

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, NOVEMBER 1, 2016
6:00 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, Katie Gill, Debora Jerome, Allen Williams and Christopher Wolfe were present. A quorum was established.

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

Amendments to the Agenda. Remove 6c – Rooney Valley IGA Amendment and remove 7c – Streets, Grounds & Buildings Report. Add to General Business, Civic Use, Mt. Carbon Water Rights and Trash Update.

Public to Address the Board. None.

Presentations and Hearings. Dahl stated he would like a record made that Sean Forey is the property owner on agenda items 5a and 6a. Dahl said that Forey and Angell, as an immediate family member, would recuse themselves from these two portions of the meeting.

Brewster Caesar, Mayor Pro Tem, took over the meeting. Caesar opened the Public Hearing.

Subdivision Variance Request, Forey’s Lo-Mo Estates Subdivision.

Stephanie Stevens, Town Planner, 4383 Tennyson Street, Denver CO 80212. Stevens reported the Applicants are Sean and Celeste Forey who have submitted a Subdivision Variance Request. The Applicants would like to be able to subdivide the property into 5 lots. The property is 1.03 acres and under the Town’s zoning regulations would allow for 6 dwelling units. The property is located east of the 2nd Street and Spring Street intersection. There are no access issues. The property contains three residential structures and a garage structure. The flood plain, the typography, the gulch and the driveways make it difficult to meet certain standards. The Board of Adjustment approved the zoning variances for this property unanimously. The Town Board has the right to vary from the Subdivision Regulations set forth in the Subdivision Code if it creates an undue hardship on the property owner. Stevens said it would not adversely affect the public health and welfare. The variance shall not be granted or denied based on the financial status of the property owner. There is an unbuildable tract in the southeast corner of the property; this tract is included in the property. No public comment has been received. The staff recommends approval.

Jamee Chambers, Chambers Consulting, Inc., 805 Bear Creek Avenue, Morrison, CO. Chambers stated that property lots in Morrison are long and skinny. Morrison is a Town of tiny houses; some houses are only 550 square feet. The variance will preserve the small town

atmosphere. The next step will be to go through the Planning Commission regarding the subdivision process. The variance will meet the density requirement. Chambers stated there are three water taps and the vacant lot would have to buy water and sewer taps if developed.

There were no public comments.

Caesar closed the public hearing.

Wolfe made a motion to approve the variance request with no conditions. Williams seconded the motion. All present voted in favor of the motion.

General Business.

4th & Summer Engineering. Forey and Angell will remain recused from this portion of the meeting. Caesar stated the culvert is plugging up. Rhodig proposed a change in the road to go around the meter pit. This would create an island. Caesar said he would like to have an engineer look at it. An engineer discussed using a longer pipe to provide a better drainage from the pond. Williams said the pond is not the problem. The silt runs down 4th Street and plugs the drain. Williams said the meter pit can be cut down and lowered or the pit can be moved southeast, asphalt can be laid and then a larger pipe can be used. Williams does not feel the Town needs to hire an engineer. The bollards can be removed. Rhodig did not like the idea of lowering the meter pit because it is low now. If it dropped another two feet, it would be more likely to freeze. Caesar is not happy with Rhodig's proposal of leaving an island. Williams said the Board should ask Fouts and Torres what they think. Caesar said this would be used as access to future development in the Town. Dahl stated direction needs to be given from the Board to the Staff. Gill is okay with passing the problem off to an engineer, but is not comfortable with the price. Zabilansky stated she had received a previous quote about one year ago. The cost was about the same. Jerome does not see the hurry. Wolfe said he would keep 4th and Summer Street as it is, but have more asphalt placed; only one person currently uses it. Williams said streets always need to be shoveled and believes it could be fixed for about \$3,000 without hiring an engineer, but he is okay with hiring an engineer if that is what the Board wants. Zabilansky stated she would like to talk to Fouts and Torres to get their opinion as to whether the Town can fix the problem. Zabilansky wants the bollards removed.

Forey and Angell joined the meeting. Mayor Forey took back over the meeting.

Red Rocks Ranch Development Submittal and Timeline. A timeline regarding Red Rocks Ranch Disconnection and Annexation was presented by Dahl. Dahl highlighted the notice and posting requirements. Meetings have been held with Lakewood and key dates for approval of the development have been established. The approval of the Rooney Valley Master Plan will be a key date for Morrison. The disconnection and annexation ordinances will be filed simultaneously. The developer will submit a disconnection request and when that is in, it will trigger the 30 day review with Jefferson County. The disconnection agreement will discuss the use of the property that is still in the Town. Zabilansky talked to Andy Trietley. Trietley is open to dedicating land for civic uses to the Town. Zabilansky told him a priority was to get the Town's sheds out of the floodway. Trietley is looking at the Town's wastewater treatment property as a location to locate

the sheds. Trietley thinks 5 acres is too large. Zabilansky stated the current Town offices could be remodeled and an elevator could be built at the Town Hall. The amount of acreage the Town wants in the disconnection agreement. Dahl stated direction will be needed for the civic uses. Wolfe said the maintenance buildings can go there, but he would like to keep the Town offices where they are. Gill and Jerome agreed with Wolfe. Caesar wants to keep future options open and would like to pursue the 5 acres. Land use decision and the public hearing will happen in March, 2017. Dahl said Plan Rooney Valley will be brought before the Board in two weeks. He Master Plan can still be discussed. The Red Rocks Ranch Zoning Application cannot be discussed since their application is filed and it is now quasi-judicial. Hearings will be in March, 2017. Dahl stated the Plan Rooney Valley document will be given to the Board November 15, 2016. Dahl said the Master Plan is legislative and can be discussed. Things involving the Red Rocks Zoning Application cannot be discussed. Hearing dates can be discussed. The value of disconnection can be discussed in general. Annexation and disconnection is legislative and can be discussed. Zoning cannot be talked about. Zabilansky and Dahl will send an email to the Board, the Planning Commission and general public regarding hearing dates and annexation and disconnection.

Mt. Carbon Water Rights. The new district is under contract to purchase Mr. Carbon's water rights. The Town's water attorney is gathering information. Forey said Cindy Covell can come back and talk to the Board. The Town has water rights for about 5,000 homes.

Trash Update. There was a meeting with Republic Services ('RS') today. RS was open to discussion regarding the contract. Dahl will revise the contract to include items discussed by the Board. Zabilansky will bring the contract back to the Board at the next meeting. The contract and ordinance will use the power the Town has in the statute to compel residents to use RS. The ordinance will say trash service cannot be compelled, but residents cannot use any other trash service. Angell believes the Town should pay for trash pickup for the residents. Williams thinks that is a wonderful idea. Dahl believes it would cost about \$18,000 annually. Paying for trash service would only be for residential. Zabilansky said a budget would need to be created. Angell said this would be good to start the first of the year. Forey said this would be great for the residents. Wolfe likes the idea. Wolfe believes Petra Bute should be given recognition for coming up with the idea. Dahl stated this would only be for Town residents. It would be looked at as a subsidy. Zabilansky said the cost would be charged to the Streets and Grounds Department. Jerome would like to give something to the Town residents. Gill agrees with the Town paying for the first year and dependent on Town budget the decision would be reviewed from year to year. Williams agrees that if the residents get service for free, they will change providers. Caesar has no objection but will have to correct his last article in the Hogback. Forey said there will be no charge for 2017 and will be revisited for 2018. An ordinance can be written and it will take thirty days to take effect. January 1, 2017 is a good start date. Zabilansky will discuss this with RS. Residents can call RS for large pickups and the residents will be billed. Electronic pick up is once a year in a designated dumpster. Branches are okay if they are cut in 4' sections and bundled. RS is checking on a Wednesday pickup. Forey would like the Town to submit the bill with the utility bill. Dahl said it could be billed and reflected on the utility bill at a reduced cost or no cost. Dahl will revisit the contract. The contract will be brought back to the meeting in two weeks.

Departmental Reports.

Police Department. There were no questions or comments.

Utility. Caesar noted that the Bear Creek Watershed Association wants a viable option for sewer at C470 and Alameda which would be gravity fed. There were no further questions or comments.

Town Administrator. Zabilansky and both Carrie McCool and Stephanie Stevens went above and beyond with regard to the Rooney Valley Master Plan revisions to meet the deadline. Zabilansky stated the Board should thank the Planners. Zabilansky stated Burris and Leonard came in to sign without the covenant restriction on Wood Lane. Burris thought Exhibit A was incorrect and did not sign the Covenant Restriction. Dahl said there was a survey problem.

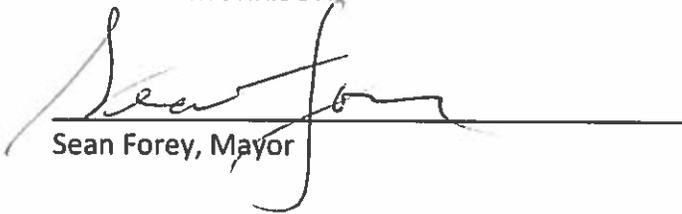
Attorney. There were no questions or comments.

Consent Agenda. Caesar made a motion to approve the Consent Agenda, after correction of the Minutes. Wolfe seconded the motion. All present voted in favor of the motion.

Board Comments. Jerome and Gill like the document "Plan Rooney Valley." Zabilansky said the Rooney Valley Commission hearing is Thursday night. Williams stated lowering water and sewer bill would be nice. It would be nice to pay for trash for the residents. Forey said Big Sky is not a dead issue. Zabilansky stated Trietley has a project on Turkey Creek Road of 50 acres. It will be 125 units. Andy Trietley would like water and sewer from the Town. Zabilansky referred to the South Area Plan and told Trietley that it was unlikely the Town would provide water and sewer to this property.

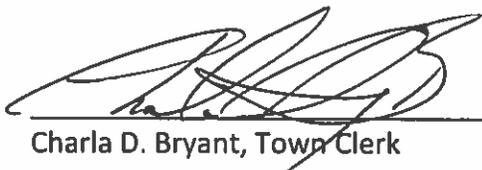
Adjournment. The Meeting was adjourned at 7:35 pm.

TOWN OF MORRISON



Sean Forey, Mayor

ATTEST:



Charla D. Bryant, Town Clerk

