



TOWN OF AVON, COLORADO
AVON MEETING MINUTES FOR TUESDAY, MAY 10, 2016
AVON TOWN HALL, ONE LAKE STREET

1. CALL TO ORDER & ROLL CALL

Mayor Fancher called the meeting to order at 5:06 p.m. A roll call was taken and Council members present were Megan Burch, Matt Gennett, Buz Reynolds, Jake Wolf, 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, Planning Director Matt Pielsticker and Town Clerk Debbie Hoppe.

2. APPROVAL OF AGENDA

Mayor Fancher asked to make a change to the Executive Session number one (1). She explained that instead of it being a potential special event it is actually potential events. Mayor Fancher advised that with the revision of the agenda she will let everyone know where the changes are. The agenda was approved with the suggested changes.

3. PUBLIC COMMENT

Michael Cacioppo and Scott Peterson commented.

4. ACTION ITEMS

START TIME 00:11:32

**4.1. PUBLIC HEARING MOTION TO CONTINUE RESOLUTION 16-16, APPROVING THE MEZA PUD AMENDMENT FOR LOT 110, BLOCK 1, WILDRIDGE SUBDIVISION TO THE MAY 24, 2016, COUNCIL MEETING
(PLANNING DIRECTOR MATT PIELSTICKER)**

Mayor Fancher opened the Public Hearing and no comments were made. Mayor Pro Tem Wolf moved to continue the Public Hearing and Resolution No. 2016-16 – A Resolution Approving the Meza PUD Amendment application for Lot 110, Block 1, Wildridge Subdivision, to the May 24, 2016, Town Council meeting; Councilor Reynolds seconded the motion and it passed unanimously by those present.

**4.2. PUBLIC HEARING SECOND READING OF ORDINANCE 16-08 AMENDING SECTION 3.98.050(3) OF THE AVON MUNICIPAL CODE TO EXEMPT GOVERNMENTAL INSTITUTIONS FROM SALES TAX ON CONSTRUCTION MATERIALS
(TOWN ATTORNEY ERIC HEIL)**

Mayor Fancher opened the Public Hearing and no comments were made. Mayor Pro Tem Wolf moved to approve Ordinance 16-08 Amending Section 3.98.050(3) of the Avon Municipal Code to Exempt Governmental Institutions from Sales Tax on Construction Materials on second and final reading; Councilor Reynolds seconded the motion and it passed unanimously by those present.

**4.3. PUBLIC HEARING FIRST READING OF ORDINANCE 16-09, APPROVING AN AMENDMENT TO THE AVON COMPREHENSIVE PLAN; DISTRICT 13: NOTTINGHAM ROAD COMMERCIAL DISTRICT
(PLANNING DIRECTOR MATT PIELSTICKER)**

Mayor Fancher opened the Public Hearing and no comments were made. Mayor Pro Tem Wolf moved to approve Ordinance No. 16-09, An Ordinance Amending the Comprehensive Plan for



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District 13: *Nottingham Road Commercial District*; Councilor Gennett seconded the motion and it passed unanimously by those present.

4.4. PRESENTATION OF THE 2015 TOWN AUDIT AND MOTION TO ACCEPT

(ASSISTANT TOWN MANAGER SCOTT WRIGHT, PAUL BACKES, MCMAHAN & ASSOC., CPAS)

Mayor Pro Tem Wolf moved to accept the 2015 Comprehensive Annual Financial Report; Councilor Burch seconded the motion and it passed unanimously by those present.

5. WORK SESSION

START TIME 01:01:09

5.1. UPPER EAGLE REGIONAL WATER AUTHORITY/EAGLE COUNTY WATER AND SANITATION DISTRICT JOINT WORK SESSION (COUNCILOR SARAH SMITH HYMES)

Michael Cacioppo, Tom Ruemmler, Lee Freeman and Michael Lindholm commented.

Mayor Pro Tem Wolf moved to direct Sarah Smith-Hymes to vote in favor of adopting the Unallocated Water Policy; Councilor Gennett seconded the motion and it passed unanimously by those present.

6. ACTION ITEMS

START TIME 00:37:29

6.1. **PUBLIC HEARING** SECOND READING OF ORDINANCE 16-07, ALLOWING FOOD TRUCKS TO OPERATE ON TOWN RIGHT-OF-WAYS (TOWN MANAGER VIRGINIA EGGER)

Mayor Fancher opened the Public Hearing and no comments were made. Mayor Pro Tem Wolf moved to approve Ordinance No. 16-07, an Ordinance Allowing Food Trucks to Operate on Town Right-of-Ways; Councilor Prince seconded the motion and it passed unanimously by those present.

6.2. ACTION ON RESOLUTION 16-17 SETTING THE LOCATIONS AND NUMBERS OF FOOD TRUCKS (TOWN MANAGER VIRGINIA EGGER)

Councilor Prince moved to approve Resolution 16-17, Establishing the Locations and Number of Food Trucks and set out a special condition for the Town Manager to develop a guideline for the succession of food truck services starting October 1st; Mayor Pro Tem Wolf seconded the motion and it passed on a 6 to 1 vote. Councilor Burch voted no.

6.3. **PUBLIC HEARING** RESOLUTION 16-18, TO AMEND THE 2016 TOWN OF AVON CAPITAL PROJECTS FUND BUDGET (ASSISTANT TOWN MANAGER SCOTT WRIGHT)

START TIME 03:24:43

Mayor Fancher opened the Public Hearing and no comments were made. Councilor Prince moved to approve Resolution 2016-18, a Resolution Summarizing Expenditures and Revenues by Fund and amending the 2016 Capital Projects Fund Budget for the Town of Avon for the Calendar Year 2016; Mayor Pro Tem Wolf seconded the motion and it passed on a 6 to 1 vote. Councilor Gennett voted no.



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6.4. CONSENT AGENDA

START TIME 03:31:58

6.4.1. APPROVAL OF RESOLUTION 16-15 FOR THE HOLY CROSS EASEMENTS, TRACT A RIVERSIDE FOR EAGLE VALLEY TRAIL (PROJECT ENGINEER JIM HORSLEY)

6.4.2. APPROVAL OF AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF AVON AND EAGLE COUNTY, COLORADO CONCERNING THE AVON TO EAGLE-VALE RECREATIONAL TRAIL PROJECT (PROJECT ENGINEER JIM HORSLEY)

6.4.2. APPROVAL OF MINUTES FROM APRIL 12, 2016 MEETING (TOWN CLERK DEBBIE HOPPE)
Councilor Burch moved to approve the Consent Agenda; Councilor Reynolds seconded the motion and it passed unanimously by those present.

7. WORK SESSION

START TIME 03:32:29

7.1. PUBLIC SAFETY FACILITY/POLICE STATION & NEW TOWN HALL – DEVELOPMENT & FINANCING SCHEDULES (TOWN MANAGER VIRGINIA EGGER)

8. WRITTEN REPORTS

8.1. MONTHLY FINANCIAL REPORT (BUDGET ANALYST KELLY HUITT)

8.2. 2017 BUDGET CALENDAR (BUDGET ANALYST KELLY HUITT)

9. COMMITTEE MEETING UPDATES: COUNCILORS AND MAYOR

START TIME 04:09:30

9.1. TOWN CLEAN-UP DAY (COUNCILOR MEGAN BURCH)

9.2. COLORADO CREATIVE INDUSTRIES SUMMIT (MAYOR JENNIE FANCHER)

9.3. UPPER EAGLE REGIONAL WATER AUTHORITY (COUNCILOR SARAH SMITH HYMES)

9.4. EAGLE COUNTY CLIMATE ACTION COMMITTEE (COUNCILOR SARAH SMITH HYMES)

9.5. CLIMATE REALITY PROJECT (COUNCILOR SARAH SMITH HYMES)

10. MAYOR & COUNCIL COMMENTS

11. EXECUTIVE SESSION

START TIME 04:23:05

11.1. 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) 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 1) A POTENTIAL SPECIAL EVENT; AND 2) UPPER EAGLE REGIONAL WATER AUTHORITY FACILITIES

The time was 9:31 p.m.

Executive session began at 9:46 p.m.



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Executive session ended at 10:50 p.m. Council reconvened into regular session at 10:51 p.m.

12. ACTION ITEM

START TIME 00:01:53

12.1. REVIEW AND ACTION TO APPROPRIATE \$60,000.00 FROM THE GENERAL FUND CONTINGENCY TO LINE ITEM 69402 FINANCIAL SUPPORT – SIGNATURE EVENT SEED FUNDING (TOWN MANAGER VIRGINIA EGGER)

Councilor Burch moved to appropriate \$60,000.00 from the general fund contingency to line item 69402 financial support for signature event seed funding; Councilor Burch seconded the motion and it passed on a 6 to 1 vote. Mayor Pro Tem Wolf voted no.

13. ADJOURNMENT

There being no further business to come before the Council, the regular meeting adjourned at 10:51 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







