

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, JULY 5, 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 Angel, Katie Gill, Debora Jerome and Allen Williams 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. Delete 7a.

Public to Address the Board.

Kathleen Dichter, 109 Spring Street, Morrison, CO 80465. Dichter reviewed the financial statements through May, 2016. Dichter requested additional information from Zabilansky. The requested information requires research. Dichter wants to verify the accuracy of whether the Museum has 1½ people. Dichter said she wants to know the total cost for families on the Kaiser bill. Dichter said financial statements are available for inspection and asked to whom she should ask questions.

Loren Oswald, 115 Spring Street, Morrison, CO 80465. The Board members took an oath and made a pledge to the Town Charter. The Charter encourages full participation in meetings. Oswald stated there is an Ordinance that states three or more consecutive unexcused absences is grounds for dismissal. He wants a response from the Board regarding absences.

Presentations and Hearings.

Notice of Special Use Review of the Board of Trustees of the Town of Morrison, Colorado to consider a Special Use Application for outdoor sales of food to be sold at 313 Bear Creek Avenue, Morrison, Colorado for a Hotdog Stand.

Mayor Forey opened the public hearing.

Clark Rogers, 313 Bear Creek Avenue, Morrison, CO. Rogers stated he has to comply with the rules of the Building and Sanitation Departments. The lot has no economic way to support itself. Rogers does not want to go to further expense if the Board votes no.

Jennifer Owens. Owens brought in a model of the building. Owens stated there are issues with the property being vacant. Owens has done site clean-up. Owens wants to create a space for people to sit and enjoy the evening. The property will be wheelchair accessible and have enclosed port-a-lets that would be placed close to the alley. The building would have a walk-up

window. It would be a 18' x 8' building. The building would be on pillars and be floodplain compliant. Trash would be maintained. Owens stated the building would be a permanently placed removable structure. Business would be done year-around. The color would be red, white and blue. There would be a quiet garden area with flowers and trees. Lights would be turned off in the evenings. Owens is in negotiations with a business owner to allow ten minute parking for customers. Owens stated that water would be brought in and out of the building daily.

Kathleen Dichter, 109 Spring Street, Morrison, CO 80465. Dichter stated she likes the idea of the outdoor sales if the business generates sales tax and has a license.

Zabilansky stated she received an e-mail from Tom Clapp at Sundance Sensations. Clapp has concerns and stated this business should be held to the same standards as all other businesses. Clapp stated he would be requesting a similar set-up at 205 Bear Creek Avenue, Morrison, CO if this was approved.

Barbara Boudreaux, 309 Bear Creek Avenue, Morrison, CO. Boudreaux stated that as long as there is sales tax, she is for the business.

Clinton Scott, 415 Bear Creek Avenue, Morrison, CO 80465. Scott stated it would be a welcome addition to the Town if done properly. Dahl stated the business would be governed by Code 10-1F-3.

Angell stated she is concerned about the port-a-let, water, parking, and another person in Town stating he would like to do this as well. Williams stated that in the past the Board has rejected temporary stands. Gill said it was not mobile vending. Forey said the business is in the same category as a car, trailer or truck. Approving the business would make it hard to deny temporary stands in the future. Dahl said each application must be judged on its merits. Caesar said the Board's role is to look at the big picture. The Town is a beautiful, historic town and he would like it to stay that way. Caesar does not like the idea of temporary stands and does not feel they are compatible with the Town. Forey said approval would be simple if water and sewer taps were purchased.

Forey closed and then reopened the public hearing.

Jennifer Owens. Owens stated she agrees the Town is historic. There are other examples of this type of business in different towns. Owens wants to create a building that would align with other businesses, be a viable business member and enhance downtown Morrison. Owens understands port-a-lets are an issue, but stated they will be enclosed and well-maintained.

Clark stated he would like to know if the Board would approve the Special Use Application if there were a water and sewer tap purchased.

Forey closed the public hearing.

Motion by Williams, seconded by Gill to approve the request by Clark Rogers and Jennifer Owings (“Applicants”) for a Special Use for outdoor sales of food at 313 Bear Creek Avenue, Morrison Colorado, upon the following conditions:

1. The Applicants shall obtain water and sewer service for the operation from the Town pursuant to the current tap fee and user rate schedule.
2. Restroom facilities shall be provided for patrons; no portable toilets of any kind shall be permitted.
3. The maximum building footprint of the (moveable) structure is 8 feet by 18 feet.
4. Two (2) dedicated off-street parking spaces shall be provided for patrons.
5. Signs and lighting shall be in compliance with the Morrison Municipal Code.
6. The operation shall continuously comply with all Town, health department and state requirements, including without limitation floodplain requirements, business license and health department requirements.
7. The operation may not commence until all of the requirements listed herein have been met
8. The Special Use approval may continue indefinitely so long as the conditions of approval are maintained. In the event the operation is sold by the Applicants, the Special Use Approval shall expire, provided, however, the proposed transferee(s) of the operation may apply for continuation of the Special Use Approval upon the same or different conditions, which approval the Board of Trustees may grant or deny under the Municipal Code requirements then in effect.

Motion carried 6-0.

Brewster Caesar replaced Sean Forey as chair for this portion of the meeting. Sean Forey and Venessa Angell recused themselves.

Caesar opened the continued public hearing regarding Annexation.

Dahl stated that Angell recused herself due to having an immediate family relationship with Sean Forey. Resolution 2016-11 on Annexation was discussed. On August 2, 2016 the Ordinance will be discussed.

Jamee Chambers, 207 Bear Creek Lane, Morrison, C). Chambers has been in a financial relationship the Applicants since 2011. In 1968 there was no requirement to have one acre. The prior owners had three water and sewer taps. The property is legal, but non-conforming. John Leonard had mentioned to Chambers that there would be 5 lots and he would like to purchase 2 lots to preserve his view. The three houses are already built. There is a stipulation by Jefferson County that the annexation parcel would be an unbuildable tract.

Gus Chambers, 207 Bear Creek Lane, Morrison, CO. The boundary of 1/6 of the perimeter borders the Town.

Caesar closed the public hearing.

Williams made a motion to adopt Resolution 2016-11, a Resolution making certain findings of fact regarding the proposed Annexation of a parcel of land to the Town of Morrison, Colorado. Jerome seconded the motion. All present voted in favor.

Forey and Angell were called back into the meeting.

General Business.

Resolution 2016-10, a Resolution of the Board of Trustees for the Town of Morrison, Colorado giving notice of and calling a Special Town Election in connection with the Coordinated General Election on November 8, 2016. Angell made a motion to adopt Resolution 2016-10, a Resolution of the Board of Trustees for the Town of Morrison, Colorado giving notice of and calling a Special Town Election in connection with the Coordinated Election on November 8, 2016. Caesar seconded the motion. All present voted in favor of the motion.

Approval of 2015 Audited Financial Statements. Gill asked as to what the land under capital assets refers. Zabilansky will request a response from Ken LeCrone of Swanhorst & Company, LLC and will send his response to the Board. Gill made a motion to approve the audited financial statements for 2015. Caesar seconded the motion. All present voted in favor.

Departmental Reports.

Police Department. Caesar noted that a rattlesnake had been removed and feels that residents should be reminded of the fact that there are rattlesnakes in Morrison. The information could be sent out with the utility bill. Williams asked if people who are pulled over and do not have a driver's license, should be allowed to drive away or if this would create a liability for the Town. Dahl stated there is a Governmental Immunity Act and the Town would not be held liable. There were no further questions or comments.

Museum. Gill stated she went to the Museum and had an incredible tour. Mossbrucker is impressive. There were no questions or comments.

Utility. Jerome stated someone drove off with a hose attached to a fire hydrant and she would like to know the cost to repair damages. Zabilansky stated the company will be responsible for the cost of repair. Forey said the Town is testing the water for copper and will continue to do more readings. Fouts will verify the accuracy of the readings. There were no further questions or comments.

Accounting. There were no questions or comments.

Town Administrator. There were no questions or comments.

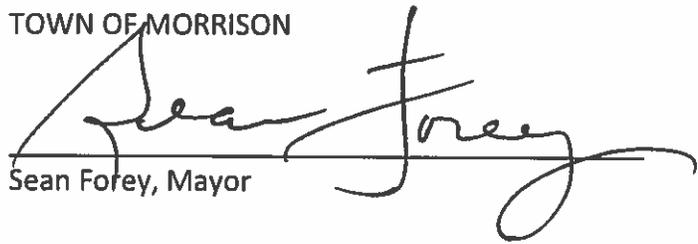
Attorney. There were no questions or comments.

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. Jerome asked if there would be a car pool to the Retreat. It was decided that there would be a car pool. Forey talked to Clark about the Board's decision of the Special Use Permit at 313 Bear Creek Avenue, Morrison, CO for a hotdog stand.

Adjournment. The Meeting was adjourned at 7:42 pm.

TOWN OF MORRISON


Sean Forey, Mayor

ATTEST:


Charla D. Bryant, Town Clerk

