

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, AUGUST 17, 2021
6:00 P.M.**

Call to Order. Mayor Pro Tem Debora called the regular Town Board Meeting to order at 6:00 P.M.

Roll Call. Mayor Pro Tem Debora Jerome, Trustees Katie Gill, David Wirtz and Paul Sutton were present. A quorum was established. Mayor Sean Forey arrived at 6:45pm. Matt Schweich 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. - None

Public to Address the Board.

Spencer Davis, Representative of Tap on the Rocks, spoke to the Board about continuing the service of alcohol on his extended patio. Davis stated that his customers are enjoying the space and feel safe. With the new Delta Variant he does not want to take down the patio just to have to rebuild the patio in a month if Covid-19 restrictions are enforced again.

Jamee Chambers, Chair of Planning Commission, Chambers spoke to the Board about Ordinance NO. 508. Chambers is strongly for the Ordinance and explained that this is not meant to be a short term rental. This is to allow a second unit for a family member or for care givers and long term renters. Chambers stated the Ordinance will allow all units to follow the same building codes and make sure that the ADU's blend in with the neighborhood.

Presentations and Hearings

Adoption of Ordinance NO. 508-Accessory Dwelling Units. Town Attorney Dahl, described the Ordinance for the Board. Dahl explained that Ordinance NO. 508 includes size limitations, requirements for parking, the owner of the house needs to occupy one of the units. Dahl stated Ordinance NO. 508 gives the Town control on how new accessory dwelling units are built.

Board Discussion, Trustee Gill voiced concern about the title of the Ordinance. Gill suggested the title of the Ordinance reflect more closely the order of the Ordinance. Town Attorney Dahl states new title for Ordinance NO. 508.

A motion was made by Trustee Gill to adopt Ordinance No. 508 AN ORDINANCE ENACTING SECTION 10-1E-7 OF THE MORRISON MUNICIPAL CODE CONCERNING THE ESTABLISHMENT OF AN ACCESSORY DWELLING UNIT. The Motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Adoption of Ordinance NO. 509-Motor Home Occupancy. Town Manager Winters informed the Board that the Planning Commission reviewed the Ordinance and unanimously voted for the Board to adopt Ordinance NO. 509.

Board Discussion. Trustee Gill stated that the Board discusses topics for the Town in depth in prior meetings before it is put to a vote.

A motion is made by Trustee Sutton to adopt ORDINANCE NO. 509 AN ORDINANCE AMENDING SECTION 9-2-1 OF THE MORRISON MUNICIPAL CODE, CONCERNING USE OR OCCUPANCY OF TRAILER OR MOBILE HOME. The motion is seconded by Trustee Wirtz. All members present voted aye. The motion carried.

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General Business

Tap on the Rocks Temporary Patio Modification. Town Attorney Dahl informed the Board the State of Colorado granted service of alcohol on extended patio through October 31, 2021. The Board at a local level has the authority to approve or deny the extension. The Board also has the authority to make adjustments to the order.

Trustee Jerome calls Local Licensing to authority at 6:19 pm

Board Discussion. Trustee Sutton requested to make this decision for the Town of Morrison and not just for Tap on the Rocks. Trustee Gill agreed with Davis from Tap on the Rocks that the Public Health orders are changing, and if Tap on the Rocks took the patio down its very possible the Public Health Orders could come back and would require Tap on the Rocks to rebuild the patio after taking it down. Trustee Gill voiced concern about safety and if the patio is up to building codes. Trustee Gill stated she is concerned for people sitting on the patio and wanted to make sure that the patio is safe from traffic. Davis stated that the patio was built with customers' safety in mind and has planters and barrier poles to prevent an accident from happening. Town Attorney Dahl told the Board that we are passing the service of alcohol on the extended patio and building codes are a separate discussion. Davis told the Board he is open to talking about safety requirements.

A motion was made by Trustee Sutton to continue the service of alcohol on an outdoor seating area until October 31, 2021 for liquor licensee's in Morrison. The motion is seconded by Trustee Gill. All members present voted aye. The motion carried.

Theraldson Ethanol Plant I, LLC. Town Attorney Dahl told the Board that to have the legal right to the Lot 3 Red Rocks Ranch Subdivision the Board would need to formally accept the title and have the Quit Claim deed recorded.

Board Discussion. Trustee Gill requested a map of the property to determine if the land is level and usable.

A motion was made by Trustee Gill to accept title to Lot 3, Red Rocks Ranch Subdivision, and instruct the Town Clerk to arrange for recording the same. The motion is seconded by Trustee Jerome. All members present voted aye. The motion carried.

First Amendment to Esphahanian PSA. Town Attorney Dahl explained to the Board the First Amendment is to extend the deadlines for the Town of Morrison to acquire the acre of land adjacent to the existing water treatment plant. The First Amendment will extend the closing date to October 31, 2022. Town Attorney Dahl told the Board he did not expect it to take that long. Dahl informed the Board that there is no financial factor for the Town if the Town does not close on the property or terminates the agreement.

A motion was made by Trustee Sutton to approve the first amendment to purchase and sale agreement and authorize the mayor to sign. The motion was seconded by Trustee Gill. All members present voted aye. The motion carried.

Sprague Pest Solutions Contract. Town Manager Winters told the Board that we do not have a contract with Sprague for the Town office.

Board Discussion. Trustee Wirtz asked if the contract is for quarterly payments of \$65. Town Manager informed the Board the contract is for quarterly payments of \$65. Trustee Sutton asked why the

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Board needed to approve this contract. Town Attorney Dahl stated that the Board has to approve all contracts but could vote to give the Town Manager a contracting limit in the future.

A motion was made by Trustee Sutton to approve the Sprague Pest Solutions Services for 321 Highway 8, Morrison. The motion was seconded by Trustee Jerome. All members present voted aye. The motion carried.

Vacation Time Request-Charla Bryant. Town Manager Winters told the Board that Charla Bryant is requesting a payout of vacation time because of scheduling and due to Covid19 restrictions she was not able to use her vacation time last year.

Board Discussion. Trustee Sutton asked if this common for employees to lose their vacation time. Town Manager Winters told the Board no that this is a special circumstance due to Covid-19.

A motion was made by Trustee Gill to approve the payment of vacation time for Charla Bryant in the amount of \$3,338.40. The motion was seconded by Wirtz. All members present voted aye. The motion carried.

Police Officers Salary. Police Chief Siderfin reviewed the Salary Comparison chart with the Board. Siderfin told the Board with a higher salary for Morrison Police Officers will allow them to be more competitive and hire quality officers who want to be at Morrison. Siderfin stated the new salary is a starting point for the officers and would like to eventually move to 5 or 8 step pay for the Police Department.

Board Discussion. Trustee Sutton stated that it is helpful to see the exact rates of what officers are making. Town Manager Winters told the Board the salary increase is below the year's budget for 2021. Trustee Jerome asked Police Chief Siderfin who pays for the services that are provided to Red Rocks Amphitheatre and Bandimere. Siderfin said it is contracted out and currently she is having to outsource servicing and requesting help to have a fill force to service events at Bandimere and Red Rocks Amphitheatre. This is a concern for the Police Chief because of the amount of overtime officers are having to put in. Trustee Gill asked if the contract with Jefferson County Sheriff's office is helping with the amount of overtime officers are putting in. Police Chief informed the Board it is not a part of the contract with Jefferson County and Morrison is still servicing all events at Red Rocks Amphitheatre and Bandimere.

A motion was made by Trustee Wirtz to approve the salary increase for the officers within the Morrison Police Department to \$55,000.00 and increase the detective's salary to \$64,048.00 and the Sargent's salary to \$ 71,328.00. The motion was seconded by Trustee Sutton. All members present voted Aye. The motion carried.

Department Reports.

Court. Trustee Gill stated that she did not feel she knew enough information about how the Court works, when she first started on the Board. She mentioned that she would like to see more information regarding the Court. Gill requested that the Board receive the amount of citations that go to Court and the amount of Citations that jut get paid. Trustee Gill asked if moving forward the Board be provided with more information regarding the Court to have a better understanding of the salaries they are approving, and be responsible with the taxpayer's money. Trustee Sutton also voiced questions about the

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amount of citations being written and paying for a Judge that is servicing less tickets and should consider this moving forward. Sutton also requested more data about the amount of citations that are challenged and go to court. Town Attorney Dahl explained to the Board that the Town Judge and Prosecutor have made a commitment to the Town. The judge will be providing other services to the Town while the Morrison Police Department is working on building itself back up. Mayor Forey told the Board we are committed through 2021 and should honor out current contract. Mayor Forey said that we can review the salary for the Judge and Prosecutor with the Police Chief during the budget review this fall.

Accounting. Trustee Sutton asked Town Manager Winters how many full time employees are on two week pay. Town Manager Winters answered there may be fewer than 28 employees at this time.

Town Planner. Town Manger Winters spoke for Town Planner. Town Planner asked if the Board wanted her to submit a work authorization for the Marijuana Ordinance. The Planning Commission reviewed the Ordinance at the request of the Board and had many questions and concerns. Town Attorney Dahl suggested having an attorney from his office speak with the Planning Commission to refine the Ordinance and answer the questions the Planning Commission has. Trustee Sutton asked if given cause could the Town revoke a Marijuana license. Town Attorney Dahl informed the Board there is opportunity for suspension during a renewal process. Trustee Gill suggested to do an informal survey of the residents to see how they feel about the Ordinance before we create a formal draft.

Town Manager. Town Manager Winters provided the Town with an update on Denver Mountain Parks water treatment plant location, Jefferson County Open Space Park regarding Mt. Falcon trying to find a more permeant solution. Town Manager Winters also gave an update on the Lennar Building Permits for houses at Red Rocks Ranch, to sell water and sewer taps.

I. Beautification Project. Town Manager Winters informed the Board that the Planning Commission voted unanimously against any modification to the Y intersection on Red Rocks Vista Lane and Red Rocks Vista Drive and to keep it sustained.

Attorney. Town Attorney Dahl told the Board he is putting together a traffic model code 2020 for the Police Department.

Consent Agenda. Trustee Gill clarified that her comments and concerns from the previous Board Meeting regarding the Police Department and speeding enforcement was about traffic safety and not on writing tickets.

A motion was made by Trustee Gill to approve the Consent Agenda for August 17, 2021. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Board Comments.

- **A motion was made by Mayor Forey to appoint Ryan Burris as a new Trustee Member of the Town Board. The motion was seconded by Trustee Sutton. All members present voted aye. The motion Carried.**
- Mayor Forey wanted to hold a special election to change the Home Charter rule of the amount of residency required to become a Board Member. The Mayor wanted to change the requirement from one year to six months. Mayor Forey believes this would be an opportunity to get a valuable member on the Board of Trustees. Trustee Gill voiced concern that changing the requirement for one person has risks. Trustee Jerome said changing the rule is setting a precedent and would be uncomfortable with the change, Trustee Sutton questioned how this would affect the reputation of the Board. Trustee Gill suggested that we put to a vote to add to the Charter that the Board can operate with five

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- members and is not obligated to fill vacancies within 60 days.
- Trustee Sutton informed the Board that he has found a grant to pursue to pay for a summer intern to work with Town Manager Winters.
 - Trustee Jerome mentioned there is a rooster in town and the Board has previously voted against allowing roosters in town. Town Manager Winters informed Trustee Jerome that they have delivered a note saying the rooster is to be removed immediately.

Executive Session.

A motion was made by Trustee Jerome to go into Executive Session: For a conference under Charter 3.4 and Section 24-6-402(4)(b) and (e) C.R.S. with Town Attorney, Town Manager, special counsel and appropriate staff to receive legal advice instruct negotiators concerning pending litigation between the City of Lakewood and the Town. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.


Adjournment. The Executive Session and Regular Meeting were adjourned at 9:00 P.M.



TOWN OF MORRISON


Sean Forey, Mayor

ATTEST:


Ariana Neverdahl, Town Clerk