Woodland Park Downtown Development Authority Board of Directors

Tuesday, April 4, 2023, 7:30 a.m.

City Hall-Council Chambers 220 South Avenue, Woodland Park, CO

Regular Meeting

1. CALL TO ORDER AND ROLL CALL

PRESENT:	Chair Tony Perry Vice-Chair Jon Gemelke Secretary Rusty Neal, Council Liaison Treasurer Rebecca Anderson Jerry Good Al Born Matt McCracken Arden Weatherford
ABSENT:	David Mijares (Excused)
STAFF:	Michael Lawson, City Manager Karen Schminke, City Planning Director
GUESTS:	None.

2. PLEDGE OF ALLEGIANCE

All attendees participated.

3. . ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

Chair Perry asked if there were any additions, deletions, or corrections to the agenda.

Hearing none, Chair Perry closed this section of the meeting.

4. . CONSENT AGENDA

a. Approval of Minutes March 7, 2023

Chair Perry asked for a motion to approve the March 7, 2023, regular meeting minutes of the DDA Board.

MOTION:

Secretary Neal, Council Liaison, made a motion to approve the March 7, 2023, regular meeting minutes of the DDA Board.

2ND:

Al Born seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

7-0, Unanimous (Arden Weatherford abstained).

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Chair Perry opened the floor up for public comment on items not on the agenda.

Hearing none, Chair Perry closed this section of the meeting.

6. UNFINISHED BUSINESS (Public Comment may be heard)

a. Woodland Station Sale Update

   Chair Perry addressed the issue of the sale of the Woodland Station property to Tava House properties and presented the current timeline. Chair Perry further stated that they met with the Planning Director and other parties regarding the sale. Chair Perry stated that City Staff and Tava House Properties would be meeting next Thursday to discuss the contract and development of the sold property. Chair Perry further stated that the Planning Commission would meet next Thursday and would be presented with the development plan for Woodland Station. Chair Perry stated that the sale would be voted on at the next City Council meeting and, if approved, the sale date would be April 28th.

Jerry Good inquired about the VCUP.

Chair Perry stated that the VCUP was addressed in the contract and that Tava House was willing to sign the contract with the conditions set forth in the contract and that the VCUP must be completed as per the guidelines set forth in the contract.

7. NEW BUSINESS

Chair Perry addressed the TIF agreement with AJ's PIZZA and updated board members on the proposed resolution.

a. Consideration of Resolution No. 03, Series 2023, A resolution of the Board of Directors of the Downtown Development Authority approving the redevelopment and reimbursement agreement with M&M Estate, LLC, (DBA AJ's Pizza 250 E Hwy 24).

MOTION:

Al Born made a motion to approve Resolution No. 03, Series 2023.

2ND:

Secretary Neal, Council Liaison, seconded the motion.

DISCUSSION:

Chair Perry stated that the DDA Attorney was pleased with the updated TIF agreement contract.

VOTE:

7-0, Unanimous (Arden Weatherford recused).

Chair Perry asked for a motion to approve Resolution No. 04, Series 2023, on page 30 of the Meeting Packet.

b. Consideration of Resolution No. 04, Series 2023, A Resolution of the Board of Directors of the Downtown Development Authority recommending approval of the Woodland Station Plan of Development (2023) to City Council.

MOTION:

Secretary Neal, Council Liaison, made a motion to approve Resolution No. 04, Series 2023.

2ND:

Al Born seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

7-0, Unanimous, (Arden Weatherford recused).

Chair Perry asked for a motion to approve Resolution No. 05, Series 2023. Chair Perry stated that this was the proper formatting for the resolution and pointed out the part of the contract that addresses the VCUP to Jerry Good and explained the addendum to the contract. Chair Perry explained the Performance Deed of Trust that was included in the contract to fellow DDA Board Members and the general application that was presented to the City on page 84 of the meeting packet.

c. Consideration of Resolution No. 05, Series 2023, A Resolution of the Board of Directors of the Downtown Development Authority authorizing sale of Woodland Station Property to Tava House Properties, LLC.

MOTION:

Secretary Neal, Council Liaison, made a motion to approve Resolution No. 05, Series 2023.

2ND:

Al Born seconded the motion.

DISCUSSION:

Secretary Neal, Council Liaison, commented on the meetings that Chair Perry attended in the past few weeks with the DDA Attorney to discuss the documents carefully and to address the risks to citizens and put precautions in place throughout the document.

Chair Perry added that Tava House Properties has taken risks on themselves and that, after the DDA Board voted in the affirmative, the final approval is left up to City Council. Chair Perry further stated that the contract was prepared carefully and reminded fellow DDA Board Members that the final decision was up to City Council.

VOTE:

6-1, (Jerry Good opposed, Arden Weatherford recused).

8. PUBLIC COMMENT REGARDING NEW BUSINESS

Chair Perry opened the floor up for public comment regarding new business.

Hearing none, Chair Perry closed this section of the meeting.

9. REPORTS

Chair Perry stated that the Board Chair Report would be presented later in the reports section of the meeting.

   a. Treasurer's Report.

Treasurer Anderson stated that there were only two invoices this month. The first was from the DDA Attorney for $2,850 and the second from the DDA Board Administrative Assistant for $200.

Chair Perry asked for a motion to ratify the two expenses as communicated by Treasurer Anderson.

MOTION:

Al Born made a motion to ratify the two expenses as presented by Treasurer Anderson and proceed to payment.

2ND:

Treasurer Anderson seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

8-0, Unanimous.

b. Board Member Reports

Matt McCracken stated that due to personal reasons he would be stepping down from the DDA Board.

Chair Perry asked Matt McCracken to send a letter of resignation to himself and Secretary Neal and thanked Matt McCracken for his service. Chair Perry also stated that it was under the purview of the City Council to appoint new DDA Board Members.

c. City Attorney's Report

Marcus McCaskin updated DDA Board about Senate Bill 23 175 that passed on Friday which affects the DDA Board directly and created automatic and reoccurring additional twenty-year extension periods that is set to begin on the expiration of the original fifty-year period. Mr. McCaskin stated that the incremental revenue would be split 50/50 between the DDA Board for special projects and between the City for special project funding. Mr. McCaskin stated that if the Bill became effective that he would send an email to the Board or inform the DDA Board at a meeting.

d. Board Chair Report

Chair Perry stated that he was currently working on a report that was not ready for today's meeting. Chair Perry stated that Dave Martinek contacted him and notified him about a grant he had received for the Cog Car placement.

Chair Perry referred to a meeting with the Ute Pass Historical Society regarding a potential deal. Chair Perry stated that it was in the best interest of the DDA Board to have discussions regarding the Cog Train with the Ute Pass Historical Society. Chair Perry stated that Tava House Properties was willing to work with the Ute Pass Historical Society regarding the Cog Train placement.

Chair Perry asked if there was anything further from Board Members.

Secretary Neal, Council Liaison, stated that the only documentation that was found regarding the Cog Car was a document transferring ownership of the Cog Car to the DDA Board of Directors on November 15, 2019.

Chair Perry stated that there should be dialogue around the Cog Car and that the DDA Board and Tava House Properties are willing to keep their commitment to Mr. Carter to honor his wife. Chair Perry stated that there were a lot of details that were to be determined in the future pending the approval of the Woodland Station sale contract.

Jerry Good stated that his recollection of the DDA Board's procurement of the Cog Car was that it was presented and delivered for free to the DDA Board and, at the time, seemed to fit into the landscape and history of the area.

Chair Perry stated that he agreed with Jerry Good and that it was written in the sale contract that Tava House properties would honor the intent of the Cog Car placement.

Secretary Neal, Council Liaison, stated that there was documentation that the DDA Board, and therefore ultimately the City of Woodland Park, has ownership of the Cog Car.

10. ADJOURNMENT

Chair Perry asked for a motion to adjourn.

MOTION:

Al Born made a motion to adjourn.

2ND:

Matt McCracken seconded the motion.

DISCUSSION:

There was no discussion regarding the motion.

VOTE:

None held. Meeting closed by consensus of the Board.

Chair Perry adjourned the meeting at 8:08 a.m.

The April 4, 2023, regular DDA Board of Directors meeting was adjourned at 8:08 a.m.

Minutes prepared by Rebecca Allen.