



Town of Nederland

MINUTES

Regular Meeting

Tuesday, September 20, 2016 @ 7:00 PM
Nederland Community Center

Public Hearing 6:00 PM, Show Cause Hearing for SRU at 8 W. Boulder Street

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

Also present: Alisha Reis, Town Administrator; LauraJane Baur, Town Clerk; Carmen Beery, Town Attorney; Paul Carrill, Town Marshal; and Cynthia Bakke, Planning and Building Tech

There was a request for continuance of the hearing until October 18, 2016.

Motion for continuance of the hearing until October 18, 2016 was made by Trustee Masters, seconded by Trustee Gustafson, and passed by unanimous approval.

1. CALL TO ORDER 7:00PM

2. ROLL CALL

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

Absent: Trustees Topher Donahue and Kevin Mueller

Also present: Alisha Reis, Town Administrator; LauraJane Baur, Town Clerk; Carmen Beery, Town Attorney; Paul Carrill, Town Marshal; and Chris Pelletier, Public Works Manager

3. CONSENT AGENDA

3.1. Approval of September 20, 2016 Accounts Payable

Motion to approve the consent item 3.1, Accounts Payable, was made by Trustee Miller, seconded by Mayor Pro Tem Wood, and passed by unanimous approval.

3.2. Approval of September 6, 2016 Regular Meeting Minutes

Motion to approve the consent item 3.2, Minutes, was made by Trustee Miller, seconded by Mayor Pro Tem Wood, and passed by unanimous approval with Mayor Larsen and Trustee Master abstaining.

Mayor Larsen suggested moving the Discussion item regarding the ACLU Communication up in agenda to prior to the Informational Items.

4. STAFF REPORTS

4.1. Alisha Reis, Town Administrator

In addition to the information provided in the packet, Reis invited the Board to attend the upcoming Town Shop project meeting on Wednesday and see how the building progress is coming along.

Trustee Masters questioned the Board Directives list and, after a brief discussion on

the matter, requested that the golf cart item that had been assigned to Paul Carrill be removed from that list.

4.2. LauraJane Baur, Town Clerk

Baur referred to her report in the packet, noting that she has begun the process of implementing the iCompass program. The result of that is the new agenda format. Next steps in the process are to be able to put the packet together in the system, prepare to “go live” with public access, and be able to generate minutes through the system. She also noted that documents will eventually be migrated to iCompass and will then be searchable by the Trustees and staff as well as the public.

4.3. Paul Carrill, Town Marshal

Carrill discussed items as noted in his packet report. Trustees noted appreciation of the update on how the NPD will handle wildlife in Town, also stating that it is especially important for the safety of the children while they are on their way to/from school.

4.4. Chris Pelletier, Public Works Manager

Pelletier added to his report stating that he is pursuing a grant to complete needed upgrading to Chipeta Park.

Mayor Larsen congratulated the Public Works Department on a successful CIRSA inspection with no violations noted.

Trustee Masters noted his concerns regarding balancing the use of Public Works staff for the much needed street maintenance and their work maintaining the parks, etc. Masters also questioned the plow maintenance issue. Pelletier explained that maintenance is part of the preparation for the coming winter, but that he is also in the process of shopping for a newer leased plow within the 2017 budget.

4.5. Dawn Baumhover, Community Center Coordinator

In addition to her report in the packet, Baumhover pointed out to the Board that the Community Center floors had been refinished and that they should be sure to notice how wonderful they look.

5. BOARD OF TRUSTEE REPORTS

5.1. Mayor's Report

The Mayor told the Board about a delegation of lawyers from Uzbekistan that visited Nederland, as well as some other major cities/towns in Colorado. Larsen also noted that he will be attending the CML Mayors' Summit later this week.

5.2. Trustees' Reports

Trustee Gustafson reported that she attended the CML District Meeting in Silverthorne last week and reported on some of the issues that were discussed at that meeting. Gustafson also discussed the meeting regarding wildlife in Nederland and gave a reminder that the Board had given support for developing a Police policy for managing wildlife.

Mayor Pro Tem Wood noted that the DDA is waiting on financial information from the Town to continue working on the DDA budget.

Trustee Miller stated that there had been no further information from Planning Commission g to report on beyond the Aug. 24 joint session on housing with the Board.

Trustee Masters reported that PROSAB met last week and set a list of priorities.

Trustee Mueller was absent at this meeting, but his report was provided in the packet.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

David Sites, of Nederland, spoke regarding the NedPeds project and complained about a lack of public input.

Kathleen Chippi, of Boulder County, stated that she does not believe that her code complaints against Alisha Reis, SAFEbuilt, and Paul Carrill were resolved to her satisfaction. Chippi went on to complain about enforcement of rules that she doesn't believe exist.

Debbie Smiley, of Nederland, spoke regarding Ron Mitchell's "Performance Park" and the noise levels on 1st Street.

7. ACTION ITEMS

There were no Action Items. The Discussion Item was moved ahead of Informational Items.

8. DISCUSSION ITEMS

8.1. ACLU communication re: loitering ordinance

Carmen Beery, Town Attorney, addressed a letter that was sent to several cities/towns by the ACLU, including Nederland. Beery noted her agreement that the referenced code language on loitering should be stricken and reported options for the Board to consider amending the code. There was some discussion about other ordinances that can be enforced in regards to public safety. Mayor Larsen noted that he has responded to the ACLU that the Town of Nederland does not have any pending cases under the subject code. Larsen suggested that the Board direct staff to review and submit policy for Board consideration. Trustee Masters voiced concern that staff not spend too much time on this item, to which Beery offered that CIRSA is a resource to provide alternatives to save staff time.

9. INFORMATION ITEMS

9.1. Progress Report regarding the NedPeds Pathway Project

Todd Ficken and Alex Knettel, owner's representatives from FDI, gave a slide presentation (attached). They discussed how the project will be ADA accessible. They also addressed changes to the project that were made due to budget constraints and discussed issues with Xcel along Snyder Street, noting that Xcel's maps did not match the actual configuration of the gas lines. There was discussion regarding the water discharge systems on 2nd Street from Snyder to East as well as discussion regarding the temporary surface and the reuse of those materials afterwards.

Trustee Masters questioned the difficult road maintenance and issues with putting down a system he said will likely fail in two years. Reis noted that this project has been at the direction of the previous Board. Masters suggested that the Town should pursue damages from the contractor for breach of contract regarding aspects of the job that were not completed per contract. There was further discussion regarding drainage and possible solutions to various issues with the project.

Public Comment

Sally Grahn, of Nederland, stated that she had not requested a paved road but that she likes the path and drainage aspects of the project. Grahn had questions for FDI, which would be answered offline.

Paula Farrell, of Nederland, noted her concerns due to having to close her business for several weeks due to the ongoing road construction. She also voiced concerns about past and possible future flooding of her property.

Karina Luscher, of Nederland, asked the Board to be more mindful in future decision processes.

9.2. Presentation of Xcel LED conversion program

Preston Gibson and Susan Davis, of Xcel, presented information regarding the LED streetlight conversion program. The presentation was provided in the packet. Reis stated that the Board previously wanted to know why this has to be an Xcel project and why the Town cannot seek to do this on its own. Gibson answered that Xcel owns the hardware and could not permit the Town to buy on its behalf. Xcel also can use its buying power for the lights, and Xcel can do it at a lower cost.

Trustee Masters questioned the cost of the program, the directionality and number of lights needed, and the possibility of installing the Town's own lights on the Town's own poles to avoid paying for Xcel's infrastructure. Mayor Larsen questioned the use of LED lights that have a color temperature of 4000K, that proposed by Xcel. Medical studies have shown that LEDs with less blue (those at 3000K and below) have less impact on sleep cycles.

Masters suggested that the Board direct Town staff to choose option C, to opt out of the Xcel LED conversion program and revisit the question at a future time when better LED lighting is an option. The Board agreed with a "nod of four".

9.3. Presentation by Eldora Ski Mountain on new owners' news, coming season, etc.

Brent Tregaskis presented on behalf of Eldora Ski Mountain; the presentation is included in the Board packet.

Motion to extend the meeting until 10:30PM was made by Trustee Miller, seconded by Trustee Masters, and passed by unanimous approval.

Trustee Miller suggested that Eldora consider providing some type of incentive (i.e. hot chocolate, beverage) for Nederland citizens to use the RTD to Eldora in lieu of driving to encourage transit use. Tregaskis replied that they are currently looking into having their own buses or vans for people to park in various locations and then be shuttled to the resort. Miller also asked about Eldora extending skiing for another hour for local kids/families after school one day a week. Trustee Gustafson brought up the issue of a "lift tax" to support parking and infrastructure in Town.

9.4. Reintroduction of an ordinance to update the Town's building codes

Reis introduced the item per the information provided in the packet. An ordinance has been drafted for review and has also been provided in the packet. Through a "nod of four" the Board directed staff to move forward with a public hearing at the next meeting.

10. OTHER BUSINESS

11. ADJOURNMENT

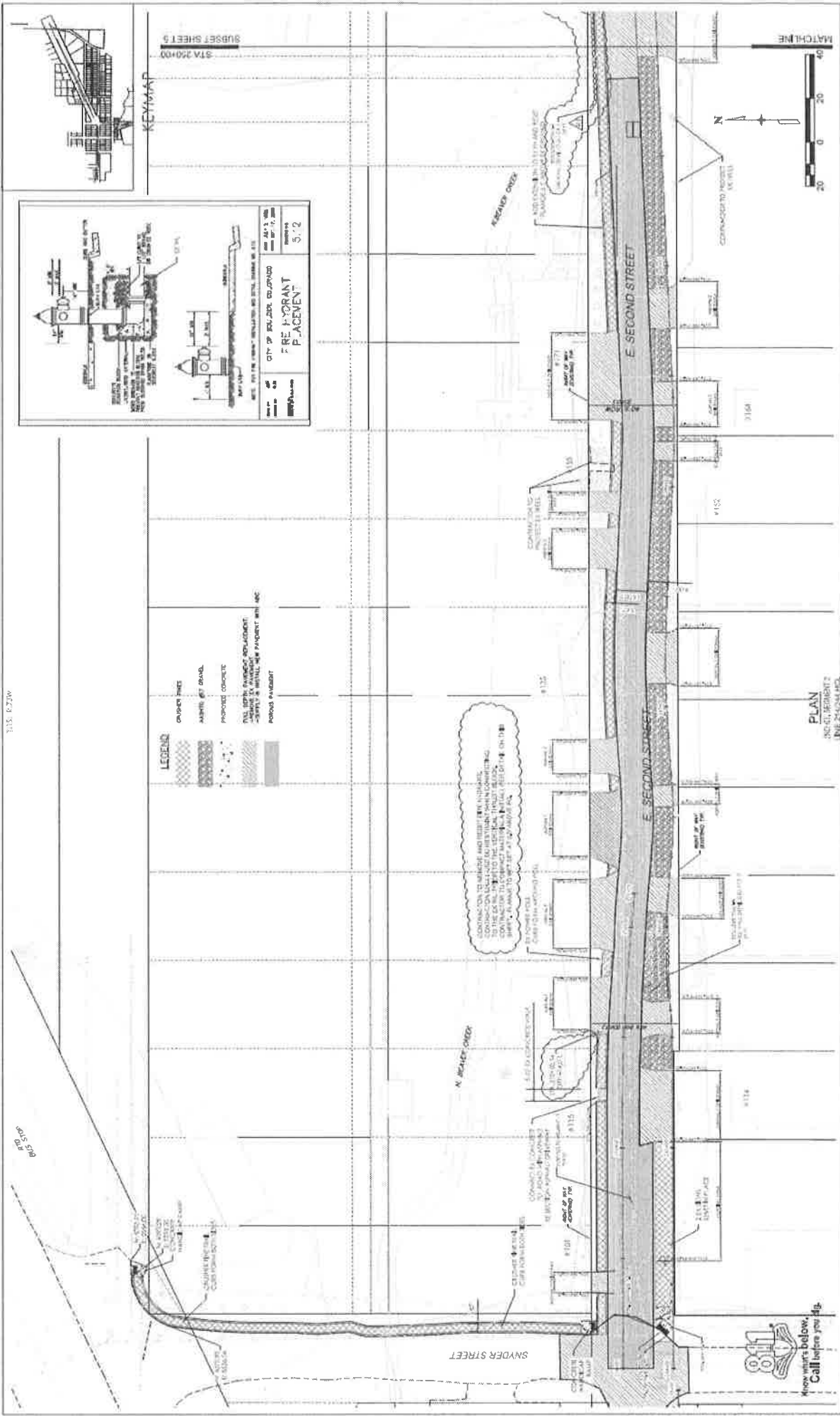
Motion to adjourn was made by Trustee Gustafson, seconded by Mayor Pro Tem Wood, and approved by unanimous vote. The meeting was adjourned at 10:30PM.

Approved by the Board of Trustees
ATTEST:

Laura Jane Baur, Town Clerk

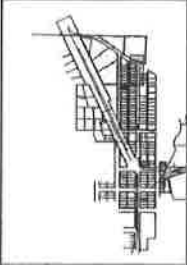
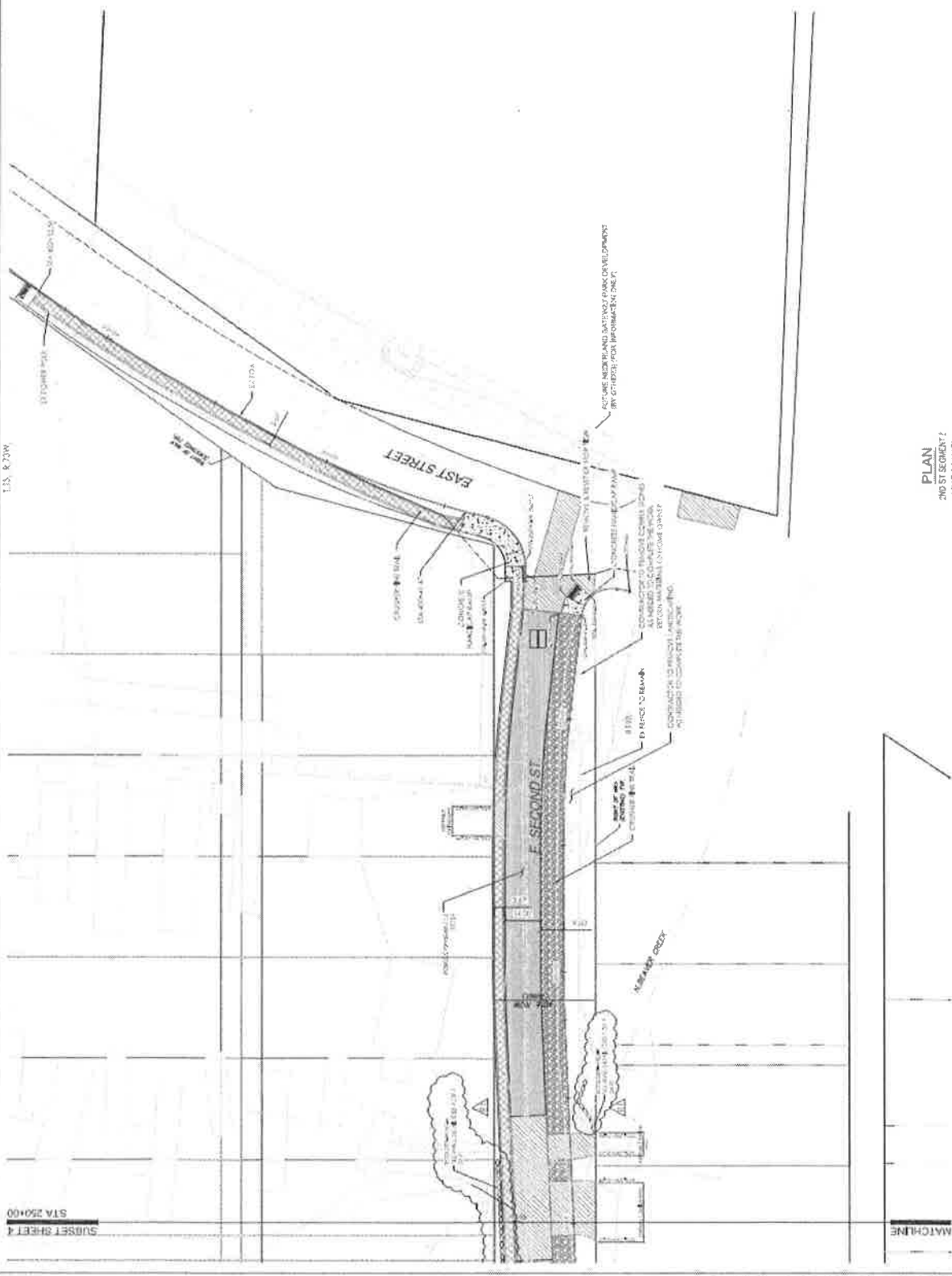
Kristopher Larsen, Mayor





SUBSET SHEET 1
STA 250+00

135' R 20W

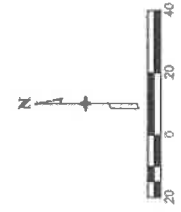


KEYMAP



LEGEND

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PLAN
2ND STREET
LINE 244 PCL

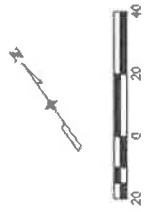
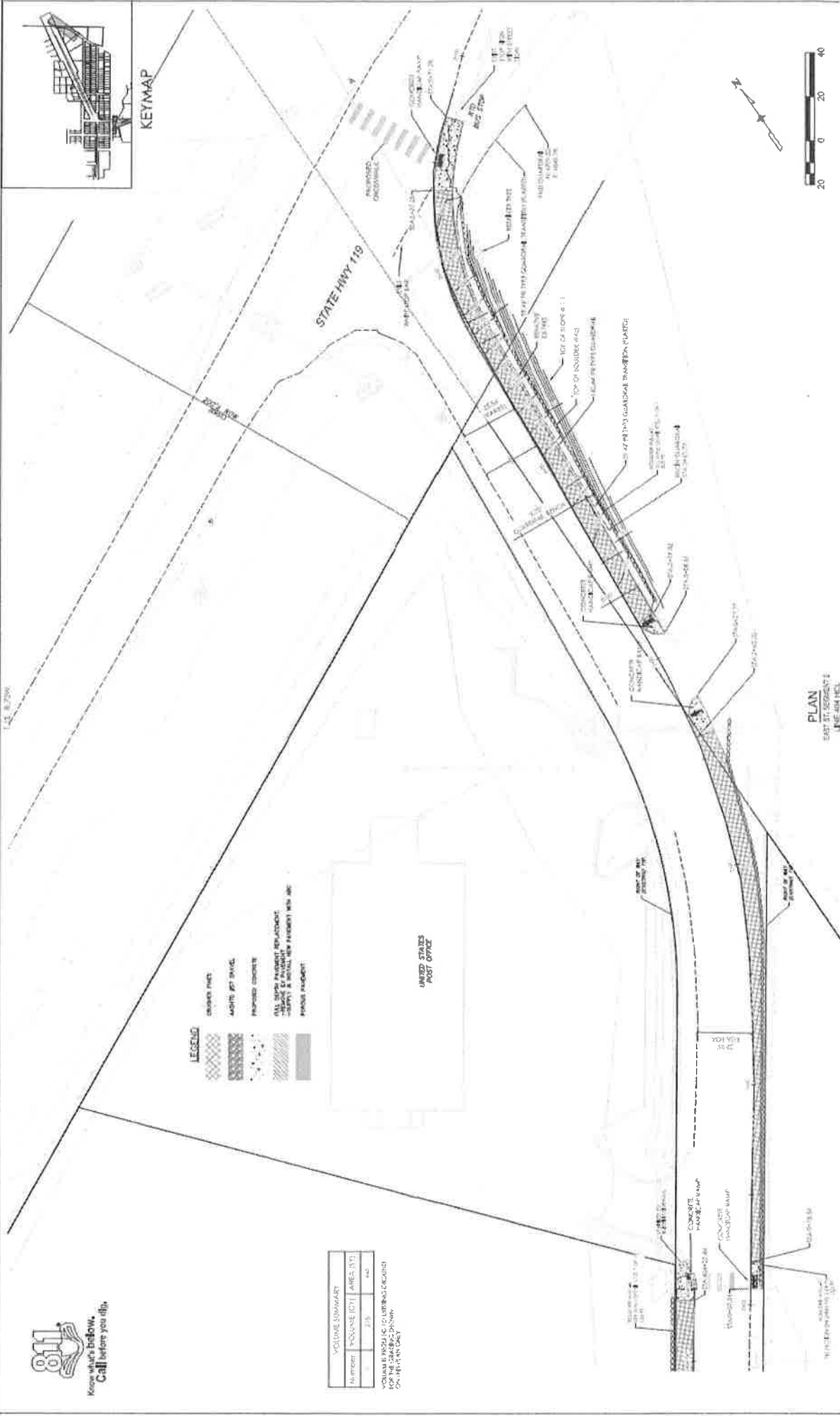


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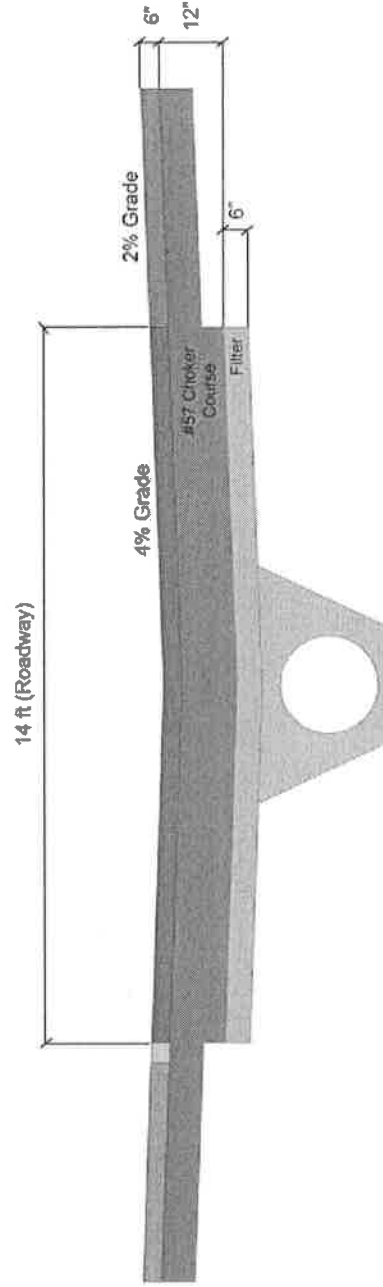
VOLUME SUMMARY	
NUMBER	NON-SIDE (27) AREA (SQ. FT.)
1	2.15 445

VOLUME IS PROVIDED AS ESTIMATING ONLY AND FOR THE DESIGNER'S DESIGN.
DO NOT CONSTRUCT.

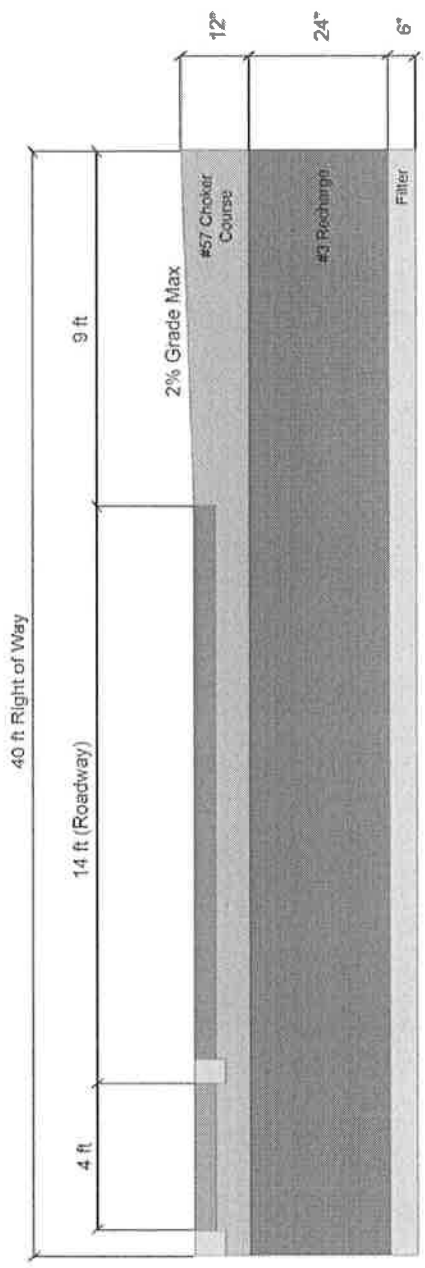
- LEGEND**
- CRACKED FINISH
 - ASPHALT HOT MIX
 - FORMED CONCRETE
 - ALL OTHER FINISHES/RELATIONS
 - CURB & GUTTER
 - FINISH FLOORING



PLAN
EAST AT SECOND LINE LEVEL



SECOND STREET POROUS PAVEMENT (SECTION)



SECOND STREET POROUS PAVEMENT (SECTION)

