

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 4, 2016
6:00 P.M. – 9:00 P.M.**

Call to Order. Mayor Sean Forey called the regular Town Board Meeting to order at 6:00 P.M.

Roll Call. Mayor Sean Forey, Trustees Brewster Caesar, Venessa Angell, Debora Jerome, Allen Williams, and Ronald Metzler were present. Christopher Wolfe was absent. A quorum was established.

Staff Present. Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk).

Amendments to the Agenda. Remove 6d – Hours for Outdoor Amplification.

Public to Address the Board. Kathleen Dichter, 109 Spring Street, Morrison, CO 80465. Dichter wanted to thank Metzler, Wolfe and Angell for serving on the Board as Trustees for the Town.

Presentations and Hearings. None.

General Business.

Code Change in CT District Allowing Brew Pubs with Board Approval. A change to the zoning code has been suggested for 120 Bear Creek, Morrison, Colorado. Potential purchasers have inquired as to whether there could be a brew pub or tap house. Dahl stated the Board can decide the uses and districts.

Richard Barrett, 5615 W Virginia Avenue, Lakewood, Colorado. Barrett is a home inspector. Barrett said he and his partner have the property under contract. It is his intention to have a brew pub. Barrett wants to keep with the character of the Town. It is his intention to keep the house style, but have it more colorful and perhaps put in a patio out back. He would like food and a brewery. Barrett has not talked to the flood plain engineer.

Barb Moskal, 2471 Pinehurst Drive, Evergreen, Colorado. Moskal is a Professor at the Colorado School of Mines. Moskal wants to maintain the character of the structure. More space would be needed and there would need to be an expansion, possibly with a tent cover. Forey stated the property line is close to the back door and that property is owned by Bear Creek Development. Caesar stated tent structures are not allowed in the Town. Dahl stated the Agenda item is only to determine whether or not to change the zoning code.

Sandy Swan, PO Box 966, Indian Hills, Colorado. Swan is a realtor. Swan will call Zabilansky to get contact information for the Town's floodplain engineer. Swan stated her clients want to keep the integrity of the building.

Williams likes the idea of a brewery that serves food and operates its own kitchen. Williams and Jerome do not support food trucks in Town. Jerome stated she is concerned about

water use for a brewery. Dahl stated a brew pub serves beer and food. The Board can establish hours of manufacturing and regulate water. Metzler stated he would not want to live by it. Caesar, Forey and Angell have no objections to a brew pub. Williams made a motion to direct staff to draft an ordinance allowing a brew pub in the CT District upon special review and set for public hearing. Jerome seconded the motion. All present voted in favor.

Rooney Valley IGA. Dahl stated the Rooney Valley IGA simplifies the revenue sharing. Tax increases are not shared and the .75 is restricted for capital improvement in the Town. Zabilansky stated revenues are simplified, sales and use tax are shared. Revenue of 60% is to provide services to the municipality that the property is in, 10% goes to residential, the remaining 30% is shared. JPRC is now Rooney Valley Planning Commission. Dahl stated that 2.06(2) would be corrected and would state property would be annexed to the Town or the City. On Page 14, 5.01, the Town can ask to share more revenue with Lakewood. Jerome made a motion to enter into the Intergovernmental Agreement between the Town of Morrison, Colorado and the City of Lakewood, Colorado with typographical corrections regarding the Rooney Valley. Angell seconded the motion. All present voted in favor.

Computer System for Water Treatment Plant. Zabilansky is waiting for two more bids on the computer for the water treatment plant. Caesar made a motion to authorize the purchase of a new computer and backup system not to exceed \$18,000.00. Metzler seconded the motion. All present voted in favor.

Prohibition of Roof Top Patios. Metzler believes roof top patios impact residents and need to have more public discussion. Metzler did not understand the significance of Tony Rigatoni's application. Roof top patios are a trend. Everyone that can have a roof top patio will have one. Williams believes they should go to the Planning Commission and the Town needs to have serious rules and guidelines. Dahl stated that this last roof top patio came before the Board as it was a liquor license process. The Board can prohibit construction. Angell stated it was important to hear from the Town residents. Caesar stated that all of the candidates running for the Board wanted to keep the Town the way it is and he is against roof top patios. Metzler made a motion to have an ordinance drafted prohibiting roof top patios and to schedule the same for public hearing at the Board meeting on May 3, 2016. Angell seconded the motion. All present voted in favor.

Design of Multi-Use Trail. The trail would be on the west side of Highway 8 from the Post Office to the Museum. There would be a cross walk at the Post Office. The trail would be a multi-use trail 10' wide. Grant money is not available for engineering design work, but it may be available for the trail construction. CDOT is open to granting the Town a permit. The \$14,000 for engineering is not in the budget. Caesar stated there was \$5000 in the budget for 2015 but not for 2016. Zabilansky has not looked into grants and cannot look into grants without a project cost. Williams made a motion to spend \$14,000 for a preliminary design for the trail. Caesar seconded the motion. The money would come from the General Fund. Caesar stated the trail was a safety issue. Zabilansky will ask the engineer if the trail could be something other than a multi-use trail. There were 5 ayes and 1 nay from Forey.

Storage of Equipment for Flood Recovery. The Town would like to move emergency equipment from the flood plain. Some equipment has already been moved. Rhodig said the sheds could be moved.

Paving at Red Rocks Elementary. The School is asking for \$78,000.00 from the Town. There is \$25,000.00 in the budget. Caesar wants a guarantee that the Town will be able to use the parking lot in the future. Forey stated \$78,000.00 was too much money. The Town can do the upper portion of the parking lot. Caesar and Jamee Chambers will form a committee to review options.

Easement Agreement for Pump Station. Jerome made a motion to enter into the Non-Exclusive Easement Agreement with Jefferson County School District R-1 for an underground water line. Caesar seconded the motion. All present voted in favor.

Jeffco Referral – 3664 Soda Lakes Road. A three story storage unit is being proposed. Caesar stated it was a big issue and the land should be preserved. Caesar is opposed to the storage unit. Zabilansky stated the Board should write a letter to the Commissioners. Brian Bogert stated that residents should be informed and educated. Forey asked Dahl to put together a letter to go to the Commissioners. A notice needs to be sent to residents of the Town of Morrison. Dahl stated this would be a rezoning and would require a public hearing. Zabilansky stated the application is due tomorrow. Dahl will work on it tonight.

Departmental Reports.

Police Department. Williams stated parking should be enforced. Caesar said the new signs should be placed regarding the noise ordinance. There were no further questions or comments.

Museum. There were no questions or comments.

Utility. There were no questions or comments.

Town Administrator. Xcel stated it cannot split out the lighting on C470. Zabilansky stated the Town attorney and Xcel attorney will have a meeting and discuss the lighting. Covell will discuss the Strain Gulch Water application. Dahl stated the Cliff House is a legal non-conforming use and as such it could be a bed and breakfast at that location.

Attorney. There were no questions or comments.

Consent Agenda. Caesar made a motion to approve the Consent Agenda. Angell seconded the motion. All present voted in favor of the motion.

Board Comments. Angell is happy to see the people attending the Board Meeting. Forey stated that a branch from a tree on Town-owned property fell on Angell's house. The Town cleaned up the tree. Angell did not receive special treatment. Trees on South Park Avenue are in the Town right of way and the Town trims them. Caesar said the lot lines need cleaned up and an offer made to the residents to buy property in places where there is an 80 foot wide easement. Caesar said the Town could get out of maintaining the trees, sell the land and make money. Dahl stated

the Town holds the right of way in trust for the benefit of the public. If the Town wants to vacate that right of way the Town would vacate it for no compensation. Property owners would take title. Forey wants to pave the property by the Church for parking. It is owned by an unknown person or entity. Dahl stated the Town could do a Quiet Title Action. Jerome stated people need to clean up after their dogs.

Water Availability. Presenting the Report were Cindy Covell and Alan Leak. Covell discussed senior and junior water rights of the Town. The Town has storage rights. The Town has submitted an application to the Court to make the Strain Gulch water rights absolute. Alan Leak discussed his Report.

Executive Session. A motion was made by Jerome for a conference under Charter Section 3.4 and Section 24-6-402(4)(b) and (e), C.R.S., with the Town Attorney, Town Administrator and appropriate staff to receive legal advice and instruct negotiators concerning Red Rocks Center, Water Availability and Utility Operations. Caesar seconded the motion. All present voted in favor.

Forey called the Executive Session to Order on Tuesday, April 4, 2016 at 7:49 p.m. Present were: Sean Forey (Mayor), Trustees Brewster Caesar, Venessa Angell, Debora Jerome, Ronald Metzler, and Allen Williams; Cindy Covell (Water Attorney), Alan Leak (Town Engineer), Gerald Dahl (Town Attorney), Kara Zabilansky (Town Administrator) and Charla Bryant (Town Clerk). The purpose of the Executive Session was to discuss Red Rocks Centre, Water Availability and Utility Operations.

End of Executive Session. The Executive Session was adjourned at 9:46 pm.

The Open Meeting was reconvened at 9:47 pm. Caesar made a motion to direct staff to communicate to Bandimere that the Board of Trustees declines to provide a service use letter for sewer services because the land use is speculative and unknown. Angell seconded the motion. All present voted in favor of the motion.

Forey thanked Ron Metzler for serving on the Board of Trustee for the last 4 years.

Adjournment. The Meeting was adjourned at 9:50 pm.

TOWN OF MORRISON



-Sean Forey, Mayor Brewster Caesar, Mayor Pro Tem

ATTEST:



Charla D. Bryant, Town Clerk

