

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, JUNE 5, 2018
6:00 P.M.**

Call to Order. Mayor Sean Forey called the regular Town Board Meeting to order at 6:04 P.M.

Roll Call. Mayor Sean Forey, Trustees Debora Jerome, Earl Aukland, Katie Gill, and Paul Sutton were present. Christopher Wolfe was absent. A quorum was established. Venessa Angeli arrived at 6:15 P.M.

Staff Present. Kara Winters (Town Manager), Gerald Dahl (Town Attorney), George Mumma (Police Chief) and Lyndsey Davis (Town Clerk).

Amendments to the Agenda. Initiative Petition 2018-01 was added to Presentations and Hearings as item 5d. Horton House was added to Presentations and Hearings as item 5e.

Public to Address the Board.

Dave Killingsworth, 403 Bear Creek Avenue, Morrison, CO. Killingsworth first thanked Town Staff for their involvement in Alley Fest and stated he believes they did a great job. Killingsworth then stated due to the current noise ordinance enforcement he has realized a decrease in the number of motorcyclists in Town and as a result has noticed a decrease in business.

Mayor Forey gave Killingsworth thanks for his contributions for Alley Fest in reply.

Brian Bogert, 211 Red Rocks Vista Drive, Morrison, CO. Bogert stated he was amazed and very impressed during his recent visit to the Museum. Bogert added the Museum staff was knowledgeable and it was a great hands on experience. Bogert concluded Matt Mossbrucker, Museum Director, should be commended for his work and all his efforts.

The Board replied in agreement with Bogert.

Bill Caldis, PO Box 1713 Evergreen, CO. Caldis explained he is interested in purchasing the Horton House property but would like to get clarification on lot lines and more information about the property's state.

Mayor Forey replied there will be upcoming discussion during its agenda item so he has more information on the property and its current state.

Presentations and Hearings.

Water and Wastewater System Master Plan. Winters stated per request from Mt. Carbon and Red Rocks Ranch, the Board needs to sign a letter agreeing to the Water and Wastewater System Master Plan as it has been presented. Winters corrected the amount of water taps already purchased from 245 to 102 in the report. Winters confirmed this plan is in regards to the expansion construction for the wastewater and water treatment facilities. Forey verified that Mt. Carbon will be paying for the construction and this expansion will result in excess capacity.

Aukland made a motion to approve the Water and Wastewater System Master Plan. Jerome seconded. All present voted in favor.

Noise Ordinance Enforcement Review. Chief Mumma first summarized that at the request of the Board the Department was to: enforce the current Noise Ordinance, correlate their findings to the experienced decrease in noise to determine its effectiveness, and report their findings to the Board to help them decide if Ordinance 453 should be put into effect or not. Mumma verified in an attempt to educate the public about the enforcement period, the Department actively notified the community by the use of sign boards at Town entrances, letters to residents, issuing handbills to motorcyclists visiting Town reading to “please idle through Town”, and hung new noise ordinance advisement signs at the Town entrances.

Mumma informed the Board that Morrison is in a unique situation as there are four State highways that run through Town which makes for noise enforcement of the area difficult. Nonetheless, in order to better assist the Department in enforcing the noise ordinance, Mumma reported during the enforcement period the fee schedule was amended to reflect noise ordinance violation fees, officers were trained on how to read exhaust pipes, Chief proposed new speed limits on Bear Creek Avenue heading east towards C-470 to Colorado Department of Transportation (CDOT), and resumed the process of annexing portions of Highway 8 in order to better patrol the area.

Mumma reported during the enforcement period, there were no citations for noise ordinance violations issued due to open communications between officers and the community in efforts to educate instead of punish. Mumma stated there was slight back lash from the motorcyclist community with claims they were going to boycott the Town, but has noticed they are slowly returning to the Town. Mumma also stated the Department has not received any complaints from residents about the noise and has determined there has been an overall reduction of noise since the beginning of the enforcement period.

Finally, Mumma deemed the enforcement period to be successful and attributed its success to the efforts by the Department to educate and notify the public and residents about the Noise Ordinance and its enforcement, and the steps that were taken to better aid the Department in the enforcement. Mumma recommended that the Board repeals Ordinance 453 as it is too restrictive and believes with the enforcement of the current Noise Ordinance, the Town will continue to experience a reduction in noise. Mumma concluded that if Ordinance 453 is to be repealed, the Board allocates more funds to the Police Department budget to be used on sign board rental fees.

In response to Mumma’s recommendation for repeal, the Board agreed there has been a noticeable decrease in noise throughout Town and that residents appreciate what has been done. Jamee Chambers, Chambers Consulting, stated they are working on gathering signatures for the Highway 8 “clean up” annexation and it is anticipated to be presented to the Board for approval soon.

Ordinance 453- Amending Noise Control- Enforce or Repeal. Jerome motioned to direct the Chief to defer the enforcement of Ordinance 453 for the present time and to direct the Town Attorney to bring forward an ordinance repealing Ordinance 453 for consideration by the Board on June 19, 2018. Angell seconded the motion. All present voted in favor of the motion.

Resolution 2018-09- Revocable License Agreement with DYK, Inc., dba Morrison Holiday Bar. Gill motioned to approve Resolution 2018-09- A Revocable License Agreement with DYK, Inc., dba Morrison Holiday Bar, Allowing Occupation of a Part of Mill Street Right-of-Way. Angell seconded the motion. All present voted in favor of the motion.

Initiative Petition 2018-01. Dahl reported an Initiative Petition was submitted to the Town of Morrison, the petition was approved to form, reviewed for sufficiency, and on June 4, 2018 a Statement of Sufficiency was issued to the Board by Davis. Dahl explained per State Statute the Board is required to act on the Initiative within 20 days of final Sufficiency Statement submission. Therefore, the Board may take action on this item at their June 16, 2018 regular meeting of either adopting the ordinance as presented or setting the ordinance for a special election. Dahl clarified the election may be set no sooner than 60 days from final determination of Petition Sufficiency but no later than 150 days from final determination of Petition Sufficiency. Dahl concluded there will be a Staff Report for the June 19, 2018 meeting to layout the Board's options.

Horton House. Winters explained in January 2018, Dahl drafted a letter to the Horton House owners noting the Town was deferring further nuisance enforcement until June 1, 2018. Now that the deferment period has expired, Winters stated she needs direction from the Board if they would like to grant another extension and if so, for what period of time. Dahl clarified this extension would defer the enforcement of a set of nuisance and code deficiencies, short of public safety concerns. Mumma noted the Police Department is patrolling the area to ensure no one is living on the property nor in the house. Despite reports of individuals being on the property, the Chief confirmed no contact has been made.

In regards to Caldis' request for more information on the property, Winters stated she provided his Real Estate agent with information and parameters to the possible rehabilitation of the structure, demolition and new buildout requirements for the site, the expired Special Use Permit on the property, and can provide him with the Improvement Location Certificate (ILC) from Chambers Consulting once it is received by the Town. Dahl added as a caveat, the Town does not own the property therefore there is little the Town can do to remediate some of the property's issues until applications are received, but the Town can work with the property owner and provide records, tools, and information regarding right-of-way and floodplain issues.

Circling back to Winters' original request for direction from the Board, Dahl stated there is an obligation to protect public safety and if the Board is to decide to extend deferment of nuisance enforcement it would be with the exception of life safety issues as they may arise. Mayor Forey made a motion to extend the deferment of nuisance code enforcement for 90 days in exception for life safety concerns as determined by the Chief. Sutton seconded the motion. All present voted in favor of the motion.

General Business.

Ordinance 460- An Ordinance Repealing and Reenacting Section 8-1-12 of the Morrison Municipal Code Concerning the Duty to Adopt A Backflow Prevention and Cross-Connection Control Program. Dahl explained the Ordinance's intent is to protect public

safety by preventing backflow that would contaminate the Town's water. Dahl noted Fouts will give notice to the business owners of the new backflow protection requirements. Gill made a motion to approve Ordinance 460- An ordinance Repealing and Reenacting Section 8-1-12 of the Morrison Municipal Code Concerning the Duty to Adopt A Backflow Prevention and Cross-Connection Control Program. Angell seconded the motion. All present voted in favor of the motion.

CIRSA Claim. Dahl explained the Town is covered by CIRSA's Employee Theft Protection, and a claim was submitted by the Town for a previous employee's dishonesty. Dahl recommended the Board accepts CIRSA's offer as it is 88% of the total amount claimed. Jerome made a motion to accept CIRSA's payment offer of \$113,651. Angell seconded the motion. All present voted in favor of the motion.

CIRSA Sales Tax Protection. Winters stated CIRSA's Sales Tax Protection program covers only specifically designated businesses. Winters verified that she will determine the top 10 businesses in Town for sales tax remittance and report back to the Board with the quote for coverage provided by CIRSA based on these businesses.

Reschedule July 3, 2018 Meeting. The Board decided to keep the first regular Board meeting of July scheduled as is.

Departmental Reports.

Public Works. Mayor Forey noted Streets and Grounds is down one employee. Due to budget constraints, the Board suggested the Jetting Trailer be incorporated into the 2019 Budget and should not be purchased in 2018.

Police Department. The Board made comments about the Department's response and assistance in a Jefferson County case regarding a house on the outskirts of Town believed to be connected to Methamphetamine activity. The Board noticed there has been an increase in officer training from the previous year and that it is much appreciated.

Museum. No Comments. No questions.

Town Manager. Gill stated she appreciated all of Winters' work on the Red Rocks Ranch application and acknowledged the heavy work load she had dealing with not only the Board but both the Commissions as well. Forey agreed and added the Board and Planning Commission spent an exhausting amount of time reviewing the packets and material and that it was important to the Town so had to be done.

Town Attorney. In regards to the Initiative Petition, the Board suggested a study session is scheduled to educate the public on the differences between C1 zoning and the newly adopted zoning of Red Rocks Ranch. Dahl stated an event like this could be held after an election is set

and wanted to withhold public debate until the Initiative is brought before the Board for action in order to prevent possible prejudgment of the Initiative.

Planning Commission- April 10, 2018 Minutes. No comments. No questions.

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

Board Comments. Sutton offered to write the monthly articles for the Hogback on behalf of the Board and acknowledged he will write his first article on Red Rocks Ranch.

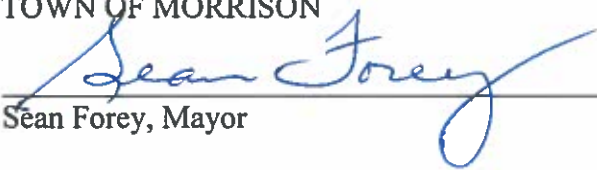
Mayor Forey expressed gratitude towards the Board and Town Staff, especially Winters, for their hard work and time commitment in processing the Red Rocks Ranch application.

Jerome stated she is humbled that she was re-elected by the residents to be a part of this Board tasked with making such important decisions for the Town's future, as it is a lot of responsibility.

Sutton questioned if the Board and Town is able to take a proactive approach to reconcile the Horton House issues. Mayor Forey answered that it is not the Town's position to tell a property owner what to do with their property and cannot actively make decisions on a property that does not have an application submitted to be reviewed by the Board. Jamee Chambers, Town Historian, indicated Lila Horton, property owner, is in the position to preserve local history due to the amount of historic artifacts retained at the property, especially in the Stone Livery. Chambers continued, from a historian's stand point, she is concerned with what will happen to the artifacts if the property issues are not mediated. Chambers speculated Lila Horton has not realized if she does not take the time and effort to clean up the property, she will not be able to sell the property for her asking price. Chambers did suggest that someone with a developer's mindset needs to approach Horton to walk her through the process, as it may be too convoluted for Horton to do alone.

Adjournment. The Regular meeting was adjourned at 7:40 P.M.

TOWN OF MORRISON


Sean Forey, Mayor

ATTEST:


Lyndsey Davis, Town Clerk

