

Woodland Park Downtown Development Authority Board of Directors

**City Hall – City Council Chambers
220 W. South Avenue, Woodland Park, CO**

REGULAR MEETING MINUTES

August 4, 2015 – 7:30 AM

CALL TO ORDER AND ROLL CALL: Merry Jo Larsen, Chair, called the meeting to order at 7:30 AM.

IN ATTENDANCE - Board of Directors: Board of Directors: Merry Jo Larsen (Chair), Al Born (Secretary/Treasurer), Tanner Coy, Jon DeVaux, Vera Egbert, Michael Faber, Dale Schnikter, Jan Wilson. **Absent:** Noel Sawyer (Vice Chair). **Staff:** Brian Fleer, Executive Director; Carol Lindholm, DDA Staff. **Others Present:** David Buttery, Sally Riley, Suzanne LeClercq, Wallie Dingwell, Darlene Jensen, Neil Levy, John Schafer, Brooke Smith, Debbie Miller, Bob & Karen Foster, Arden Weatherford, Steve Randolph, Mark Weaver.

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: None.

APPROVAL OF AGENDA AND MINUTES:

MOTION: To accept the Agenda and to approve the Minutes of the July 7, 2015 Regular Meeting. DeVaux/Coy. Passed 8-0.

This being Larsen's first meeting as Chair, she said a few words. Larsen noted that she was glad to be here. The DDA has a lot of work to do and she has faith that the group will accomplish a lot in the upcoming year.

FAMILY ENTERTAINMENT CENTER UPDATE: Fleer reported that as per a recent meeting with the Korzekwas, the Korzekwas have elected not to move forward with the Family Entertainment Center. The Korzekwas will submit something in writing to this effect.

WORK SESSION – DISCUSSION OF FOUNDATION PLAN UPDATE: Larsen noted that she hoped to have more work sessions this year. In work sessions we feel freer to speak, and we can solicit more participation from the audience. Also, Larsen would like to invite successful business people who have been in business more than five years, and would like to work closely with Main Street, and would like to have input from the community.

In the work session the group discussed the potential for an update to the DDA Foundation Plan, which was adopted in 2002. After comments from the Board and from the audience, the Board gave a general consensus that it was a good idea to have a fresh look at the Foundation Plan. It was decided to form a Foundation Plan Review Committee to study the Plan and bring their suggestions back to the Board. The committee will consist of Merry Jo Larsen, Jon DeVaux, Noel Sawyer, Tanner Coy and Jan Wilson, with Larsen chairing the committee. As there will be more than two Board members on this committee, the meetings will be posted as legally required. Final recommendations will go to the City Council for approval. Larsen asked that the Foundation Plan be placed on the DDA website.

DESIGN REVIEW: During the Work Session, Egbert suggested some changes to Design Review. Larsen asked that this be discussed following the Work Session. Egbert suggested that the Board consider how they do design review. Currently the burden is put onto the two people on the Design Review Committee (Coy and Wilson). Maybe the Planning Director should draft a zoning ordinance. Egbert does not think that the current Design Standards for Woodland Station are practical and suggested the Board consider a new process.

Larsen noted that Coy and Wilson had been following the existing guidelines. Larsen asked for comments from Wilson and Coy. Coy said that it had been a bit of a struggle. Coy felt that the Design Review process had made a lot of progress during the last project [at Woodland Station Lot 2]. Communication broke down a couple of times, but the committee resolved that. The City Planning office has been a major part of the Design Review Committee's process. Coy feels that the process is working well. From a philosophical level, Coy feels the Design Review Committee process is a tool to support following the goals as spelled out in the Foundation Plan. If we are serious about certain goals, architectural and design standards are tools to reach those goals. The authority to uphold those standards are tools. Coy said he was not quick to recommend change. Possibly there could be a review of the process and guidelines and updating the Foundation Plan. What's missing is a current vision of downtown that we can work with and a strategy to attain those goals. Coy is not concerned that two people have the authority, because the approach has been to share everything with the Board and to seek input from the Board, and the Committee is representing the Board.

Faber said that if Egbert is proposing elimination of the Design Guidelines, he could not support that. The DDA Board needs to have control over design. Egbert was not suggesting eliminating standards, but to expand the committee. It's not fair to place the entire burden on two people. The design standards are not very clear. If there are more people involved there can be more input. Fler asked Egbert for clarification on her main points. Egbert responded with these points: Keep the Woodland Station Overlay District as it is now. Eliminate and re-form the Design Review Committee in the form of a four person committee. Work with the Planning Department to incorporate the design standards. Design should come back to the Board for final review, but Planning Department to administer.

Schnitker said is sounded like the only thing that would change would be the size of the committee. DeVaux noted that at present, the Design Review committee does not have to get Board approval. Faber said that the Board has power over the committee in terms of replacing the committee, as we are considering. Schnitker said it should be stated as such. Fler asked for clarification. Do you want this to be under City Planning purview? Fler would recommend that a committee work through this with Sally Riley and bring the suggestions back to the Board.

Larsen asked Wilson for her comments. Wilson responded that she and Coy worked very closely with Planning during the last project, and made everything available to the Board. They sought professional advice when they had questions. If there are more people on the committee, it does take a tool away, as the meetings would need to occur at a certain time when all people involved could be available. Coy and Wilson met and discussed design often, and did not have to be somewhere at a certain time. Wilson commented that she did not feel pressured as a committee member. She felt that they did what was necessary to do a good job. If Wilson did not feel that she could do this, she would not have been on the committee.

Larsen suggested that a committee be formed to discuss and review the Design Review process and bring a recommendation back to the Board. Larsen suggested this be Coy, Wilson, Egbert and DeVaux. The Board gave consensus for this approach.

**AQUATIC CENTER CONTRACT TO BUY AND SELL REAL ESTATE – TO BE DISCUSSED
IN EXECUTIVE SESSION**

GENERAL DISCUSSION AND AUDIENCE PARTICIPATION:

Conflict of Interest Disclosure: Lindholm explained that the Board was required to yearly disclose any conflict of interest as a DDA Board member. A disclosure form was distributed to each Board member for completion and signature. These will be attached to these minutes.

Debbie Miller attended the tour at Peterson AFB and one of the subjects was cyber security. On this topic, the Chamber is offering a Lunch & Learn with the topic of internet security. Miller announced that the upcoming Charis healing conference would generate a lot of people to Woodland Park, and suggested businesses, such as restaurants, be prepared for extra customers. Miller reported that the Department of Labor is changing rules as to how salaried employees are treated as to overtime. The Chamber will get information out about this.

Larsen asked for a motion to go into Executive Session.

MOTION: To adjourn to Executive Session. Coy/Schnitker. Passed 8-0.

At 8:43 AM, the Board took a short break before moving into Executive Session.

Adjourn to Executive Session: for the purpose of determining positions relative to matters involving development projects within the City of Woodland Park Downtown Development Authority District, regarding: The Aquatic Center Contract to Buy and Sell Real Estate;

In reference to: The purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4)(a), and/or, Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402 (4)(e).

Larsen, Chair, read the purpose of the Executive Session into the record.

Meeting adjourned to Executive Session at 8:45 AM.

RECONVENE REGULAR MEETING: Following the Executive Session, Larsen, Chair, re-convened the regular meeting at 9:20 AM.

The following persons were in attendance at the Executive Session: Merry Jo Larsen (Chair), Al Born (Secretary/Treasurer), Tanner Coy, Jon DeVaux, Vera Egbert, Michael Faber, Dale Schnitker, Jan Wilson. **Staff:** Brian Fleer, Executive Director; Carol Lindholm, DDA Staff. **Others Present:** David Buttery, Neil Levy.

Larsen, Chair, stated: "If any person who participated in the Executive Session believes that any substantial discussion of any matters not included in the motion to go into the Executive Session occurred during the Executive Session, or that any improper action occurred during the Executive Session in violation of the Open Meetings Law, I ask that you state your concerns now." Hearing none, the Board returned to the regular meeting.

Fleer asked for direction following the Executive Session. Faber said the Board needs a memo outlining exactly what's going on.

Fleer responded that the land sale represents approximately 3.1 acres, which equates to roughly ½ a million dollars [\$506,385]. Is the Board comfortable with that going toward debt reduction? Let's say, for example, we then get \$350,000 from a hotel interest, \$250,000 of which is a cash payment back to the City. Fleer's thought is, if the Board would agree, then that goes to the City and the debt to the City is done. Is the Board comfortable with that thought process? Lot 2 is the remaining asset. DeVaux asked if we want to pursue other properties to generate TIF income. We have to look at if we are paying off debt, but have no acquisition money. Schnitker responded that we have already proven that we don't know how to take care of land that we now own. Why would we not let the free market develop outside Woodland Station? We need to eliminate debt rather than gather debt. We haven't done anything in Woodland Station. Larsen noted that not everybody needs TIF.

Fleer's objective is to eliminate the \$1MM debt and the Saddle Club debt. We have no business in the development business. Once the DDA pays the bond debt, there will be a significant revenue stream.

Faber asked if the revenue prediction could be updated. Fleer responded, yes.

Fleer does not think that the \$1MM debt can be erased just from the sale of Lot 3. Fleer suggests we get out of the land business, eliminate the debt, and then increase the revenue stream.

Faber asked if the valuation would change with the Aquatic Center. Is it still \$3.75 SF? Fleer said that it's probably more than that now.

Fleer said we would have an asset when we purchase the Vectra Bank property, part of which we could probably sell.

Fleer noted that there is already a contract in place with the City for the Aquatic Center property at \$3.75 SF.

Fleer will put the numbers together and there will have a Special Meeting in two weeks.

Born remarked that the biggest value in the Aquatic Center project is the drainage structure at Woodland Station and thus the drainage issues will be resolved for others upstream. Egbert noted that that would make other properties more valuable. Tanner asked if the underground detention could be constructed anywhere else besides Lot 3. Per Fleer, that would be more difficult as drainage from Woodland Station flows to the SE corner of the Woodland Station Property.

Fleer noted that it would be fiscally responsible to reduce DDA debt, particularly to the City.

In regard to TIF, Fleer noted that he did not think that we would have Tractor Supply or Trail Ridge Apartments without TIF dollars. Other communities have the ability to offer all kinds of incentives. In Woodland Park, the DDA TIF is the only incentive available.

Coy noted that debt reduction is not his only goal. The community as a whole is the priority. The district goes beyond Woodland Station. The Aquatic Center represents more than a

financial move. From a development standpoint, the future could be good. We are supposed to be building some history, some heritage, some culture, and some destination. There is more to the equation than getting rid of debt.

DeVaux noted that we need to deal with developers who have financing. Fleer said he would require LOI's [Letter Of Interest] from anyone with interest in Lot 2.

Coy noted that he spoke to a developer recently in regard to Lot 2. The developer was not interested, as he felt commercial was too weak, although he would consider residential.

Larsen suggested that the DDA meet twice a month for a few months, as long as there are major issues to discuss.

ADJOURNMENT:

MOTION: To adjourn the meeting. Egbert/Wilson. Passed 8-0.

Meeting was adjourned at 9:40 AM.

Recorded by:

Carol J. Lindholm, DDA Staff

APPROVED THIS _____ DAY OF _____, 2015

Al Born, Secretary/Treasurer