Woodland Park Downtown Development Authority Board of Directors
Tuesday, October 4, 2022, 7:30 a.m.
City Hall-Council Chambers
220 South Avenue, Woodland Park, CO

1. Call to Order

The Regular Meeting of the Woodland Park Downtown Development Authority Board of Directors was held on October 4, 2022, on Zoom Videoconference. Chairperson Perry declared a quorum present and called the meeting to order at 7:30 am. The following Board Members attended:

PRESENT: Chair Tony Perry
Vice-Chair Jon Gemelke
Secretary Rusty Neal, Council Liaison
Treasurer Rebecca Anderson
Jerry Good
Al Born
Arden Weatherford
David Mijares
Matt McCracken

ABSENT: None.

STAFF: Karen Schminke, Planning Director
Marcus McCaskin, DDA Board of Directors' Attorney

GUESTS: Mark Weaver, Developer, Tava Group Representative
Kitten Walker, Woodland Park resident

2. Pledge of Allegiance

All attendees participated.

3. **Approval of Minutes September 6, 2022**

Chair Perry asked for a motion to approve the September 6, 2022, regular meeting minutes of the Woodland Park Downtown Development Authority.

MOTION:
Al Born made a motion to approve the September 6, 2022, regular meeting minutes of the Woodland Park Downtown Development Authority.

2ND:
Secretary Neal, Council Liaison, seconded the motion.

VOTE:
9-0, Unanimous.

4. **Treasurer's Report**

Chair Perry stated that there was only one invoice to approve this month for the DDA Administrative Assistant, Rebecca Allen. Chair Perry further stated that there were no TIF Reimbursements for this month and the financial report has not changed since last month.

   a. **Approve Invoices**

Chair Perry asked for a motion to approve the invoice from Ms. Allen for administrative labor.

MOTION:
Matt McCracken made a motion to approve Ms. Allen's invoice for payment.

2ND:
David Mijares seconded the motion.

VOTE:
9-0, Unanimous.

   b. **TIF Reimbursements – None**

c. Financial Report – DDA Expenses to Budget

5. **Legal - DDA Attorney**

   a. **Conflict of Interest Training**

Chair Perry introduced Marcus McCaskin, the DDA Legal Representative.

Marcus McCaskin, DDA Attorney, presented the Conflict of Interesting Training to the DDA Board of Directors.

Jerry Good inquired about malfeasance.

Mr. McCaskin stated that if a Board Member suspected another Board Member of malfeasance that the Board Member should contact the DDA Attorney so that he can investigate the potential conflict of interest.

Jerry Good inquired about the neglect of a Board Member to report a Conflict-of-Interest.

Mr. McCaskin stated that this would be a violation of the DDA Bylaws and could result in potential dismissal from the Board if there is a willful violation of the section in the Bylaws regarding Conflict-of-Interest.

Chair Perry inquired about his professional position at Park State Bank becoming a potential conflict-of-interest.

Jerry Good stated that his comments were not directed at Tony Perry.

Chair Perry stated that Mr. Good could directly reach out to any parties involved and the DDA Attorney.

Mr. McCaskin stated that he would obtain Mr. Good's phone number to contact him regarding his concerns after the meeting.

Chair Perry inquired of DDA Board Members if they wanted to investigate the DDA Attorney reviewing and amending the bylaws.

Mr. McCaskin stated that he was amendable to Chair Perry's suggestion of amending the bylaws.

(At this time, Secretary Neal, Council Liaison, excused himself from the meeting via Zoom.)

b. Woodland Station Sale Contract

Chair Perry stated that the Tava Group was present with their attorney along with the DDA Attorney and that there will be a short work session after this regular meeting to review the initial contract presented by the Tava Group.

c. Woodland Station Development Agreement

Chair Perry stated that no formal decisions will be made today regarding the Woodland Station Development Agreement at the work session and that details were still being worked out regarding assets currently on the property. Chair Perry further stated that the city's best interests had to be kept in mind when formalizing any sale and development agreements.

6.Chair Report

a. Discussion on DDA Position regarding property rights

Chair Perry addressed the DDA Board regarding respecting the property rights of business owners in the Downtown Development District and property owners surrounding the Woodland Station Development project. Chair Perry stated that he would not advocate for the removal of property owners while he was acting as the Chair of the DDA Board.

Chair Perry inquired of other DDA Board Members about their perspective on his position.

Jerry Good stated that the property that Chair Perry mentioned was under legal review.
Chair Perry stated that the property was out of legal review and was listed for sale.

Matt McCracken stated that he agreed with Chair Perry about reaching out to this business owner and asking if the DDA Board could help the owner improve the property.

Treasurer Anderson inquired about businesses that are currently receiving a TIF Agreement but not working to improve their property.

Chair Perry stated that TIF agreements currently did not address the issue of property improvement.

Al Born stated that the word blight does appear in state legislation but agreed with working with business owners to improve their individual property but not to remove or destroy existing structures or properties.

Chair Perry stated that he was in favor of bringing in grant funding to help improve the community. Chair Perry further stated that he felt that he had a consensus from the DDA Board that they would work with existing business owners to help them improve their property.

b. Ute Pass Historical Society

Chair Perry stated that Vice-Chair Gemelke reached out to the previous Chair about the transfer of property to the Ute Pass Historical Society and that the previous DDA Chair stated that she had given all that information to the City of Woodland Park. Chair Perry further stated that he and Vice-Chair Gemelke would be collaborating directly with the Ute Pass Historical Society regarding the agreement soon.

c. KSU - Brownfield Grant opportunities

Chair Perry stated that he and Treasurer Anderson would be working on the KSU-Brownfield Grant opportunities together.

d. Colorado Community Revitalization – OEDIT

Chair Perry stated that he and Treasurer Anderson would be working on this matter within the next month.

e. Downtown Colorado, Inc

Chair Perry stated that he and Al Born would be working on this initiative shortly. Chair Perry stated that he met with Beth Wright regarding this initiative and the DDA's interest in participating in this initiative under the guidance of Grace Johnson. Chair Perry stated that after he and Mr. Born met with the city and gathered the details regarding this initiative, they would bring the information before the DDA Board and get their input regarding participation in this initiative.

(At this time, David Mijares excused himself from the in-person meeting.)

6. **Woodland Station Development Update Report**

Mark Weaver stated that their attorney was present and that they had an agreement drafted up to present to the DDA Board during the Work Session. Mark Weaver further stated that previous meetings with project partners and adjacent landowners had been held.

Chair Perry stated that the Environmental paperwork from Matrix was expired but Matrix Consulting had agreed to update the Phase I Environmental and the D Cup for approximately $10,000.

Mark Weaver stated that they had advised Matrix Consulting to update their previous work.

Chair Perry stated that he and Vice-Chair Gemelke would be collaborating with the Ute Pass Historical Society to move the Stagecoach and other pieces of property on the Woodland Station Property. Chair Perry also addressed that Bergstrom Park in Woodland Park was being reimaged and spoke to the possibility of DDA Board involvement in the Bergstrom Park replanning.

Jerry Good inquired of Mr. Weaver about the possibility of obtaining a more detailed development plan from the Tava group before signing an agreement.

Mr. Weaver stated that more details about development would be included in the paperwork presented in today's DDA Work Session.

Matt McCracken inquired about the timeless for seeing more detailed architectural renderings of the development project.

Mr. Weaver stated that Echo Architecture was currently working on the Site Plan, but they would begin working on the architectural renderings after the Site Plan was finished.

8. **Board discussion of items not on the agenda**

Chair Perry opened the floor up for a discussion of items not on the agenda.

Treasurer Ruddell stated that she had a new last name and that it was Anderson.

Chair Perry stated that Treasurer Anderson's nameplate and email address would be changed to accommodate her new last name.

9. **Audience Participation.**

Chair Perry opened the floor up for audience participation.

Kitten Walker inquired of the DDA Board about the Attorney's presentation and further stated that her opinion was that Secretary Neal being involved in two different Boards within the City of Woodland Park was unethical. Ms. Walker also stated that there was a rumor that Arden

Weatherford had purchased more property surrounding the Woodland Station Property and made a biblical reference regarding immorality and ethics. Ms. Walker ended her statement with a prayer.

Al Born commented on the requirement that a City Council Liaison be placed on the DDA Board.

Chair Perry stated that Mr. Weatherford had recused himself from the Woodland Station Development discussion and vote due to his ownership of adjacent properties and that Mr. Weatherford's recusal did not place him in violation of a Conflict-of-Interest.

10. Adjourn

Hearing no further business before the Board, Chair Perry adjourned the meeting at 8:53 am.

Minutes prepared by Rebecca Allen