

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, SEPTEMBER 21, 2021
6:00 P.M.**

Call to Order. Mayor Pro Tem Debora Jerome called the regular Town Board Meeting to order at 6:01 P.M.

Roll Call. Mayor Pro Tem Debora Jerome, Trustees Katie Gill, David Wirtz, Paul Sutton, Matt Schweich and Ryan Burris were present. A quorum was established. Mayor Sean Forey was absent.

Staff Present. Kara Winters (Town Manager), Gerald Dahl (Town Attorney), Ariana Neverdahl (Town Clerk) and Misty Siderfin (Police Chief).

Amendments to the Agenda. Town Attorney Dahl submitted a Boundary Report to be added under General Business as item D.

Public to Address the Board. - None

Presentations and Hearings - None

General Business

Interstate Parking Contract. Town Manager Winters presented the Board with an amendment to the Interstate Parking Contract. The amendment to the contract extends the paid parking program trial to a month to month basis until December 2021.

Board Discussion. Trustee Wirtz asked about the date on the contract it says 2022 not 2021. Town Attorney explained to Trustee Wirtz that if the Board decides to the Initial Term it would expire on December 31, 2022. The process of the contract is a trial period if the contract is accepted by the Board it will start the Initial term, after the Initial Term the Board can then decide on a long-term agreement.

Trustee Sutton asked if the Board can make the decision at any time to end the trial. Trustee Schweich asked if the Board can start the Initial Term at any moment. Town Attorney Dahl answered saying that we can start the Initial trial at any moment.

Town Manger Winters said that the Town will want to review the Sales Tax revenue for the Town to further make a decision on the paid parking program.

Trustee Gill asked if the cost of the Initial term will stay the same at a sixty forty split. Town Manager Winters said yes and is looking into a twenty cent charge to register car license plates. That charge also needs to be a sixty forty split. Trustee Schweich informed the Board that the kiosk does not charge a twenty cent registration fee only the QR code does. Town Manager Winters said that Interstate Parking is encouraging the use of the Kiosk machine over the QR code.

A motion was made by Trustee Schweich to approve the amendment to the Interstate Parking Contract. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

2022 Budget. Town Manger Winters informed the Board that we would review the following departments estimated budget for 2022.

I.Administration. Trustee Jerome asked what Outside Services meant. Town Manager Winters informed Trustee Jerome that Outside Services are various companies that Town uses such as Information Technology and Xerox.

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II.Board of Trustees. Town Manger Winters informed the Board there are no changes to the Budget for the Board of Trustees.

III.Building Inspection. Town Manger Winters informed the Board that all building costs are paid by the builders and there is no change to the budget for Building Inspection.

IV.Election. Town Manger Winters told the Board they always budget for an election. Trustee Gill asked if there is one more election before the Town moves to coordinated elections with Jefferson County. Town Manager Winters answered yes, the Town has one more election in 2022.

V.Planning & Zoning. Town Manager Winters told the Board that the budget includes an amount for a legal services that we may not have for 2022.

VI.Museum. Town Manager Winters told the Board that the Museum Budget has changed from the initial submittal, they increased the pay for the Museum employees from \$12.63 to \$15.00 an hour. Trustee Schweich asked if the Museum is expecting a substantial larger grant for 2022. Trustee Gill also asked is the Museum felt confident about the proposed amount of the grant. Town Manager Winters explained that the Museum Director Mossbrucker does feel confident about receiving a \$50,000.00 grant.

Status of Retail Marijuana. Town Manger Winters informed the Board that Attorney Cameron Barry and Police Chief Siderfin attended the last Planning Commission meeting to answer the Planning Commissions question regarding the Retail Marijuana Ordinance. The Planning Commission provided their suggestions and made changes to the Ordinance and will refer the updated Ordinance to the Board of Trustees for adoption. Town Manger Winters told the Board that they have the option to raise the Sales Tax rate for retail Marijuana. If the Board chose to raise the sales tax amount the Town would need to have a Tabor Election. If the Board decided not to raise the sales tax the Board can just adopt the ordinance or have it on the ballot for the election.

Board Discussion. Trustee Burris asked if the vote would be for the adoption of the Ordinance or would the vote be for the sales tax rate. Town Manger Winters informed the Board that raising the sales tax rate would have to go on the ballot.

Trustee Sutton asked if there was only one license for the Town of Morrison. Town Manager answered yes and it would be located east of the Hogback. Trustee Sutton asked who owned the land. He was answered by Town Manager, Bandimere owns the land.

Town Attorney Dahl informed the Board that there are two ways the Board can have the Ordinance on the Ballot. The Board can refer the question to the voters "Shall the Town Board consider allow an Ordinance for the sale Retail Marijuana under the following conditions" or the Board can adopt the Ordinance with and have the ordinance be conditional under voter approval. Town Attorney Dahl told the Board that Colorado has become very professional and a model state for the sale of retail marijuana. Town Attorney Dahl told the Board that he thinks it is wise to not allow manufacturing of marijuana, the growing of marijuana can cause odor, power and safety concerns for the Town. Town Attorney Dahl mentioned that the Planning Commission did not recommend the manufacturing of marijuana. Town Attorney Dahl also mentioned the Board should think more about the sales tax rate that the monthly income revenue has a lot

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of variables. Town Manager Winters told the Board that the business model of the retail marijuana licensee would most likely be based on the sales tax rate, the Board may want consider this while deciding the rate of the sales tax.

Trustee Burris said he believes the location of the Town off of highway C-470 and Red Rocks Amphitheatre is a great location for a retail marijuana store.

Trustee Sutton asked where the store would be located in the town and if there is only one place they can build the store. Town Attorney Dahl informed him that the Ordinance will have to comply with all of the restraints of the Town and the locations it will allow are limited and that it's an effective strategy.

Trustee Schweich asked if the location of the store needs to be a certain distance from the elementary school. Town Attorney Dahl told the Board that after looking at the constraints for the location there are limited places the store can be within the Town.

Trustee Sutton is happy with the location being east of the Hogback. Town Manger Winters told the Board that they can change the location restrictions and the amount of stores in the ordinance.

Trustee Gill asked what the excise tax meant on the report that was provided to the Board. Town Attorney Dahl answered explain that excise tax is the tax on the activity of marijuana and not retail.

Trustee Gill said that the municipality has the authority to go up to fifteen percent sales tax rate on the retail sale of marijuana with a tabor election. Town Attorney Dahl told the Board that they can decide to go up to the State limit of fifteen percent. Town Manger Winters suggested the next meeting in October the Board can discuss raising the sales tax rate on retail marijuana. Trustee Sutton asked if a ten percent sales tax rate is too high and if raising the sales tax rate would create a profit maximum. Trustee Burris said he thinks the Town should consider matching the states sales tax rate at fifteen percent. Police Chief Siderfin told the Board that people will come with a high sales tax rate. Town Attorney Dahl mentioned we need to also think about the business when deciding the sales tax rate. Town Attorney Dahl said the Town is in great location and believes the Town can withstand a higher sales tax rate.

Trustee Burris asked if the Town has the option to direct where the sales tax is used, by doing so it might help with voter approval.

Town Manager Winters asked Town Attorney Dahl if the State of Colorado collects the sales tax for the Town. Town Attorney Dahl answered saying yes, he believes so.

Town Manger Winters also asked Town Attorney Dahl how the Town would select the retail marijuana store. If the applicants meet all of the requirements would the Town do lottery. Or does the Town talk to the property owners of were the store is going to be located. Town Attorney Dahl said that he will do more research on the lottery process and that the process of applying for a business license will need to include where the stores can be located.

Trustees Burris asked if the Town can lease the land to the retail marijuana business, it might entice a broader acceptance for the ordinance. Trustee Burris asked Town Manager Winters if that would be hard for the Town Staff, Town Manager said that depends on the relationship with the business. Town Attorney Dahl said that could be an option but suggested to keep the ordinance simple. Town Attorney Dahl said the Board should think more about the revenue and the sales tax rate.

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Town Manager Winters asked the Board if they wanted to add this to the ballot and hear from the voters. The consensus was they would want to hear from the voters.

Trustee Sutton voiced concern about only have a few locations available for a store could allow for the property owners to become a gate keeper on who can apply for a license. Trustee Schweich said he would like to know who owns the land and hear from the land owners before he can make a decision on the ordinance. Town Manager Winters said she would find out for the Board. Town Attorney Dahl said the Town is in the position to limit the land use and we should reach out to the property owner and hear from them.

Boundary Agreement. Town Attorney informed the Board that the Town has a contract with landowners of the water treatment plant land. Town Attorney Dahl explains for the Town to continue the process of the Water treatment expansion we need to have the plot subdivided. Town Attorney Dahl explained there is an old deed that shows different boundary lines and this agreement will establish new boundary lines that the Town can provide to Jefferson County to complete the subdivision and allow the Town to continue the water treatment expansion.

A motion was made by Trustee Sutton to approve the Boundary agreement with final approval from the Town Attorney and Town Manager. The motion was seconded by Trustee Schweich. All members present voted aye. The motion carried.

Department Reports.

Court. Trustee Gill said that she liked the new court report. Trustee Gill asked what the FTA on the report meant. Town Manager told Trustee Gill it meant Failure to Appear.

Accounting. Trustee Sutton asked why the sales tax was high on either side of January 2020. Trustee Schweich mentioned that the sales tax may have been high then due to Christmas. Trustee Wirtz also mentioned the sales tax was high on during the summer of 2019.

Town Manager. Town Manager Winters informed the Board she met with Jefferson County Open Space about the feasibility study for a future municipality building and trail improvements. In the meeting they discussed how Morrison will pay for the estimated ten million. The Town is looking at various options including a million dollar grant with DOLA, education funding public grant opportunity to hire someone to look at Town taking out loans for project. Town Manger Winters also informed the Board that Aggregate Industries has still not submitted their outstanding items for the Board and now may be coming to speak to the Board mid-October or November.

Town Attorney. No report.

Board Discussion. Trustee Sutton asked where we were at with the Lakewood Lawsuit. Town Attorney said we have no current obligation.

Consent Agenda.

A motion was made by Trustee Gill to approve the Consent Agenda for September 07, 2021. The

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motion was seconded by Trustee Schweich. All members present voted in aye. The motion carried.

Board Comments.

- Trustee Wirtz asked about the portable speed radar the Town had over the weekend. Police Chief Siderfin said she had borrowed it from Edgewater. Trustee Wirtz asked if there any statistics and if it captures speed going both ways. Police Chief Siderfin said the top speed for the weekend was 98 mph and that it only captures speed on way. Police Chief also mentioned wanting a permit with CDOT to have a full time radar.
- Trustee Burris asked if there are ways to promote safety for speeding. Police Chief Siderfin said landscape helps along with guardrails, it gives the impression of tightness and helps reduce speeds. Trustee Burris mentioned having the data sent into CDOT to give them a case study for more pedestrian safety.
- Trustee Sutton thanked Town Manager Winters and Police Chief Siderfin for their time and speaking with his students and allowing them to shadow for an afternoon.
- Trustee Sutton mentioned a senior student of his designed a noise meter that was set up in Town to gather information about the noise development of the Town.
- Trustee Sutton is applying for a grant for the government to fund ten graduate students to work. Sutton wants to ask the Town of Morrison to provide a graduate student with a ten week paid internship at \$20.00 an hour for a thirty five hour work week. The graduate student would assist with the Town's GIS. Trustee Schweich asks if this would be next summer. Trustee Sutton says yes, the summer of 2022.
- Trustee Gill thanked Town Clerk Neverdahl for sending the residents the notice of the meeting for the Bear Creek Lake feasibility study on October 14th.
- Trustee Gill informed the Board that her car was stolen from her street and that she did get her car back. Trustee Gill said this has reminded her that she does miss having our own local Police Department. Trustee Gill asked if there was a way if the Town could have an agreement with Jefferson County to allow our local Police Department provide community policing. Police Chief Siderfin answered Trustee Gill saying that she has already spoken to Jefferson County and that they would like to keep things consistent and if the Morrison Police Department starts taking calls during daylight hours they would have to take all the calls. Town Manager Winters also informed Trustee Gill that Jefferson County Sheriff Office is also short staff. Police Chief Siderfin said that all departments are having a hard time hiring quality people and that crime has gone up everywhere.
- Trustee Schweich mentioned that he spotted lots of wildlife around the Town.

Adjournment. Mayor Pro Tem Jerome adjourns the meeting at 7:22pm.

TOWN OF MORRISON


Sean Forey, Mayor



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ATTEST:



Ariana Neverdahl, Town Clerk