



**TOWN OF AVON, COLORADO**  
**AVON MEETING MINUTES FOR TUESDAY OCTOBER 28, 2014**  
**AVON TOWN HALL, ONE LAKE STREET**

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**1. CALL TO ORDER & ROLL CALL**

Mayor Carroll called the meeting to order at 5:15 pm. A roll call was taken and Council members present were Dave Dantas, Chris Evans, Jennie Fancher, Buz Reynolds, and Jake Wolf. Matt Gennett was absent. Also present were Town Manager Virginia Egger, Town Attorney Eric Heil, Assistant Town Manager Scott Wright, Assistant to the Town Manager Preston Neill and Town Clerk Debbie Hoppe.

**2. APPROVAL OF AGENDA**

Town Attorney Eric Heil asked to add two items to Executive Session:

Item 1: To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. §24-6-402(2)(a); for a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b); and, for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(2)(e) related to the Skier Building in the Town of Avon, also known as Lot 4, Mountain Vista Resort Subdivision, Town of Avon, Colorado.

Item 2: For a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b) concerning the Hoffmann Commercial Real Estate lawsuit. Council agreed to add items.

**3. PUBLIC COMMENT**

**3.1. PROCLAMATION HONORING EAGLE COUNTY GIVES (MICHELLE MALONEY)**

Councilor Wolf moved to approve the Proclamation Honoring Eagle County Gives; Councilor Evans seconded the motion and it passed unanimously by those present. (Councilor Gennett was absent).

Megan Burch commented.

Councilor Gennett arrived at 5:45 p.m.

**4. ACTION ITEMS**

**4.1. PUBLIC HEARING ON SECOND READING OF ORDINANCE 14-15, SERIES OF 2014, COMCAST FRANCHISE AGREEMENT (ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)**

Andy Davis, Dan Leary and J.K. Perry commented.

Councilor Dantas moved to approve Ordinance 14-15, Series of 2014, COMCAST Franchise Agreement; Councilor Evans seconded the motion and it passed 5 to 2 vote. Councilor Reynolds and Councilor Wolf voted no.

**5. WORK SESSION**

**5.1. 2014 CAPITAL PROJECTS CONSTRUCTION UPDATE (TOWN MANAGER VIRGINIA EGGER)**

Councilor Evans recused himself.

**5.2. DISCUSSION OF SKIER BUILDING INTERIOR FINISH PROCESS (MAYOR RICH CARROLL)**



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**5.3. 2015-2016 BUDGET WORK SESSION - ALL FUNDS AND FIVE-YEAR CAPITAL IMPROVEMENTS PLAN  
(ASSISTANT TOWN MANAGER SCOTT WRIGHT)**

**5.4. PROCUREMENT POLICY DIRECTION TO AMEND (ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)**

**5.5. TRAILS ADVISORY GROUP – PURPOSE, DUTIES AND PROCESS FOR SELECTION  
(PLANNING MANAGER MATT PIELSTICKER)**

Charlie Sherwood commented.

**6. ACTION ITEMS**

**6.1. FIRST READING OF ORDINANCE 14 –19 AMENDING AVON MUNICIPAL CODE TITLE 6: ANIMALS TO ALLOW FOR DOGS TO BE PERMITTED OFF-LEASH AT ALL TIMES, UNDER VOICE CONTROL, WITH OWNERS REQUIRED TO CARRY LEASHES IN THE WEST AVON PRESERVE (PLANNING MANAGER MATT PIELSTICKER)**

Charlie Sherwood and Scott Prince commented.

Mayor Pro Tem Fancher moved to approve Ordinance 14-19, Series of 2014, Amending Avon Municipal Code Title 6: Animals to allow for dogs to be permitted off-lease at all times, under voice control, with owners required to carry leashes in the West Avon Preserve; Councilor Dantas seconded the motion and it passed on a 5 to 2 vote. Councilor Evans and Councilor Reynolds voted no.

**6.2. LETTERS OF SUPPORT FOR COLORADO PARKS AND WILDLIFE GRANT APPLICATIONS FOR TRAIL PLANNING AND MAINTENANCE WORK (PLANNING MANAGER MATT PIELSTICKER)**

Councilor Evans moved to approve Letters of Support for Colorado Parks and Wildlife Grant Applications for Trail Planning and Maintenance Work; Councilor Gennett seconded the motion and it passed unanimously by those present.

**6.3. FIRST READING OF ORDINANCE 14-18 APPROVING ACQUISITION OF TRACT S, BLOCK 3, WILDRIDGE FOR HIKING AND BIKE TRAIL (PLANNING MANAGER MATT PIELSTICKER)**

Councilor Dantas moved to approve Ordinance 14-18, Series of 2014, Approving Acquisition of Tract S, Block 3, Wildridge for Hiking and Bike Trail; Mayor Pro Tem Fancher seconded the motion and it passed unanimously by those present.

**6.4. ACTION ON MOSES, WITTEMYER, HARRISON & WOODRUFF, P.C. REVISED AGREEMENT FOR LEGAL SERVICES AS WATER COUNSEL (TOWN MANAGER VIRGINIA EGGER)**

Councilor Evans moved to approve action on Moses, Wittemyer, Harrison & Woodruff, P.C. Revised Agreement for Legal Services as Water Counsel; Councilor Reynolds seconded the motion and it passed unanimously by those present.

**6.5. MINUTES FROM OCTOBER 14, 2014 MEETING (TOWN CLERK DEBBIE HOPPE)**

Mayor Pro Tem Fancher moved to approve the Minutes from October 14, 2014; Councilor Evans seconded the motion and it passed unanimously by those present.



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**7. COMMITTEE MEETING UPDATES: COUNCILORS AND MAYOR**

**7.1. COUNCILOR JAKE WOLF UPDATES**

- 7.1.1 ECRTA Board Meeting
- 7.1.2 Playground Committee
- 7.1.3 Harmony Park Musical Playground
- 7.1.4 Creative Industries Update
- 7.1.5 Community Gardens at Avon Elementary
- 7.1.6 Performance Pavilion Update
- 7.1.7 AED/CPR Training Reminder for November 11<sup>th</sup>

**8. COUNCIL COMMENTS**

**9. MAYOR REPORT AND FUTURE AGENDA ITEMS**

**10. WRITTEN REPORTS**

- 10.1. MONTHLY FINANCIALS (BUDGET ANALYST KELLY HUITT)
- 10.2. TOWN STAFF APPROVAL AUTHORIZATION FOR VILLAGE AT AVON PUBLIC IMPROVEMENTS AGREEMENT (ATTORNEY ERIC HEIL)

**11. EXECUTIVE SESSION, IF CALLED (THIS MEETING IS NOT OPEN TO THE PUBLIC)**

- 11.1 MEET PURSUANT TO COLORADO REVISED STATUTE §24-6-402(4) (F) FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS RELATED TO THE ANNUAL PERFORMANCE REVIEW OF THE TOWN ATTORNEY & TOWN MANAGER

Mayor Carroll moved to meet in Executive Session at 8:25 pm to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. §24-6-402(2)(a); for a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b); for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(2)(e) related to the Skier Building in the Town of Avon, also known as Lot 4, Mountain Vista Resort Subdivision, Town of Avon, Colorado; for a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b) concerning the Hoffmann Commercial Real Estate lawsuit; and for pursuant to Colorado Revised Statute §24-6-402(4) (f) for the Purpose of Discussing Personnel Matters related to the annual performance review of the Town Attorney & Town Manager.

Councilor Evans seconded the motion and it passed unanimously by those present.

Executive Session adjourned at 10:30 p.m.



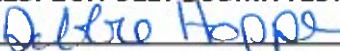
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12. ADJOURNMENT

There being no further business to come before the Council, the regular meeting adjourned at 10:30 p.m.

RESPECTFULLY SUBMITTED:

  
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Debbie Hoppe, Town Clerk

APPROVED:

Rich Carroll  
Dave Dantas  
Chris Evans  
Jennie Fancher  
Albert "Buz" Reynolds  
Jake Wolf  
Matt Gennett

