

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL
HELD JULY 24, 2012**

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 Carroll called the meeting to order at 5:45 PM. A roll call was taken and Council members present were Dave Dantas, Chris Evans, Kristi Ferraro, Todd Goulding, Amy Phillips and Buz Reynolds. Also present were Town Attorney Eric Heil, Acting Town Manager Patty McKenny, Town Advisor Larry Brooks, Finance Director Scott Wright, Director PW&T Jenny Strehler, Deputy Town Clerk/HR Asst. Catherine Mythen, Community Relations Officer Jaime Walker, as well as other staff members and the public.

COMMUNITY & CITIZEN INPUT

a. Eagle County Ambulance District Update (*Fred Morrison, ECAD*) Review Combining Emergency Medical Services in Eagle County (10 minutes)

Fred Morrison gave a brief update on the merger of the two entities and the benefits of merging.

b. Eagle River Fire Protection District (*Karl Bauer, ERFPD*) Update on Fire Restrictions (10 minutes)

Chief Bauer gave an update on the fire restrictions and noted that the County will now enforce Stage 1 fire restrictions. After some discussion, Mayor Carroll made a motion to be consistent with what the ERFPD Fire Chief recommends on fire restrictions adoptions, and rescinded the additional fire restrictions adopted in accordance with AMC Section 8.16.030 which allows the Town to act when necessary based on the conditions warranting that fire restrictions no longer exist; Councilor Evans seconded the motion and it passed unanimously.

c. Update on Red White & Brews Event on August 4th (*Holli Snyder, NRC*) (5 minutes)

Holli Snyder, General Manager from NRC broadcasting reviewed the date of the upcoming event and gave a brief update on the festival.

d. Jonathan Levine member of the public commented on the Avon police department and the great job they were doing.

CONSENT AGENDA

a. Minutes from July 10, 2012

Mayor Carroll asked for a motion on the Consent Agenda. Councilor Evans moved to approve the consent agenda; Councilor Phillips seconded the motion and it passed unanimously.

NEW BUSINESS

a. **Public Hearing** for Amplified Sound Permit

Applicant Name: American Cancer Society

Event Name: American Cancer Society's Relay for Life Eagle County

Event Manager: Alison Jolin

Location: Harry A. Nottingham Park

Event Dates & Times: Friday, August 17, 2012; 5 PM through the night until Saturday, August

18, 2012 9 AM Sound Use: Announcements, Music, Survivor Recognition

Alexa Bennett thanked the council members for the opportunity to hold the event in Avon for the fourth year; she gave an overview of the event. Mayor Carroll opened the public hearing and no

comments were made and the public hearing was closed. Councilor Phillips moved to approve the Amplified Sound Permit for the American Cancer Society's Relay for Life Eagle County; Councilor Dantas seconded the motion and it passed unanimously.

b. Public Hearing for Amplified Sound Permit

Applicant Name: Colorado Disc Dogs
Event Name: Colorado Canine Entertainment
Event Manager: Doug Dornsurf
Location: Harry A. Nottingham Park
Event Dates & Times: Saturday, August 18, 2012; 8 AM until 5 PM
Sound Use: Announcements, Music for Performances

Mayor Carroll opened the public hearing, no comments were made, and he closed the public hearing. Mayor Pro Tem Ferraro moved to approve Amplified Sound Permit for the Colorado Canine Entertainment; Councilor Evans Seconded the motion and it passed unanimously.

c. Public Hearing for Amplified Sound Permit

Applicant Name: Vail Valley Charitable Fund
Event Name: BecTri Sprint Triathlon
Event Manager: Karen Simon
Location: Harry A. Nottingham Park
Event Dates & Times: Saturday, August 4, 2012; 7 AM until 11 AM
Sound Use: Start & Finish Announcements

Mayor Carroll opened the public hearing and no comments were made and the public hearing was closed. Councilor Phillips moved to approve Amplified Sound Permit for the BecTri Sprint Triathlon; Councilor Ferraro Seconded the motion and it passed unanimously.

d. Transit Funding Agreement with Beaver Creek Resort Company for 2012 – 2013 Skier Season
(Jenny Strehler, Director PW&T) Review status of Avon – Beaver Creek Shuttle Bus Funding Agreement for 2012 – 2013

Jenny Strehler, Director PW&T, presented the Agreement for the skier services noting the success of last season's service. Mayor Carroll thanked Beaver Creek Resort Company for the funds to the town to support bus connectivity in the Town of Avon core area and the mountain resort. Councilor Evans moved to approve Transit Funding Agreement with Beaver Creek Resort Company for 2012 – 2013 Skier season with the addition of extra bus service for the Friday of the downhill race for Birds of Prey and the agreement is subject to legal review by the town attorney; Councilor Goulding seconded the motion and it passed unanimously.

e. Notice of Award for 2012 Street Improvements
(Justin Hildreth, Town Engineer, Jamie Pappas, Engineer) Recommendation for notice of award for street improvements to Elam Construction

Jamie Pappas, Engineer I, presented the 2012 Street Improvements notice of award memo. He noted that the work was scheduled to take place in a three week duration starting mid-August with completion mid-September. Mayor Pro Tem Ferraro moved to approve the "Notice of Award for 2012 Street Improvements to Elam Construction" not to exceed \$307,086 without prior written approval; Councilor Phillips seconded the motion and it passed unanimously.

ORDINANCES

- a. Ordinance No. 12-09, Series of 2012, Ordinance Repealing Chapter 2.24 of the Avon Municipal Code Regarding the Personnel Merit System *(Eric Heil, Town Attorney) Legislation that suggests code revisions to be consistent with recent charter amendments*

Town Attorney, Eric Heil presented the Ordinance repealing Chapter 2.24 of the Avon Municipal Code regarding the personnel system. He noted that this language was no longer a part of the Avon Home Rule Charter and therefore was not need in the code. Councilor Evans moved to approve first reading of Ordinance No. 12-09, Series of 2012, Ordinance Repealing Chapter 2.24 of the Avon Municipal Code Regarding the Personnel Merit System; Councilor Goulding seconded the motion and it passed unanimously.

VILLAGE (AT AVON) DISCUSSION AND REVIEW OF CONSOLIDATED, AMENDED AND RESTATED ANNEXATION AND DEVELOPMENT AGREEMENT (v9) WITH TRAER CREEK METROPOLITAN DISTRICT AND TRAER CREEK LLC REPRESENTATIVES

Eric Heil, Town Attorney gave a brief recap on the reason the special meetings are being held, to review all the documents before October 1st. He noted that there were three topics discussed at that meeting.

- Urban Renewal Authority Terms
- City Market Sales Tax Indemnification
- Vested Property Rights Language

Munsey Ayers, Otten Johnson Robinson Neff & Ragonetti, representing Traer Creek LLC was available for questions. After some council discussion the following dates were approved to hold special meetings to continue discussing the CARADA. (August 8, August 22, September 5, September 19, September 26).

The following comments from Avon residents were heard:

- ✓ Bette Todd noted that the URA did not need to give up its powers of condemnation, property taxes
- ✓ Joe Walker commented regarding the letter that he sent in and noted that he would like follow up on the items in his letter
- ✓ Walter Dandy was concerned with the City Market Sales Tax Indemnification

- a. Discussion about Council's 2013 Budget Objectives & Goals, and Personnel Evaluations Dates for Town Manager, Town Attorney, and Municipal Judge *(Rich Carroll, Mayor)*

Mayor Carroll asked the council members to email their comments on this topic and it would be scheduled for discussion at a future meeting.

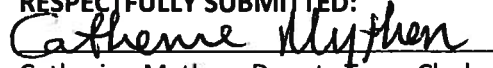
MAYOR AND COUNCIL REPORTS

- a. Future Agenda Items
- b. Letter from Commissioner Peter Runyon regarding "Advanced Guideway System Study (Elevated High Speed Monorail)"

Mayor Carroll discussed the future agenda items. He also discussed the letter from Peter Runyon regarding "Advanced Guideway System Study (Elevated High Speed Monorail)" and it was noted that the council members would like some more information.

There being no further business to come before the Council, the regular meeting adjourned at 10:00 PM.

RESPECTFULLY SUBMITTED:



Catherine Mythen, Deputy Town Clerk

APPROVED:

Rich Carroll

Dave Dantas

Chris Evans

Kristi Ferraro

Todd Goulding

Amy Phillips

Albert "Buz" Reynolds

