



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, JANUARY 26, 2016
AVON TOWN HALL, ONE LAKE STREET

1. CALL TO ORDER & ROLL CALL

Mayor Fancher called the meeting to order at 5:22 p.m. A roll call was taken and Council members present were Buz Reynolds, Matt Gennett, Jake Wolf, Megan Burch, Scott Prince and Sarah Smith Hymes. Also present were Town Manager Virginia Egger, Town Attorney Eric Heil, Assistant Town Manager Scott Wright, Police Chief Bob Ticer, Recreation Director John Curutchet, Executive Assistant to the Town Manager Preston Neill and Town Clerk Debbie Hoppe.

2. APPROVAL OF AGENDA

There were no changes to the agenda.

3. PUBLIC COMMENT

Michael Cacioppo and Peter Buckley commented.

4. ACTION ITEMS

4.1. PUBLIC HEARING AMPLIFIED SOUND PERMIT APPLICATION FOR WINTERWONDERGRASS MUSIC & BREW FESTIVAL (DIRECTOR OF FESTIVALS & SPECIAL EVENTS DANITA DEMPSEY)

Mayor Pro Tem Wolf recused himself due to a conflict.

The application was presented by Scott Stoughton. Mayor Fancher opened the Public Hearing and no comments were made. Councilor Gennett moved to approve the Amplified Sound Permit application for WinterWonderGrass Music & Brew Festival 2016 striking the second sentence in paragraph three under background in the Town Council Report. Councilor Smith Hymes seconded the motion and it passed unanimously by those present. Mayor Pro Tem Wolf abstained from the vote.

4.2. UPDATE ON 2016 FESTIVALS AND SPECIAL EVENTS AT THE PAVILION, HARRY A. NOTTINGHAM PARK AND MAIN STREET MALL (DIRECTOR OF FESTIVALS & SPECIAL EVENTS DANITA DEMPSEY)

4.3. ACTION ON FUNDING REQUEST AND SETTING OF DATES FOR THE 2016 APRÈS AVON SPRING CONCERTS AT POSSIBILITY PLAZA (PRODUCER MIKE O'BRIEN)

Michael Cacioppo commented.

Councilor Reynolds moved to approve the dates of March 18 and March 25, 2016, and to appropriate \$37,000 from the 2016 General Fund Special Events Assigned Fund Balance, to Peak Performances, for the purpose of producing the 2016 *Après Avon Spring Concerts*. Mayor Pro Tem Wolf seconded the motion and it passed on a 5 to 2 vote. Councilor Prince and Councilor Gennett voted no.

4.4. ACTION ON FUNDING REQUEST AND SETTING OF DATES FOR THE AVON LIVE! SUMMER CONCERTS (PRODUCER MIKE O'BRIEN)

Councilor Smith Hymes moved to approve the dates of August 3, 10, 17 and 24, 2016, and appropriate \$66,000, from the 2016 General Fund Special Events Assigned Fund Balance, to Peak Performances, for



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the purpose producing of *Avon Live! Summer Concert Series*. In addition, Councilor Smith Hymes moved to approve up to \$2,600 of in-kind services. Mayor Pro Tem Wolf seconded the motion and it passed on a 6 to 1 vote. Councilor Prince voted no.

4.5. ACTION ON FUNDING REQUEST AND SETTING OF DATES FOR THE OUTLAWS & LEGENDS MUSIC FESTIVAL (BACKPORCH PRODUCTIONS, LLC)
Michael Cacioppo commented.

Councilor Burch moved to approve the dates of July 28th through July 31st, 2016, and to appropriate \$72,000 from the General Fund Special Events Assigned Fund Balance to Backporch Productions to produce the *Outlaws & Legends Music Festival*. In addition, Councilor Burch moved to approve up to \$10,000 of in-kind services. Councilor Reynolds seconded the motion and it passed on a 4 to 3 vote. Councilor Prince, Councilor Gennett and Mayor Pro Tem Wolf voted no.

4.6. FIRST READING OF ORDINANCE 16-02 CONSIDERATION OF REQUEST BY EAGLE RIVER FIRE PROTECTION DISTRICT TO PROVIDE RELIEF FROM SALES TAX ON CONSTRUCTION MATERIALS FOR REGIONAL FIRE STATION AND CONSIDERATION OF THIRD AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR A JOINT FIRE-POLICE STATION FACILITY BETWEEN THE TOWN OF AVON AND THE EAGLE RIVER FIRE PROTECTION DISTRICT (TOWN ATTORNEY ERIC HEIL)
Michael Cacioppo commented.

Councilor Prince moved to approve the Consideration of Request by Eagle River Fire Protection District to Provide Relief from Sales Tax on Construction Materials for Regional Fire Station and Consideration of Third Amendment to Intergovernmental Agreement for a Joint Fire-Police Station Facility between the Town of Avon and the Eagle River Fire Protection District. Councilor Gennett seconded the motion and it passed unanimously by those present.

4.7. **PUBLIC HEARING** SECOND READING OF ORDINANCE NO. 16-01, AN ORDINANCE AMENDING CHAPTER 3.30 UNCLAIMED PROPERTY OF THE AVON MUNICIPAL CODE (ASSISTANT TOWN MANAGER SCOTT WRIGHT)
Mayor Fancher opened the Public Hearing and no comments were made. Councilor Reynolds moved to approve the second and final reading of Ordinance No. 16-01, an Ordinance Amending the Town's Unclaimed Property Code Chapter 3.30. Councilor Gennett seconded the motion and it passed unanimously by those present.

4.8. FIRST READING OF ORDINANCE NO 15-11, AN ORDINANCE AMENDING THE AVON MUNICIPAL CODE TABLE 7.16-1 AND SECTION 7.16.060(H)(1) CONCERNING AMENDMENTS TO WILDRIDGE PUD APPLICATIONS **NOTE:** STAFF HAS REQUESTED CONTINUATION TO THE MARCH 8, 2016 REGULAR TOWN COUNCIL MEETING (PLANNING DIRECTOR MATT PIELSTICKER)



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Councilor Smith Hymes moved to continue the First Reading of Ordinance No 15-11, to the March 8, 2016, Regular Town Council Meeting. Mayor Pro Tem Wolf seconded the motion and it passed unanimously by those present.

4.9. MINUTES FROM JANUARY 12, 2016 MEETING

(EXECUTIVE ASSISTANT TO THE TOWN MANAGER PRESTON NEILL)

Councilor Reynolds moved to approve the minutes from January 12, 2016 meeting. Mayor Pro Tem Wolf seconded the motion and it passed unanimously by those present.

5 WRITTEN REPORTS

5.1 MONTHLY FINANCIAL REPORT (BUDGET ANALYST KELLY HUITT)

6. COMMITTEE MEETING UPDATES: COUNCILORS AND MAYOR

6.1. CAST (COUNCILOR SARAH SMITH HYMES)

7. MAYOR & COUNCIL COMMENTS

8. EXECUTIVE SESSION - THIS SESSION IS NOT OPEN TO THE PUBLIC

8.1. DISCUSSION OF THE PURCHASE AND ACQUISITION OF A REAL PROPERTY INTEREST UNDER C.R.S. §24-6-402(2)(A) AND A CONFERENCE WITH THE TOWN ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE UNDER C.R.S. §24-6-402(2)(B) RELATED TO SUCH REAL PROPERTY DISCUSSION 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 SUCH REAL PROPERTY DISCUSSION

8.2. 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 UPPER EAGLE RIVER WATER AUTHORITY.

Mayor Fancher moved to meet in Executive Session for the purpose of a Discussion of the Purchase and Acquisition of a Real Property Interest under C.R.S. §24-6-402(2)(A) and a Conference with the Town Attorney for the Purpose Of Receiving Legal Advice under C.R.S. §24-6-402(2)(B) related to such Real Property Discussion 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 such Real Property Discussion as well as a Conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(2)(b) concerning the Upper Eagle River Water Authority. Councilor Reynolds seconded the motion and it passed unanimously by those present. The time was 8:16 p.m.

Executive session ended at 10:28 p.m.

Council reconvened into regular session at 10:29 p.m.




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9. ADJOURNMENT

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

RESPECTFULLY SUBMITTED:


Debbie Hoppe, Town Clerk

APPROVED:

Jennie Fancher
Jake Wolf
Matt Gennett
Megan Burch
Albert "Buz" Reynolds
Scott Prince
Sarah Smith Hymes

