

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL**  
**HELD SEPTEMBER 27, 2011**

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A regular meeting of the Town of Avon, Colorado was held at the Avon Town Hall, One Lake Street, Avon, Colorado in the Council Chambers.

Mayor Rich Carroll called the meeting to order at 5:30 PM. A roll call was taken and Council members present were Dave Dantas, Kristi Ferraro, Todd Goulding, and Buz Reynolds. Chris Evans and Amy Phillips were absent. Also present were Town Attorney Eric Heil, Town Manager Larry Brooks, Assistant Town Manager Patty McKenny, Assistant Town Manager Community Development Sally Vecchio, Assistant Town Manager Finance Scott Wright, Town Engineer Justin Hildreth, Director PW&T Jenny Strehler, Community Relations Officer Jaime Walker, as well as other staff members and the public.

**AGENDA APPROVAL & DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST**

Mayor Carroll noted that the IGA with ECO would be moved to October 11<sup>th</sup> because of two council members being absent. Town Attorney Eric Heil noted that there were no conflicts of interest were reported.

**COMMUNITY & CITIZEN INPUT**

- a. "Saved by the Belt Award" (Avon Police Department) Recognize the public for seat belt compliance
- b. Introduce New Avon Police Officers, Edward Moran & Coby Cosper and Announce Detective Promotion of Jeremy Holstrom (Robert Ticer, Police Chief)

**CONSENT AGENDA**

Mayor Carroll asked for a motion on the Consent Agenda. Mayor Pro Tem Ferraro moved to approve the consent agenda; Councilor Reynolds seconded the motion and it passed unanimously by those present (Evans & Phillips absent).

- a. Minutes from August 23, 2011

**NEW BUSINESS**

The Town Council considered a Request by Planning & Zoning Commission Chairman Chris Green to serve as Town's Voting Member for the adoption of the "International Green Construction Code ("IGCC") occurring in November 2011. Mr. Green was present to share information about the effort. Councilor Dantas moved to approve the request, Councilor Reynolds seconded the motion and it passed unanimously by those present (Evans & Phillips absent).

Matt Pielsticker, Planner II, presented a Community Development's Request to Initiate Amendments to the Town's Recreational Trails Master Plan based on public input received at recent open houses. It was noted that the topic would be addressed at the PZC in late October. It was also noted that the surrounding neighbors have been contacted and a list have been created for contacting interested the public. There was unanimous consensus by those members present to forward the topic to the Planning & Zoning Commission (Evans & Phillips absent).

Mayor Carroll noted that because there were not enough members at the meeting for the 2/3 majority vote, the Agreement between Town of Avon and Eagle County Regional Transportation Authority (ECO) Regarding Trail Maintenance Funds would be rescheduled on October 11, 2011. The proposed

agreement was with ECO and provides for grant funding to be used reconstructing section of ECO trail within town limits / 2/3 Majority Vote required for approval

**RESOLUTIONS**

Justin Hildreth, Town Engineer, presented Resolution No. 11-14, Series of 2011, Resolution Approving Certain Public Improvements Corrected During the Stipulated Warranty Period for Said Improvements Installed and Constructed in Accordance with the Subdivision Improvements Agreement for the Village at Avon Filing 3, and Establishing a One-Year Warranty Period for the Corrected Improvements. He noted that the most of the improvements were completed and functioning since 2005, and have been conveyed to Traer Creek Metro District. There was some concern over movement in a retaining wall supporting Swift Gulch Road; he noted that the document in the council packet from Frank Harrison, P.E. of Michael West & Associates, Inc. verified successful completion of the repairs on the wall. Mayor Pro Tem Ferraro moved to approve Resolution No. 11-14, Series of 2011, Resolution Approving Certain Public Improvements Corrected During the Stipulated Warranty Period for Said Improvements Installed and Constructed in Accordance with the Subdivision Improvements Agreement for the Village at Avon Filing 3, and Establishing a One-Year Warranty Period for the Corrected Improvements. Councilor Dantas seconded the motion and it passed unanimously by those present (Evans & Phillips absent).


**EXECUTIVE SESSION**

Mayor Pro Tem Ferraro Council moved to meet in Executive Session at 6:05 pm for the purpose described below; Councilor Goulding seconded the motion and it passed unanimously by those present. (Evans & Phillips absent)

- a. Meet with Town Attorney for the purpose of receiving legal advice to specific legal questions pursuant to Colorado Revised Statute §24-6-402(4)(b) related to pending litigation regarding Town of Avon v Traer Creek Metropolitan District, 2008 CV 0385 and Traer Creek, LLC, *et.al.* v Town of Avon 2010 CV 316

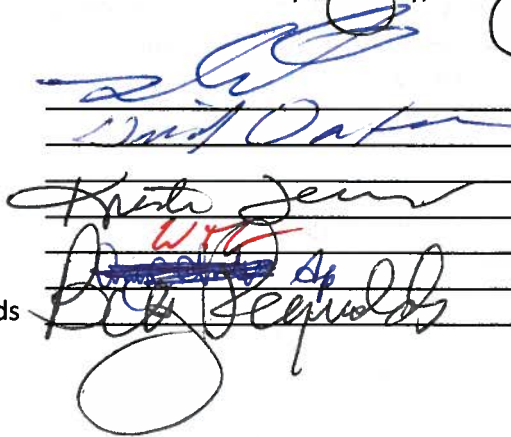
There being no further business to come before the Council, the meeting adjourned at 6:05 pm.

**RESPECTFULLY SUBMITTED:**

  
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Patty McKenny, Town Clerk

**APPROVED:**

Rich Carroll  
Dave Dantas  
Chris Evans  
Kristi Ferraro  
Todd Goulding  
Amy Phillips  
Albert "Buz" Reynolds

  
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