

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, DECEMBER 6, 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 (who arrived at 6:02 pm), 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 6h—Appointment of Rooney Valley Alternate Commissioners.

Public to Address the Board.

Clinton Scott, 415 Bear Creek Avenue, Morrison, Colorado. Scott stated he is concerned about the vote regarding Rooftop Patios and that some items were changed and items were incorporated that had not been voted upon. Scott would like a better definition as to the lighting regarding seasonal lights; covers that are or are not permitted; the 750 square feet. Scott believes the 750 square feet is reasonable. Scott believes this should be good for all commercial zones. Scott believes that some items were thrown into the Ordinance.

Reza Ardehali, 215 Bear Creek Avenue, Morrison, Colorado. The rooftop patio process started in March, 2014. The Ordinance needs to be equal for everyone with the same advantages and opportunities. Ardehali said the zone across the highway will not have to comply with the same restrictions and there would be discrimination. Everyone should have the same opportunities. Ardehali asked who made the changes to the Ordinance.

Dave Killingsworth, 403 Bear Creek Avenue, Morrison, CO. Bryant sent Killingsworth's e-mail to the Board for review. Killingsworth asked how the Disconnection Agreement will affect the Town. Forey stated that public meetings have been held since March, 2016.

Jamee Chambers, 207 Bear Creek Lane, Morrison, Colorado. Chambers said she has been talking to the Historic Denver South Park and Pacific. She stated people want to see all historical sites in Morrison. Gus Chambers found rails and spikes and people may want to come and see them.

Presentations and Hearings. None.

General Business.

Ordinance 438 – Regarding Rooftop Patios. Ordinance 438 was drafted as a result of the election. Dahl stated the text of the Ordinance does not have to be exactly what was in the ballot question. The Moratorium is over on December 31, 2016. Covers can be allowed by special review. Dahl said rooftop patios are a remodel and do not need a special building application. Gill believes

the Board should reflect the language of the ballot as much as possible and the language in the Ordinance should relate to the number of people allowed and not the square feet. Williams likes the idea of 50 people, but it would be better to limit the size to 750 square feet. Tony Rigatoni's is 750 square feet. Ardehali said to put in 50 chairs on the patio. There would be no standing. Ardehali stated the square footage should exclude the stairwell. Killingsworth stated he only has one egress, so he has to limited the number of people to 50; it is self-limiting. The rooftop patios can be limited to 750 square feet or 50 persons, whichever is less. Angell stated that 750 square feet may be exceeded with Board approval. Dahl said the Ordinance could read that it shall not exceed 750 square feet unless there is a special need by the applicant. Forey stated that stairwell access can be excluded, but walkways, service areas and seating should be included. Dahl said seasonal lights are allowed by the Town Code. The rooftop patios were presented as an open patio on the roof of a building to allow people to enjoy the scenery; they cannot be covered. Dahl stated awnings and umbrellas can be permitted upon application. Ardehali stated there have been issues between the previous Board and certain businesses and that conditions must be reasonable. Dahl stated the changes would be 750 square feet excluding stairwells and the rooftop patios cannot be covered, but awnings and umbrellas may be permitted upon application. Gill made a motion to adopt Ordinance 438, an Ordinance Amending the Morrison Town Code to Provide for Regulation of Rooftop Patios in the Commercial Transitional Zone District and Declaring an Emergency, with the above mentioned modification. Wolfe seconded the motion. Dahl stated the permits can be reviewed. Williams is concerned about hours of operation and the seasonal lighting. Dahl stated a potential for review would have to be stated at the time of the permit. Operational items can be reviewed if there is a problem. Ardehali stated the State law is to close liquor sales at 2:00 am; and the businesses are compromising to 11:00 pm and the time was stated in the election ballot. All present voted in favor.

Ordinance 439 – Regarding Residential Refuse and Recycling Collection Services. A contractor has been designated. Residents cannot use another trash service other than Allied Waste Transportation, Inc. If residents get a dumpster, it would then be commercial. There is an exception for units of 8 or more and commercial and they can hire any trash service. Dahl said the contractor might work with people who want a dumpster, but does not want to put this into the Agreement. Dahl does not recommend changes to the Ordinance. Caesar made a motion to adopt Ordinance 439, an Ordinance Regarding Residential Refuse and Recycling Collection Services. Angell seconded the motion. All present voted in favor.

Resolution 2016-22 –Approving an Agreement for Residential Refuse and Recycling Collection Services. There will be a line item on the utility bill for the Town will pay the cost of Refuse and Recycling Services for a period of one year. The Town Office can deal with questions. Dahl and Zabilansky will discuss the invoice with Allied. Caesar made a motion to adopt Resolution 2016-22, a Resolution of the Town of Morrison, Colorado Approving an Agreement for Residential Refuse and Recycling Collection Services with corrections to be made by Dahl. Angell seconded the motion. Jerome discussed corrections to be made to the Agreement. All present voted in favor.

Disconnection Agreement Term Sheet. The point was made in the Term Sheet that this will not end up in Jefferson County. Dahl stated everything depends on everything. No. 6 on the term

sheet relates to the property that stays in Town. Zabilansky believes they are going to rezone the commercial portion of the Red Rocks Centre.

Resolution 2016-19 – Budget Adoption. Zabilansky stated that minor changes resulted in more revenue and less expense. Wolfe made a motion to adopt Resolution 2016-19, a Resolution Summarizing Expenditures and Revenues for Each Fund, Adopting a Budget for the Town of Morrison, Colorado for the Calendar Year Beginning on the First Day of January 2017 and Ending on the Last Day of December 2017, and Making Appropriations in Accordance Therewith. Angell seconded the motion. Gill asked if property tax revenues went down. Zabilansky stated the rate will stay the same. Zabilansky discussed that there is an education fund reimbursement of \$5200.00. All present voted in favor.

Resolution 2016-20 – Establishing a Mill Levy. Wolfe made a motion to adopt Resolution 2016-20, a Resolution Establishing a Mill Levy for General Property Taxes for Fiscal Year 2017 for the Town of Morrison, Colorado. Jerome seconded the motion. All present voted in favor of the motion.

Resolution 2016-21 – Adopting a Capital Improvement Program for the Calendar Years 2017 through 2021. The Board would like a hardcopy of the budget. Caesar made a motion to adopt Resolution 2016-21, a Resolution Adopting a Capital Improvement Program for the Town of Morrison, Colorado for the Calendar Years 2017 through 2021. Jerome seconded the motion. All present voted in favor.

Holiday Gift Vouchers. Wolfe made a motion to approve the Holiday Gift Certificates in the amount of \$50.00 each to be given to the Board of Trustees, the Board of Adjustment, the Planning Commission, Staff and Petra Bute. Williams seconded the motion and all present voted in favor.

Reschedule of December 20, 2016 Regular Meeting. Wolfe made a motion to reschedule the Regular Town Board Meeting from December 20, 2016 to December 15, 2016 at 6:00 PM Angell seconded the motion and all present voted in favor. Caesar and Williams will not be able to attend the rescheduled meeting.

Reschedule Rooney Valley Plan Public Hearing. The Rooney Valley meeting will be held on January 17, 2017.

Department Reports.

Utility. There were no questions or comments.

Police Department. There were no questions or comments.

Town Administrator. Zabilansky and Fouts met with the engineers regarding the Clearwell. It is over budget. The Town received another proposal and Zabilansky will bring it to the Board on December 15, 2016. The Planning Commission has a hearing coming up regarding the Forey subdivision. Forey and Zabilansky had a meeting with Plan Rooney Valley. The amount of \$44,000 is owed from a developer. They have inquired to see the agreement they signed (that were actually not signed) as to the amount owing. Zabilansky stated they have made payments on this agreement. Dahl has written a letter requesting payment.

Attorney. There were no questions or comments.

Consent Agenda. Caesar made a motion to approve the Consent Agenda, without the Minutes. Wolfe seconded the motion. All present voted in favor of the motion.

Board Comments. Forey and Zabilansky attended the Plan Rooney Valley Work Session. There was a concern about schools. Four Lakewood residents attended the meeting. The meeting lasted for three hours. Lakewood has a list of things they want to change. Morrison was not asked if it would okay these changes. The meeting was reset for January 23, 2017. Zabilansky will get a list of comments that were made and bring the list back to the Board. Red Rocks has \$500,000 to spend on wastewater in 2017. The budget will have to be done in June 2017 for 2018. The odor problem will be brought under control in 2017. There will be a Turn on Faucet Party for Red Rocks. This will be to celebrate turning on the water. Gill requested that the principal from the school be invited. Caesar stated he would request comments for the Hogback the second meeting of each month. For the next Hogback, Caesar will discuss receiving a refund from Waste Management. He will be discussing his own attempts at receiving a refund. Wolfe stated speed bumps on Red Rocks Vista would be nice. Zabilansky will get quotes. Williams stated it would also be nice on Spring Street.

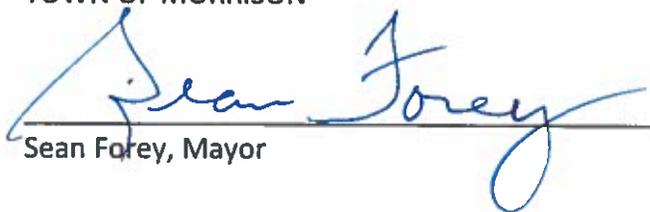
Executive Session. A motion was made by Gill for a conference under Charter Section 3.4 and Section 24-6-402(4)(b) and (e), C.R.S., with the Town Attorney, Town Administrator and appropriate staff to receive legal advice and instruct negotiators concerning a personnel matter not involving any specific employees who have requested discussion of the matter in open session – Town Administrator and Utility Director Reviews. Caesar seconded the motion. All present voted in favor.

Forey called the Executive Session to Order on Tuesday, April 4, 2016 at 8:18 p.m. Present were: Sean Forey (Mayor), Trustees Brewster Caesar, Venessa Angell, Katie Gill, Debora Jerome, Allen Williams and Christopher Wolfe; Gerald Dahl (Town Attorney). The purpose of the Executive Session was to discuss a personnel matter not involving any specific employees who have requested discussion of the matter in open session – Town Administrator and Utility Director Reviews.

End of Executive Session. The Executive Session was adjourned at 9:08 pm.

Adjournment. The Meeting was adjourned at 9:10 pm.

TOWN OF MORRISON


Sean Forey, Mayor

ATTEST:


Charla D. Bryant, Town Clerk

