighborhoods to follow in August.

2. LauraJane Baur, Town Clerk

The Clerk's report was provided in the packet. Planning and Building Technician Cynthia Bakke (clerking in Baur's absence) said she could provide information on behalf of the Clerks' Department. There were no questions.

3. Paul Carrill, Town Marshal

Marshal Carrill said that the Police Department has increased security measures for the Municipal Court held in the Community Center multi-purpose room with a new point of sale device for fees and/or fines increasing efficiency.

Carrill said Reis, Randy Lee, Mike Chard, and he created an Emergency Management Plan tabletop exercise which was actuated less than 20 days later during the Cold Springs Fire, with upcoming training for new board members.

Carrill noted departmental changes included promotion to Detective for Darragh O'Nuallain and fulltime status for Officer Wesley Kugel.

Carrill provided a highlight of exemplary departmental efforts during the Cold Springs Fire response, with use of traffic safety equipment purchased in 2015.

Trustee Masters asked Carrill to summarize the interaction between the Police Department and area resident Joe Hall, who created an online forum to discuss issues related to transient seasonal camping. Carrill said the group has had ongoing dialogue with representatives from the Nederland Police Department, Boulder County Sheriff's Office, USFS, and Hansen Wendlandt of the Nederland Presbyterian Church to provide information for a deputy or ranger to patrol the camping areas.

4. Chris Pelletier, Public Works Manager

Pelletier provided an update regarding capital improvement project (CIP) funding for planned upgrades to the Big Springs pump-house to improve distribution and fire flow. He said existing equipment doesn't integrate with the newer SCADA monitoring system, and unable to provide domestic pressure via generator power during power outages. The new building will house all equipment together with improvements in efficiency, integration, and improved data collection and analysis, said Pelletier. He said he anticipates construction plans to be completed by October, and answered Board questions.

Marshal Carrill said he notified Public Works about low-pressured hydrants and highlighted the Public Works department willingness to staff road checkpoints when the fire perimeter expanded to Boulder Canyon.

E. BOARD OF TRUSTEE REPORTS

1. Mayor's Report

Mayor Larsen complimented Town staff, the Nederland Volunteer Fire Department, and Commander Mike Smith for an incredible response. He said that federal fire crews were grateful for the welcoming by the community.

Mayor Larsen said Boulder Ranger Sylvia Clark will be present at the upcoming Town Hall meeting (tentatively set for August 2) on transient camping. He asked for residents to email the Board with relevant concerns and questions.

Trustees' Reports

Board members all thanked Town staff for response during the Cold Springs Fire. Mayor Pro Tem Wood applauded the response and presence of mind of the Town Administrator Alisha Reis and Mayor Larsen in the midst of emergency.

Mayor Pro Tem Wood said there will be a Nederland-style Black Tie fundraising affair at the Carousel of Happiness on July 23 at 7 pm.

Mayor Pro Tem Wood said the DDA is continuing to update their Master Plan.

Trustee Masters said he was away during the fire, but impressed with the response he saw via internet. He said Nederland's PROSAB currently has 4 vacancies, a board which doesn't require Town residency. PROSAB has two plans in development with forest-related issues front and center, said Masters. He urged residents to sign up for the Saws-n-Slaws program to assist residents' mitigation efforts via many hands working and a barbecue potluck afterward.

Trustee Gustafson said she will provide an update after the next Community Center Foundation Board meeting on August 10. She said Barb Hardt contacted Gustafson about the local Peak to Peak Healthy Community fundraising for those affected by the fire efforts with an account set up at Centennial Bank and Trust.

Gustafson said she serves as liaison to the Colorado Municipal League (CML) which hasn't scheduled their next meeting. She said Board members were previously invited to the Small Communities workshop on August 18. Reis said there are still positions available with a Town staff carpool.

Trustee Miller said the Planning Commission held a Work Session on June 8, which included GIS analysis regarding infill of residential and commercial properties. She said the Commission will be working predominantly to develop policies to support affordable housing. She said she attended the CML Conference in June which allowed networking opportunities with other

municipal staff. Trustee Miller said the presentation on vacation rental by owner (VRBO) illustrated the impact to housing in Summit County.

Trustee Miller said she met with the Xcel liaison for Town and reported utility poles which need to be moved. She said she discussed rebate opportunities that will be linked from the Town's website, as well as public demand for renewable energy mix that needs to see support at the PUC review level.

Trustee Donahue said there were no updates for the Board of Zoning Adjustment (BZA) or the EcoPass Board. He said that he'd been told that visiting fire crews said they felt more appreciated by Nederland than most other communities.

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

Kayla Evans thanked everyone regarding Cold Springs Fire response. She reiterated the necessity for a second bridge in Nederland as a high priority. Trustee Miller added a special thanks to Evans for housing the visiting firefighters upon her property.

Gerry Soutiere, of Nederland, thanked Public Works for replacing a hydrant in Old Town that was damaged by a vehicle and not reported.

G. ACTION ITEMS

1. Consideration and public hearing of an Ordinance 741 updating Zoning Code (Sec. 16-88 Density Increase)

Reis introduced the item. She referenced the packet memorandum which proposed language to allow for Density Increase on a case-by-case basis in the High Density Residential (HDR) zoning district via Sec. 16-88. She said the change would allow for properties to apply to increase density from one dwelling unit per 4,000 square feet to 2,000 square feet, as allowed in the Neighborhood Commercial (NC) district. Reis said the option to increase density arose from the Planning Commission's work plan regarding housing.

Reis explained the criteria specific for approval, which doesn't apply to a single lot (i.e. standard 3,600 – 4,000sf), but could be applicable to combined lots. She said that this is an option that may yet occur in the HDR district. She said the criteria would be augmented to include drainage requirements.

Reis said that the 2014 Bowen Housing Study for town limits and 10-mile influence area has assisted understanding of the area's demographic, however the information is now dated as prices have increased.

Trustee Miller asked about location of HDR properties. Reis enlarged the zoning map in order to show the properties within the district noting that there have only been two density requests undertaken in her time as Town Administrator.

Trustee Gustafson asked what tools will be used to analyze requests. Reis explained the procedure for Town staff review, with proper noticing of the

property required if an application is viable to proceed. Reis said Town staff recommends applicants talk to neighbors to understand concerns regarding land use requests. She said non-legal residences are already in existence, with one illegal long standing multifamily Special Review Use (SRU) request turned down by the Board, which the required dismantling into a single family residence.

Trustee Masters asked Pelletier for more information regarding infrastructure capacity. Pelletier said he believes that infrastructure could accommodate the proposed increase, although he doesn't have a calculation for every property. Trustee Masters said there should be more concrete data available prior to a change. Reis said that any request will require utility plans, with some properties notably limited. She further explained the strict criteria that must be met for density increase approval.

Trustee Masters said he would have liked to see the Planning Commission consideration included in the packet. He said he'd supports consideration of many progressive options for affordable housing.

Mayor Larsen opened Public Hearing portion of the meeting.

Robin Aames, of Nederland, was donated an additional three minutes. He asked about lots that already have nonconformance. Reis and Beery provided response from the land use perspective on zoning changes establishing nonconformity. Aames said he is speaking on someone's behalf who has three illegal uses next door to him. Reis explained Planned Unit Development (PUD) process being that it is possible lots will be combined for redevelopment in the future.

Randy Sachter, of Nederland, said she opposes the proposal due to rental turnover, lack of parking, and issues such as trash and dogs at large.

Keith Larsen, of Nederland, said he is opposed to doubled density due to long-standing issues in Old Town without enough enforcement. He said Nederland should stand on its own and not be a bedroom community to Boulder.

Jessica Fitzer, of Nederland, said she is opposed to this type of change.

Planning Commission Chairman Roger Cornell of Nederland, said the Commission discussed density increase as part of their housing policy development. He said there was no perception of controversy associated from the density increase proposal being as only two properties have applied for density increase since the early 80's. Cornell acknowledged that discussion will continue on options to increase affordable housing in the town.

Mayor Larsen allowed an additional one-minute comment period.

Sylvia Iorio, of Nederland, said as forty-year resident of the neighborhood there have always been infrastructure issues making it unsuitable for the change.

Paul Bulger, of Nederland, said he also opposes the proposal.

Gerry Soutiere, of Nederland, mentioned specific nonconforming properties in Old Town he'd like the Town to investigate. He said the infrastructure in Old Town cannot handle increased density.

Ron Mitchell, of Nederland, said with an increasing population the elected officials unfortunately must work to increase housing stock or see the gap between rich and poor enlarge, with associated issues caused by housing stress.

Hansen Wendtlandt, of the greater Nederland area, said he agrees with Mitchell about the need for housing. He said if regulated well, the derelict landlord situation could be improved.

Keith Larsen, of Nederland, said he feels it's important to provide positive rentals and management, without renters being taken advantage of by shady property owners. Larsen said neighborhood congestion should be addressed.

Charles Boyles, of Nederland, agreed that traffic congestion creates a dust cloud in his yard most weekends.

Sean MacDonald, of Nederland, asked about rent control requirements. Reis said there is currently no ordinance for rent control, however this can be included within the scope of a subdivision or PUD basis, or on an individual property basis with a rental housing oversight program.

Ted Mullen, of Nederland, said he is opposed due to concerns about occupancy, dogs and drug use that have impacted enjoyment of living in the neighborhood.

Annette Croughwell, of Nederland, encouraged the Board to table the item. She said none of the Board members resides in Old Town, and asked for more time to understand the proposal.

Reis said that the August 24 Joint Work Session will consider many housing topics beyond density increase.

Mayor Larsen thanked residents for coming to Public Hearing to express their concerns and closed the Public Hearing portion of the meeting.

After much Board discussion regarding the complexity of the issue with support for varied ways to achieve increased density, Mayor Larsen tabled the item until further information is provided and discussed at the Board of Trustees/Planning

Commission Joint Work Session in August. The Board further supported Code Enforcement response to address the many issues raised during the Public Comment portion of the meeting, specifically regarding Old Town.

Reis said complaints have not specific to illegal duplexes, but other impacts in Old Town and Big Springs have been reported. She said occupancy and parking are predominant concerns, although much of the neighborhood was built before auto or multiple auto ownership.

H. INFORMATIONAL ITEMS

1. Food Pantry/P2P Housing, Human Services Task Force update report

Reis provided a donation from the Town for \$250 for the Food Pantry's assistance during the Cold Springs Fire response. Chris Current accepted the donation and provided a report regarding several programs in effect. Current said the mountain schools were not treated equitably regarding the summer supplement program with Boulder Valley School District. In the interim, Current said the Food Pantry supplemented food for the students.

Current introduced Mountain Resource Liaison for the Mountain Human Services Collaborative Task Force Kristi Venditti of Nederland. Venditti said she assists with case management for families with disabilities. She noted housing as a prime issue for several families, some of which have resorted to camping. She said that trust is essential for mountain residents before they will contact her. Venditti said some residents were indirectly impacted by the Cold Springs Fire which resulted in lost wages.

Trustee Miller asked about \$2000 funding request. Current said the funds will be used for outreach.

Motion to extend the meeting for 30 minutes was made by Mayor Pro Tem Wood, seconded by Trustee Masters, with 4 in favor and 2 opposed.

2. Quarterly Building and Code Enforcement Reports

SAFEbuilt Building Official Michael Sizemore presented a slide showing permits issued and inspections which was comparable to last year, with lower project valuations. He said that smaller improvements have predominated in most jurisdictions contracting SAFEbuilt's services.

SAFEbuilt Code Enforcement representative Jennifer Nelson provided an update about the transition between herself and the previous code enforcement official. Nelson said there were 47 violations between January to June 2016, with accumulation of refuse and junk being the most common citation.

Reis said that issues mentioned in Old Town during the public hearing portion of the meeting regarding density increase will be investigated, which is appropriate

for Code Enforcement to tackle. Nelson mentioned that photos taken by residents can assist with investigation especially if she's unable to catch the violation on her weekly patrol.

Mayor Larsen asked for callouts to be added noting the code section in violation.

3. Recognition of Cynthia Bakke for CIRSA Safety Champion Award

Bakke highlighted improvements to the Town's Safety Culture due to the support of the Town Administrator, and better overall departmental organization, especially by Public Works and the Police Department. Bakke was made an honorary Public Works employee and received safety goggles, safety vest with Nederland PW patch, and a safety helmet with a tiara.

4. Kick-off to 2017 Budget season, including calendar

Reis introduced the item. She said there will be a public Budget charrette on August 31, from 6-8pm. She said the budget will include the Living Wage initiative to bring full time workers to an annual living wage of \$40,000, begun by the previous Board, with intention to address part time workers as well. Reis said the Planning budget will include the affordable housing development intended for the existing Public Works site at 750 W. 5th Street.

Trustee Gustafson noted the CML webinar meet up at the Police Department on July 28 provided by the Colorado Government Finance Officers Association.

Reis said additionally to Food Pantry gave support, donation for BackDoor Theater for assistance during the Cold Springs Fire.

J. DISCUSSION ITEMS

1. Potential for remote attendance by BOT members

Town Attorney Carmen Beery referenced the memorandum in packet which addressed remote participation in early June. Beery responded to Board questions.

Trustee Masters expressed his feeling that availability of remote viewing for board members should be easy to obtain with a laptop and other associated equipment. He said this could then be utilized in the small conference room as well.

There was board disagreement about remote participation due to attendance issues, and a need to ensure this option will not be abused. The majority of the Board expressed support for face-to-face interaction and accountability with residents as a new board building trust with the community they serve.

Motion to extend the meeting for 30 minutes made by Trustee Masters, seconded by Trustee Miller, with 4 in favor and 2 opposed.

Mayor Pro-tem Wood suggested testing out the technology at work sessions prior to considering the application for meetings. Trustee Miller said she would support use of

the Go To meeting platform.

Reis said the iCompass Meeting management system will be coming online shortly which is a cloud-based storage system that will assist overall meeting organization.

Trustee Miller requested an update on the NedPeds project. Reis said that the project contractor is not familiar with CDOT regulations, and has required more involvement than anticipated, and is thus taking longer, especially after delays caused by the fire. Reis also clarified a question from Trustee Masters about unused utility poles in the sidewalk.

K. OTHER BUSINESS

1. Reschedule Work Session re: Infrastructure

Reis said that a Doodle poll will be circulated among the Board in order to reschedule the Work Session concerning infrastructure and the new Public Works Facility which was postponed due to the Cold Springs Fire.

L. ADJOURNMENT

Motion to adjourn was made by Trustee Gustafson, seconded by Trustee Miller, and approved by unanimous voice vote. The meeting was adjourned at 10:31 PM.

Approved by the Board of Trustees

ATTEST:


Cynthia Bakke
Planning & Building Technician


Kristopher Larsen, Mayor

