

Woodland Park Downtown Development Authority Board of Directors

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

REGULAR MEETING MINUTES

April 7, 2016 – 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: Merry Jo Larsen (Chair), Noel Sawyer (Vice Chair), Al Born (Secretary/Treasurer), Tanner Coy, Jon DeVaux, Vera Egbert, Jerry Good, Dale Schnitker, Jan Wilson. **Absent:** None. **Staff:** Brian Fler, Executive Director; Carol Lindholm, DDA Staff. **Others Present:** David Buttery, Sally Riley, Wallie Dingwell, Darlene Jensen, Kip Wiley, Neil Levy, Brooke Smith, Debbie Miller, Beth Dodd, Bob Foster, Tyler Lambert, Tim Dienst, Marty McKenna, JR Gatlin, Mark Maruszak, Lois Sill, Judy Crummett, Jane Enger, Steve Storrs.

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA: Fler noted that he would like to add an agenda item to be discussed in Executive Session in regard to the Woodland Station, Lot 2 Agreement. It was determined that this topic could not be added to the Executive Session today as it was not posted.

APPROVAL OF MINUTES:

MOTION: To approve the minutes of the March 1, 2016 Regular DDA Meeting and of the March 22, 2016 Special DDA Meeting. Sawyer/Wilson. Passed 9-0.

MAIN STREET UPDATE: Darlene Jensen, Main Street Coordinator, gave a report on Main Street Activities. Main Street has been designated as a 501c3 nonprofit organization by the IRS. Main Street submitted a scope of services for a \$5,000 grant from DOLA for a marketing visioning plan for the downtown. DOLA received \$455,000 to spread among the 18 Colorado Main Streets. 1/3 of this is for organization and Board Training, the rest to fund DOLA pre-qualified consultants. Main Street would like to address cleaning up the downtown. Keep Woodland Park Beautiful is having a clean-up day on May 21. Main Street would like for the Pedestrian Plaza between Curves and the Bucks Building to be active with music, art and vendors. Main Street is co-sponsoring the 4th of July Celebration with Build A Generation. A Main Street website is being developed.

NETCO (FIRE DISTRICT) REVENUE SHARE PROPOSAL: Fler noted that Tyler Lambert of NETCO was in attendance, as well as Tim Dienst from the Ambulance District. NETCO previously formally requested that the DDA consider a revenue share program with the Fire District. The DDA Finance Committee met to discuss. The committee determined that the DDA could not consider a revenue share this year, but could revisit the request in 2017. This will need a formal vote from the Board. Sawyer asked about the numbers on the revenue analysis spreadsheet shown for 2017 for Fire and Ambulance. Fler explained that these numbers relate to the Trail Ridge Apartment project. Fler explained that any properties that come into the DDA beyond the original boundary have to be weighed in by the Board in regard to a revenue share to Fire and Ambulance. These numbers were agreed upon by the Fire and Ambulance districts. So, there are payments scheduled as a result of that negotiation.

As stated above, the committee determined that the DDA could not consider a revenue share this year, but could revisit the request in 2017. So the motion was made as follows:

MOTION: To leave as is for now [not consider a revenue share this year] and revisit in 2017. Born/DeVaux. Passed 9-0.

WOODLAND STATION FARMERS MARKET PROPOSAL: Fler reported that there have been several subcommittee meetings regarding holding the Farmers Market in Woodland Station in 2016, in the approximate area of Lot 2. The Board met at Woodland Station, onsite, on April 6. Fler referred to two design concepts, one prepared by the City Planning Department, the other prepared by Tanner Coy. Fler has met with John Schwab of JPS Engineering in regard to what it would take to facilitate the Farmers Market. The other consideration is budget. Fler referenced the DDA 2016 Budget and noted that there could be \$20,000-25,000 that the Board could allocate. There is an abatement that needs to be considered this year. Fler mentioned the Farmers Market representatives present: Lois Sill, Judy Crummett, Steve Storrs and Jane Enger. The Board needs to consider budget and design. There has been discussion about the Farmers Market compensating the DDA for maintenance. The Farmers Market has responded that they could provide up to \$2,000 and are willing to do an agreement to commit for 2016. In regard to design, it has been discussed to meld the Planning Dept. concept and the Coy concept for what would work best for the Farmers Market as well as other events.

Larsen said that until we know the actual cost to prepare the site she does not think there can be a decision. Larsen would like to meet with Schwab along with Fler, Riley, and Coy and Farmers Market Representative(s). Larsen suggested tabling a decision until the cost is known.

Sawyer expressed concern in regard to timing for Farmers Market. The quicker the DDA makes a decision the better for the Farmers Market.

Fler said if the Board directs, we will be able to make the June 3 date, and we do understand the urgency for the Farmers Market.

Crummett noted that she can't create the Farmers Market map until she knows the layout.

Sawyer noted that the two design concepts are very similar. The only difference is the difference between the terraces. Larsen added, also the difference in cost.

Born thought that Woodland Station was a good location for the Farmers Market. Born then spoke in his role as DDA Treasurer. Born is very concerned about the expenditure of the funds. We have allocated \$20,000 for abatements. There is an outstanding abatement now within the DDA district, and we won't know what the abatement is until April 14. We know that our abatement budget could dwindle. How much we want to contract our total budget on expenditures for other things is a decision the Board will have to make. Funds will get very tight. What are we going to do if we run out of money? How can we offset some of those costs that will be required for the Farmers Market? Born requested that the Farmers Market Board to look closely at raising their rent space from \$25.00. One suggestion would be a \$5.00 increase, to be used to offset the costs. This would improve the viability of the total DDA treasury, which Born is concerned about.

Sawyer said it was not our place to tell the Farmers Market how to run their business. Born added, we have to expend monies, and there should be revenues to offset those expenses. That's how businesses work. Sawyer pointed out that the Farmers Market did agree to help out.

Born would not recommend that the DDA put themselves in the hole on the budget for the coming year.

Schnitker noted that Vectra Bank would be available for the Farmers Market if needed, so the Farmers Market can move forward with their plan. Schnitker expressed concern on how much it would actually cost to make the improvements. It could end up costing more than \$20,000.

Buttery noted that Henrietta would be completed sometime the middle of this summer, and it could be available to the Farmers Market at that time if they're interested.

Jensen commented that holding events at Woodland Station and preparation of the area to increase patrons to the downtown could be beneficial to the downtown retail.

Fleer noted that there would be representation at the Teller County Commissioners meeting in regard to the abatement. The abatement budget is separate and distinct from the dollars for the site prep. Those dollars will come from reserves and could also come from the Professional Services budget line.

Dingwell commented on the surplus between revenue and expenditures on the DDA budget. In 2014 the DDA was upside down on the budget and the City covered it. So that excess was earmarked as an audit requirement, to offset the deficit. Fleer was under the impression that those dollars would be available.

Crummett noted that the Farmers Market has to know now where they are going to be located. Born said his responsibility was to the DDA Board and those funds. Sill noted that they had been led to believe that Woodland Station would be available and they have been planning accordingly. Now it's very late to move locations and to know how many vendors can be accommodated.

Larsen summarized that the DDA is trying to expedite this, but does not think the DDA is quite ready. Larsen felt that the DDA needed another week or so. The plan depends on the cost.

Sawyer asked for a drop-dead date, because the Farmers Market thought they were going to have a decision today. Fleer thought we could set a schedule.

Buttery asked why the decision would not be to go to Vectra and then in the summer move over to Henrietta.

McKenna noted the problems with parking downtown when the Farmers Market is on Henrietta.

DeVaux asked the Farmers Market, what is their preference?

Sill said that they thought for a long time that they would be able to locate in Woodland Station. They wanted to be there because Vectra is not large enough to have 100 vendors. But, they will go back to Vectra if they have to. It would be difficult to move from Vectra to Henrietta. They can't recover the vendors that they've lost.

Larsen summarized that the DDA would like to see the Farmers Market in Woodland Station. The Board needs more time, another week or two.

Good asked if the Farmers Market could locate in Woodland Station without site preparation.

Sill said that in that case they would need to use the space that the Arts & Crafts people are using to be able to accommodate all the vendors.

Larsen said we will know in two weeks. Fler agreed that we could do that.

Steve Storrs spoke as a volunteer with the Farmers Market. Storrs remarked that there is no other venue that brings as many people to Woodland Park as the Farmers Market does. Storrs asked how the DDA was funded. Fler explained that revenues come from property tax. Storrs asked that if the DDA was funded with taxpayer dollars, then why isn't that site being used? Storrs thought the \$20,000 for site prep was high. Storrs thought that volunteers could prep the site. Storrs remarked that every time they advertised the Farmers Market, they were advertising for Woodland Park. Fler asked if Storrs had a list of volunteers for excavating.

Larsen noted that the DDA is working on putting Woodland Station to use for Farmers Market and other uses.

Coy noted that the design concept was to accommodate the Farmers Market and other events. The concept would accommodate 121 tents on the top two terraces.

Larsen said they would have an answer by April 21, or sooner.

DeVaux suggested reading the DDA Foundation plan. That land [Woodland Station] is to benefit the merchants and establish the downtown. It is not intended to develop a City park; that is not the purpose. It has to be within budget. It also must meet City standards. If you know volunteer engineers, backhoe operators, graders and someone to bring in fill, let us know. Storrs asked if the engineering had been done. No, the engineering has not been completed.

Larsen asked for a motion to move on with an April 21 finalization date. We will have the proper research done on cost and site, if not before.

MOTION: To move forward with an April 21 finalization date for research and cost.
DeVaux/Wilson. Passed 9-0.

CITY/DDA IGA REGARDING LOAN: To be discussed in Executive Session.

MATRIX DESIGN GROUP OUTSTANDING INVOICE: To be discussed in Executive Session.

GENERAL DISCUSSION BY DDA BOARD: Sawyer noted that the Ballot 1 issue passed in which the School District will receive funding, but property taxes will be reduced. Will this affect the DDA? Fler has studied this, and this does not impact DDA revenue. Born asked in regard to the School Ballot issue if that is a bond dedicated line item on the tax. Fler responded, yes.

Coy would like a better understanding of the revenue available. Fler noted that we would discuss in Executive Session. Good also would like a better understanding of the revenue available before anything else is discussed.

Buttery clarified the questions about the revenue available. Buttery and Fler have had conversations, and Fler has reported to the Board. Buttery explained two lines on the revenue analysis spreadsheet. In cell 8F - \$36,000 – this is the interest payment that was due from the loan. In cell 8E - \$35,058: in 2014 the DDA paid \$35,058 more than what they had in their budget and the City covered it. The spreadsheet shows a payment to the City to cover that in 2017. Then in 2018 the DDA will begin the debt payment on the \$1.184MM. This gave the

DDA time to take care of those obligations to the City. So, what Dingwell said is true, but it's not due to the City until 2017, and the City has agreed to this.

Larsen asked if Dingwell could do a profit and loss statement for the DDA and any other financial information he can provide. Fleer will work with Dingwell on a Finance Statement from the first quarter.

AUDIENCE PARTICPATION ON ITEMS NOT ON THE AGENDA: Miller noted that the Chamber summer ad campaign is done, including TV, Radio, Rack Cards, etc. On September 24 there will be a First Responders Banquet at Charis. Currently it's Campus Days at Charis. The questions they ask are where to live and where to get a job.

Lambert asked if NETCO can be on the next DDA Agenda to reconsider revenue sharing. DeVaux noted that this was acted upon today.

Riley reported that Habitat for Humanity is looking at the Lofthouse as a potential for condos. This will then be residential, which is currently in a commercial zone, so that will change the way it's taxed.

At 8:30 AM the Board took a short break prior to Executive Session.

EXECUTIVE SESSION:

MOTION: To adjourn to Executive Session. Sawyer/Wilson. Passed 9-0.

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, pursuant to: 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); with regard to: the City/DDA Loan Agreement and the Matrix Design Group Outstanding Invoice.

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

Meeting adjourned to Executive Session at 8:36 AM.

RECONVENE REGULAR MEETING: Following the Executive Session, Larsen, Chair, reconvened the regular meeting at 9:18 AM.

The following persons were in attendance at the Executive Session: Merry Jo Larsen (Chair), Noel Sawyer (Vice Chair), Al Born (Secretary/Treasurer), Tanner Coy, Jon DeVaux, Vera Egbert, Jerry Good, Dale Schnitker, Jan Wilson. **Absent:** None. **Staff:** Brian Fleer, Executive Director; Carol Lindholm, DDA Staff. **Also Attending:** David Buttery, City Manager; Neil Levy, Mayor.

Larsen suggested the DDA have a Finance Committee Meeting and come back to the Board.

Fleer mentioned the Woodland Station, Lot 2 Agreement. There will be no decisions, just a discussion. Fleer has learned that several Board members had been contacted by Arden Weatherford. Fleer has discussed this with Paul Benedetti, DDA legal counsel. Benedetti advised that no conversations should take place between Weatherford and Board members referencing Lot 2. Benedetti has recommended that Weatherford address concerns to Fleer,

Benedetti, and/or Buttery, who will then report back to the Board. If there is a settlement or a proposed settlement the Board will make the final decision.

Larsen agreed that it's very important that Board members not have any conversation with Weatherford on this matter.

MOTION: To adjourn the meeting. Schnitker/Sawyer. Passed 9-0.

Meeting was adjourned at 9:21 AM.

Recorded by:

Carol J. Lindholm, DDA Staff

APPROVED THIS _____ DAY OF _____, 2016

Al Born, Secretary/Treasurer