

**TOWN OF JAMESTOWN
SPECIAL TOWN BOARD MEETING
APRIL 18, 2016 MINUTES**

Mayor Schoedinger called the meeting to order at 7:07 PM. Present at roll call were Trustees Julie Constantine, Carolyn Donadio, Chad Droste, Vic Harris, and Ken Lenarcic. Trustee Tim Stokes was absent.

Approval of Agenda

Mayor Schoedinger added an Executive Session prior to "Appointments" for personnel matters.

Trustee Lenarcic tabled appointment of LUHAC members (on the May 2 agenda)

Mayor Schoedinger tabled Resolution 04-17, 2016 James .022 HMGP Engineering Services for lower Main Street James Creek Crossing Project Award. Three proposals were submitted that need to be followed up on.

Trustee Droste moved to approve agenda as amended seconded by Trustee Donadio. Unanimous vote.

Approval April 4 Minutes

Trustee Donadio moved to approve the April 4 minutes seconded by Trustee Constantine. Unanimous vote.

ANNOUNCEMENT

Jamestown Merc Liquor License Application

The required investigation for the Jamestown Mercantile Café liquor license was conducted to determine if the applicant meets State and local criteria. The findings were returned, shared with the applicant and Board of Trustees, and available for review by any interested parties. The report did not find any reason to disqualify the applicant. The investigation will be included in the Local Liquor Authority meeting and liquor license hearing on April 25, 2016. The investigation will be posted on website.

The Board of Trustees thanked Trustees Tim Stokes and Julie Constantine for their service on the Board.

SPECIAL ORDER OF BUSINESS

OATH OF OFFICE

The Clerk administered the Oath of Office to the Board for the 2016-2018 term:

Tara Schoedinger, Mayor
Carolyn Donadio, Trustee
Chad Droste, Trustee
Victor Harris, Trustee

Ken Lenarcic, Trustee
Jennifer Lucas, Trustee (1st term in office)
Heather Yahnke, Trustee (1st term in office)

NOMINATION OF CHAIRPERSONS

Boulder County Recycling and Composting Authority: **Trustee Lenarcic nominated Bridget Johnson (GreenGirl Recycling) seconded by Trustee Droste. Unanimous vote.**

Water System Committee: **Trustee Harris nominated Tim Stokes seconded by Trustee Droste. Unanimous vote.**

JVFD/EMS Chairperson: **Trustee Donadio nominated Trustee Yahnke seconded by Trustee Harris. Unanimous vote.**

Streets & Bridges: **Trustee Droste nominated Trustee Lucas seconded by Trustee Donadio. Unanimous vote.**

Town Parks (Elysian Park & Town Square): **Trustee Lenarcic nominated Trustee Droste and Trustee Harris seconded by Trustee Donadio. Unanimous vote.**

Cemetery: **Trustee Harris nominated Trustee Droste seconded by Trustee Lenarcic. Unanimous vote.**

Town Hall Maintenance: **Trustee Harris nominated Trustee Donadio seconded by Trustee Donadio. Unanimous vote.**

Lefthand Watershed Oversight Group: **Trustee Lenarcic nominated himself seconded by Trustee Lucas. Unanimous vote.**

Consortium of Cities: **Trustee Harris nominated Mayor Schoedinger seconded by Trustee Droste. Unanimous vote.**

EXECUTIVE SESSION 7:20 PM

Mayor Schoedinger moved to go into executive session for discussion of a personal matter CRS section 24-6-4022 (f) and not involving any specific employees who have not requested discussion of the matter in open session; any member of this body or elected official; the appointment of any person to fill an office of this body or of an elected official; or personal policies that do not require the discussion for matters personal to particular employees.

END EXECUTIVE SESSION 7:42 PM

Mayor Schoedinger called the meeting back to order at 7:42 PM. Mayor Schoedinger stated that the time was 7:46 PM and the executive session has been concluded. The participants in the executive session were: Town Clerk Mary Ellen Burch; Trustees Harris, Lucas, Droste, Yahnke, Donadio and

Lenarcic; and Mayor Schoedinger. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go to 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 would ask that you state concerns for the record.

Seeing none, Mayor Schoedinger noted that the next agenda item is the appointment of Town Clerk.

APPOINTMENTS

Town Clerk/Treasurer: **Trustee Droste nominated Mary Ellen Burch as town clerk seconded by Trustee Lenarcic. Unanimous vote.**

Mayor Pro-tem: **Trustee Lenarcic nominated Trustee Harris seconded by Trustee Donadio. Unanimous vote.**

Town Clerk Pro-tem: **Trustee Harris nominated Trustee Droste. Trustee Lucas seconded the motion that passed unanimously.**

Fire Chiefs: **Trustee Harris nominated Arne Metzger and David Mans. Trustee Donadio seconded the motion that passed unanimously.**

EMS Chief: **Trustee Donadio nominated Colleen Williams. Trustee Yahnke seconded the motion that passed unanimously.**

Floodplain Administrator: **Trustee Droste nominated Mark Williams. Trustee Lucas seconded the motion that passed unanimously.**

Town Attorney: **Trustee Lenarcic nominated Light and Kelly. Trustee Harris seconded the motion that passed unanimously.**

Insurance Provider: **Trustee Lenarcic nominated CIRSA as the Town's insurance provider. Trustee Donadio seconded the motion that passed unanimously.**

ACTION ITEMS

Land Use and Housing Advisory Committee (LUHAC) Accessory Dwelling Unit (ADU) Recommendations

JaVayne Jenkins noted that this was a continuation of the last meeting on the topic. She stated that LUHAC reviewed the Board comments on the ADU proposed modifications, incorporated them into the recommendations, and that a few new items have been added. One new recommendation was to add a "Whereas" section to add aging in place and affordable housing as reasons for the ordinance in addition to bringing people back to town after the flood. A second addition was owner occupancy; some language was proposed to require the owner to occupy one of the units and only rent out one of the

two at any one time. The insertion was to discourage people/developer from creating a number of rental properties and/or getting around subdivision rules.

Mayor Schoedinger noted that, currently, some properties in town already have two units being rented out at the same time. She indicated that she thought that the proposed requirement was trying to address an issue that really did not exist yet.

Trustee Lucas asked if a cap could be put on the number of ADUs allowed in town to control density, as seen in many other communities, to avoid issues related to rental properties.

JaVayne acknowledged that she has seen a density cap in many ADU ordinances but those towns had methods for compliance and enforcement of the regulation.

Mayor Schoedinger stated that the struggle with the owner occupancy issue may keep the rest of the ordinance from moving ahead. If an issue arises later, the ordinance can be modified then to meet the needs of the community.

JaVayne explained that there was a desire to have something in the ordinance outlining what was required in regard to owner occupancy; this would provide a basis to apply if complaints, such as number of renters, noise, not being a good neighbor, etc., arise in the future.

Trustee Lenarcic stated that the suggestion did not change the intent of the original ordinance to allow the units or in regard to the safety of the units.

Mayor Schoedinger asked if 12 people occupying one living space versus two really addressed the problem. She expressed that defining good neighbor may help address issue; and that Boulder County codes – such as septic – may also prevent this from happening.

Trustee Lenarcic stated that density (how many people living on the property) was not the issue with the ADU and that density controls are not applied to single family housing so why apply to only ADUs. He stated that maybe some items recommended belong in a different ordinance.

Trustee Lucas stated that many ADUs ordinances included density limits because it was considered a different kind of density – more of a building density, not a population density.

Mayor Schoedinger suggested that some of these concerns and issues can be explored and addressed through the comprehensive plan and other methods. She encouraged the LUHAC to keep moving forward.

JaVayne stated that the next step will be to get community input on the recommendations.

Trustee Donadio stated that she would like to see not only what the community wants and but also what it does not want.

JaVayne reviewed other recommendations including definition of principle unit, types of ADUs (detached versus attached), prohibited ADUs, updating appropriate water utility ordinance, requiring one off-street/on-site parking space for the ADU, adding review of the ADU at time of building permit, and that the ownership of the ADU not be transferred separately from the ordinance.

Mayor Schoedinger suggested that the wording between the mobile home ordinance and ADU ordinance be coordinated. Trustee Lenarcic reiterated this and also stated that the ordinance (section 6) has some language about transfer of ownership that was provided by the Town Attorney.

JaVayne asked for Board comments and support to move forward and survey the public on the subject. The Board thanked the LUHAC for the work done to date and nodded at moving forward with a survey.

LUHAC Community Outreach Policy

Matt Kohlhaas stated that the LUHAC has outlined an outreach plan to gain community input on LUHAC items. The method would be to use the Jamestown Speaks website to post different surveys and gauge response. The surveys and the associated Jamestown Speaks page would be announced through a number of ways including: posting flyers at the Town Hall and Post Office, sending emails, posting on the Jamestown QT, and notices in newsletters.

In response to the use of the QT by Trustees Droste and Lucas, Matt emphasized that all means – emails, posting, etc. - would be used and not just one.

Barb Lenarcic stated that the first outreach will be done for the ADU survey; that LUHAC would create the content and Jamestown Speaks was the platform; and that this was the proposed approach for subsequent topics.

July 4th Budget Approval and Fireworks

Presenting for Kathryn White and David Mans, Mayor Schoedinger stated that Kathryn has trimmed the budget from \$8,900 to \$4,000 with an additional \$1,500 in addition for fireworks of allowed this year. The total budget requested was \$5,500.

Trustee Harris moved to approve a budget of \$4,000 for the Fourth of July pancake breakfast and associated expenses and \$1,500 for fireworks; a second was provided by Trustee Donadio.

Trustee Lenarcic requested a more detailed budget. Mayor Schoedinger stated that the budget included:

- \$1,000 for the sound engineer
- \$500 for rental equipment
- \$370 for port-o-johns
- \$1,000 for food

- \$1,000 for merchandise
- \$20 for kazoos
- \$50 for ice
- \$200 for trash/recycling (not zero waste)

The total is \$4,100 and is conceptual until costs can be verified. Mayor Schoedinger would ask Kathryn to send out a more detailed version. Kathryn would also speak with JAM in regard to music.

Trustee Harris amended his motion with an allowance of 10% coverage over the \$4,000 budget for the breakfast. Trustee Donadio seconded the motion. The motion passed unanimously.

2016 Resolution 04-15 Adopting a Records Retention Policy

Chuck Reid explained that, in 2000's, the State Archivist Office created a model retention schedule and encouraged municipalities to adopt it. Jamestown submitted a form to the State Archivist to take part in the program and has been following the schedule since then. Typically, the action would have an associated resolution that stated that the Board and Clerk was aware of the schedule and were following the process. A resolution was not done so this action would establish the resolution.

Chuck stated that many communities prefer to simply the process outlined by the State then have the simplified version approved by the State. Chuck and Mary Ellen would refine Jamestown's schedule, formalize the process, and outline the intent of record retention and destruction.

In response to a question in regard to different standards for paper versus electronic record keeping, Chuck stated that the State recognizes that an electronic version is sufficient for most documents but that there are still a few documents that need a hard copy retained as well. Chuck also stated that adopting a policy for electronic record retention in perpetuity (and no destruction) can be a risk/liability issue for the Town. Trustee Harris added that changing technology is also an issue with electronic document retention policy.

Trustee Donadio moved to approve Resolution 15 Adopting a Record Retention Policy. Trustee Droste provided a second to the motion. The motion passed unanimously.

Resolution 16: Rebuild Jamestown Fund Approval

Mayor Schoedinger reported to the Board that, to be fiscally responsible to donators, funds spent from the Rebuild Jamestown Fund would be acknowledged, formalized, and tracked in Town resolutions. The intention was to update the resolution as money is spent. The proposed resolution outlined monies earmarked or spent to date including: FEMA construction trailer electrical line disconnect, Andersen Wall and Lower Main Street stain, vegetation and yard hydrant, land acquisition for Andersen Hill bridge and road right-of-way, JT-ware, Maloney estate purchase, administrative supplies, beautify Jamestown seeding, floodway delineation, Kirshner property repairs, library, and grant matches. The total for the budget is \$100,630.

Trustee Lenarcic stated that the total came to \$100,643.

Trustee Lenarcic moved to approve Resolution 16 with amended totals; the motion was seconded by Trustee Harris. The motion passed unanimously.

2016 Resolution 04-17 James.022 HMGP Engineering Services for Lower Main Street James Creek Crossing Project Award

Tabled

2016 Resolution 04-18 James.025 Jamestown Town Square Reconstruction Construction Management Project (Phase 1) Award

Mayor Schoedinger shared the two responses (from Flatirons, Inc. and Vali Cooper and Associates) to the RFP for Construction Management for Phase I of the Town Square. Flatirons, Inc. was determined to be qualified, willing to closely with town, and be onsite daily. The subject resolution would award the contract.

Trustee Harris moved to approve Resolution 18 to award the bid to Flatirons, Inc. Trustee Droste seconded the motion. The motion passed unanimously.

2016 Resolution 04-19 James.027 Jamestown Town Square Reconstruction Project (Phase 1)

Mayor Schoedinger stated that, after a second bid process and proposal review, Colt & Steel was recommended for award of the contract. The award would be conditioned upon Homeland Security's approval of the procurement process.

Trustee Droste moved to approve Colt & Steel for the Jamestown Town Square Reconstruction Project (Phase 1). Trustee Donadio seconded the motion that passed unanimously.

2016 Resolution 04-20 Approving a Contract with Budhoe Backhoe for Emergency Road Repairs and Maintenance

Mayor Schoedinger stated that the purpose of Resolution 04-20 was to approve the contract for emergency road repairs and maintenance – particularly repairs to Cemetery Road, Slaughterhouse Road, and lower, lower Main Street. An amount of \$1,500 from the Road and Bridges budget would pay for the services. Because the amount of the budget allows for the Town to single source the project, the contract was offered to Budhoe Backhoe. There may be an opportunity to use a portion of a \$30,000 disaster emergency grant – which will be used for the final repairs – to augment this budget.

Trustee Yahnke moved to approve Resolution 04-20 Approving a Contract with Budhoe Backhoe for Emergency Road Repairs and Maintenance; Trustee Harris seconded the motion that passed unanimously.

2016 Resolution 04-21 Approving a Purchase Contract for the Sale and Conveyance of Property Owned by the Town of Jamestown

Mayor Schoedinger stated that this resolution would approve a sale of 50,525 square feet of Town property for the price of \$0.33 per square foot for a total of \$16,673.25 to Roger and Nancy Loving.

Trustee Lenarcic moved to approve Resolution 04-21 approving a Purchase Contract for the Sale and Conveyance of Property Owned by the Town of Jamestown. The motion was seconded by Trustee Donadio and passed unanimously.

2016 Ordinance 04-03 Authorizing the Sale and Conveyance of Land Owned by the Town

Chuck Reid clarified why there are both resolutions and ordinances for the transfer of land: the resolution addresses the purchase contract and allows for any modifications to the contract; the ordinance authorizes the sale of land and finalizes the purchase contract.

Mayor Schoedinger stated that the ordinance would approve a sale of 50,525 square feet of Town property for the price of \$0.33 per square foot for a total of \$16,673.25 to Roger and Nancy Loving.

Trustee Harris read the ordinance to the Board.

Trustee Donadio moved to approve Ordinance 04-03 Authorizing the Sale and Conveyance of Land Owned by the Town; Trustee Yahnke seconded the motion which passed unanimously and as an emergency ordinance.

Boulder County Collaborative IGA for Round 2 CDBG-DR Funds Update

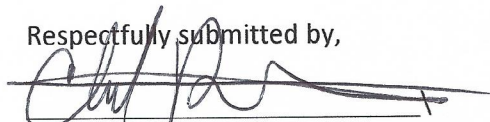
Mayor Schoedinger stated that the Boulder County Collaborative IGA for Round 2 CDBG-DR funds was approved by Longmont Council on April 12. There were no substantial changes to it so it was signed and returned to them. The action will put Round 2 agreements in place (i.e. local matches, elevations projects, lower Main Bridge, repaving CR94, etc.).

2014 Audit Update


Mayor Schoedinger announced that the audit is formally done and now it time to start the 2015 audit due in July. The Mayor read a message from Dmitry that expressed his appreciation to Chris Krolick for his numerous hours communicating – instrumental in providing information and an asset to the town.

Trustee Droste moved to adjourn the meeting; this motion was seconded by Trustee Lucas. The meeting was adjourned at 9:00 PM.

Respectfully submitted by,


Chad Droste, Town Clerk Pro-tem

Approved,


Tara Schoedinger, Mayor