

AVON REGULAR MEETING MINUTES

THURSDAY, OCTOBER 10, 2019

AVON TOWN HALL, 100 MIKAELA WAY, AVON, CO



1. CALL TO ORDER AND ROLL CALL

Mayor Smith Hymes called the meeting to order at 4:00 p.m. A roll call was taken, and Council members present were Scott Prince, Amy Phillips, and Tamra Underwood. Council members Jake Wolf, Chico Thuon, and Jennie Fancher were absent. Also present were Town Manager Eric Heil, Town Attorney Paul Wisor, Police Chief Greg Daly, Town Engineer Justin Hildreth, Planning Director Matt Pielsticker, Deputy Town Manager Preston Neill and Town Clerk Brenda Torres.

2. STUDY SESSION: REVIEW OF CIP PLAN AND EXISTING TOWN PLANS

Start time: 00:00:20 Part One

A review on current and proposed town improvement plans was presented by Town Manager Eric Heil.

Councilor Thuon arrived at 4:22 p.m.

Councilor Wolf arrived at 4:42 p.m.

3. ACTION TO CONTINUE THE REGULAR MEETING IN ORDER TO CALL TO ORDER THE AVON LIQUOR AUTHORITY MEETING (MAYOR SMITH HYMES)

The Avon Liquor Authority meeting was called to order at 5:01 p.m.

4. ACTION TO RESUME THE PUBLIC MEETING (MAYOR SMITH HYMES)

The Council public meeting resumed at 5:12 p.m.

5. APPROVAL OF AGENDA

Start time: 00:56:49 Part One

Councilor Prince requested the addition of a discussion item regarding renaming the Columbus Day holiday that the Town of Avon observes. Council agreed to add the item as 8.11. Mayor Smith Hymes requested that item 8.4 be moved to follow 8.1. Council agreed to the change. Councilor Underwood moved to approve the agenda with the requested changes. Mayor Pro Tem Phillips seconded the motion and the motion passed on a vote of 5 to 1. Councilor Wolf voted no. Councilor Fancher was absent.

6. DISCLOSURE OF ANY CONFLICTS OF INTEREST RELATED TO AGENDA ITEMS

Start time: 00:58:23 Part One

Town Attorney Paul Wisor disclosed a conflict of interest related to item 8.6 on the agenda, Public Hearing: First Reading Ordinance 19-09, and announced that he would be stepping out of the room during the item.

7. PUBLIC COMMENT

Start time: 00:59:05 Part One

Joyce Cohen commented on commercial breeding facilities, also known as "puppy mills", and urged the Council to consider an ordinance that would prohibit the sale of dogs and cats in retail stores that come from puppy mills.

Michael Cacioppo reinforced his idea for a convention center in Avon. Michael also commented on the proposed ordinance that would enact regulations on use of expanded polystyrene.

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Mark Goodban commented on the proposed ordinance that would enact regulations on use of expanded polystyrene. He voiced his displeasure of the proposed regulations.

8. BUSINESS ITEMS

8.1. RESOLUTION 19-19 SUPPORTING EAGLE COUNTY BALLOT ISSUE 1A—FUNDING TO SUPPORT PUBLIC HEALTH PROGRAMS AND EDUCATION THROUGH THE TAXATION OF TOBACCO AND NICOTINE PRODUCTS (MAYOR SMITH HYMES)

Start time: 01:20:27 Part One

Mayor Smith Hymes invited the public to comment and no comments were made. Councilor Prince moved to approve Resolution 19-19 Supporting Eagle County Ballot Issue 1A – Funding to Support Public Health Programs and Education through the Taxation of Tobacco and Nicotine Products. Councilor Wolf seconded the motion and the motion passed unanimously by Council members present. Councilor Fancher was absent.

8.4. PUBLIC HEARING: EMERGENCY ORDINANCE 19-10 AMENDING SECTIONS 3.08 AND 3.10 OF THE AVON MUNICIPAL CODE (TOWN ATTORNEY PAUL WISOR)

Start time: 01:28:38 Part One

Mayor Smith Hymes opened the public hearing and Michael Cacioppo commented on the proposed emergency ordinance. Councilor Underwood moved to approve first and final reading of Ordinance 19-10 an emergency ordinance amending Sections 3.08 and 3.10 of the Avon Municipal Code. Mayor Pro Tem Phillips seconded the motion and the motion passed unanimously by Council members present. Councilor Fancher was absent.

8.2. PRESENTATION: EAGLE COUNTY ANIMAL SERVICES IN THE TOWN OF AVON (NATHAN LEHNERT, EAGLE COUNTY ANIMAL SERVICES)

Start time: 01:41:02 Part One

Nathan Lehnert with Eagle County Animal Services gave a presentation on Eagle County's Animal Services Department and a proposed county-wide animal services/animal control ordinance to update the current Eagle County ordinance. He expressed that Animal Services' vision is for all municipalities in Eagle County to adopt the same ordinance for a streamlined process for animal-related violations. Mayor Smith Hymes invited the public to comment and Michael Cacioppo commented.

8.3. PUBLIC HEARING: SECOND READING ORDINANCE 19-05 INCREASING PRIMARY RESIDENCE RETT EXEMPTION (TOWN MANAGER ERIC HEIL)

Start time: 02:23:28 Part One

Mayor Smith Hymes opened the public hearing and comments were made by Michael Correa and Michael Cacioppo. Councilor Underwood moved to continue this item to the October 22, 2019 Council meeting. Mayor Pro Tem Phillips seconded the motion and the motion passed on a vote of 4 to 0. Councilor Prince and Councilor Thuon had stepped out of the room. Councilor Fancher was absent.

8.5. PUBLIC HEARING: FIRST READING ORDINANCE 19-08 APPROVING A REZONING OF LOT 16, BLOCK 2, BENCHMARK A BEAVER CREEK SUBDIVISION (PLANNING DIRECTOR MATT PIELSTICKER)

Start time: 00:00:10 Part Two

Mayor Smith Hymes opened the public hearing and no comments were made. Councilor Underwood moved to continue this item to the October 22, 2019 Council meeting. Mayor Pro Tem Phillips seconded

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the motion and the motion passed on a vote of 4 to 0. Councilor Wolf and Councilor Thuon had stepped out of the room. Councilor Fancher was absent.

8.6. PUBLIC HEARING: FIRST READING ORDINANCE 19-09 APPROVING A MINOR PUD AMENDMENT AND VESTED RIGHTS Extension for Lot 1, Riverfront Subdivision (Planning Director Matt Pielsticker)

Start time: 00:07:40 Part Two

East West Partners, on behalf of the applicant, Points of Colorado, Inc., gave a presentation requesting a Vested Property Rights Extension and PUD Amendment to allow greater flexibility for a future phased project on Lot 1, Riverfront PUD and Subdivision. Councilor Prince moved to continue this item to the October 22, 2019 Council meeting. Councilor Wolf seconded the motion and the motion passed on a vote of 6 to 0. Councilor Fancher was absent.

8.7. WORK SESSION: PROJECT THOR (IT MANAGER ROBERT MCKENNER)

Start time: 01:31:16 Part Two

IT Manager Robert McKenner presented on Project THOR. Jon Stavney, Executive Director of the Northwest Colorado Council of Governments, answered various questions from Council regarding Project THOR. Michael Cacioppo commented on Project THOR and current broadband availability in Eagle County. Council gave direction to staff to remove Project THOR expenditures from the proposed 2020 Capital Improvements Plan because Phase II of Project THOR is not slated to happen in 2020. The majority of Council expressed interest in further studying broadband and Project THOR in 2020.

8.8. PUBLIC HEARING: SECOND READING ORDINANCE 19-07 ENACTING CAMPAIGN FINANCE REGULATIONS (DEPUTY TOWN MANAGER PRESTON NEILL)

Start time: 02:18:44 Part Two

Mayor Smith Hymes opened the public hearing and Michael Cacioppo commented. Councilor Underwood moved to approve Second Reading of Ordinance 19-07, Enacting Chapter 1.14 of Title 1 of the Avon Municipal Code Pertaining to Campaign Finance. Mayor Pro Tem Phillips seconded the motion and the motion passed on a vote of 4 to 2. Councilor Thuon and Councilor Wolf voted no. Councilor Fancher was absent.

8.9. APPROVAL OF REVISED AGREEMENT FOR LEGAL SERVICES WITH ELIZABETH PIERCE-DURANCE, LLC (TOWN ATTORNEY PAUL WISOR)

Start time: 02:40:16 Part Two

Mayor Pro Tem Phillips moved to approve the Agreement for Legal Services with Elizabeth Pierce-Durance, LLC. Councilor Wolf seconded the motion and the motion carried on a vote of 5 to 0. Councilor Prince had stepped out of the room. Councilor Fancher was absent.

8.10. APPROVAL OF MINUTES FROM SEPTEMBER 24, 2019 REGULAR COUNCIL MEETING (TOWN CLERK BRENDA TORRES)

Start time: 02:41:49 Part Two

Councilor Underwood moved to approve the minutes from the September 24, 2019 Regular Council meeting. Mayor Pro Tem Phillips seconded the motion and the motion passed on a vote of 4 to 1. Councilor Wolf voted no. Councilor Prince was out of the room. Councilor Fancher was absent.

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ADDED: COLUMBUS DAY HOLIDAY

Start time: 02:42:30 Part Two

Council gave direction to staff to consider this suggestion for 2020. Council discussed the idea of changing the name of Columbus Day. Michael Cacioppo commented. Council gave direction to staff to come up with several name suggestions to present to Council at a future Council meeting.

9. WRITTEN REPORTS

9.1. UPDATE ON 2020 COMMUNITY GRANT AWARD RECOMMENDATIONS (DEPUTY TOWN MANAGER PRESTON NEILL)

Councilor Prince asked a question about the written report on the Update on 2020 Community Grant Award Recommendations.

9.2. ABSTRACT FROM OCTOBER 1, 2019 PLANNING AND ZONING COMMISSION (PLANNING DIRECTOR MATT PIELSTICKER)

9.3. UPPER EAGLE REGIONAL WATER AUTHORITY SEPTEMBER 26, 2019 MEETING SUMMARY (MAYOR SMITH HYMES)

10. MAYOR & COUNCIL COMMENTS & MEETING UPDATES

Start time: 02:54:01 Part Two

Mayor Smith Hymes reported on the Mountain Towns 2030 Net Zero Summit that took place in Park City, Utah. She also announced that the Town of Avon will host an event on October 29th encouraging residents to enroll in Holy Cross Energy's PuRE program to go 100% renewable.

Mayor Pro Tem Phillips gave an update on the EGE Air Alliance.

Councilor Wolf thanked Council and staff for accommodating the Yom Kippur Jewish holiday by moving the Council meeting from October 8th to October 10th.

Councilor Thuon announced that October 10th is World Mental Health Day.

11. EXECUTIVE SESSION FOR A CONFERENCE WITH THE TOWN ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE UNDER C.R.S. §24-6-402(2)(B) CONCERNING EXPANDED POLYSTYRENE REGULATIONS

Executive Session will take place in the October 22, 2019 Council meeting.

12. ADJOURN

There being no further business before Council, Mayor Smith Hymes moved to adjourn the regular meeting. The time was 9:46 p.m.



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These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate records of the meeting are the audio of the meeting, which is housed in the Town Clerk's office, and the video of the meeting, which is available at www.highfivemedia.org.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink that reads "Brenda Torres".

Brenda Torres, Town Clerk

APPROVED:
Sarah Smith Hymes

A handwritten signature in black ink that reads "Sarah Smith Hymes".

Amy Phillips
Jake Wolf
Chico Thuon
Jennie Fancher
Scott Prince
Tamra Underwood

AVON LIQUOR LICENSING AUTHORITY MEETING MINUTES

TUESDAY, OCTOBER 10, 2019

AVON TOWN HALL, 100 MIKAELA WAY, AVON, CO 81620



1. CALL TO ORDER AND ROLL CALL

Chairwoman Smith Hymes called the meeting to order at 5:01 p.m. A roll call was taken and Board members present were Amy Phillips, Scott Prince, Tamra Underwood, Chico Thoun and Jake Wolf. Board member Jennie Fancher was absent. Also present were Town Manager Eric Heil, Town Attorney Paul Wisor, Police Chief Greg Daly, Deputy Town Manager Preston Neill and Secretary Brenda Torres.

2. APPROVAL OF AGENDA

Board member Underwood moved to approve the agenda, as presented. Vice Chairwoman Phillips seconded the motion and the motion passed unanimously by board members present. Board member Fancher was absent.

3. PUBLIC COMMENT

No public comments were made.

4. REPORT OF CHANGES – MODIFICATION OF PREMISES

4.1. APPLICANT: DILLON COMPANIES LLC D/B/A CITY MARKET #26

LOCATION: 0072 BEAVER CREEK PLACE

APPLICANT: THOMAS SULLIVAN -VICE PRESIDENT

Chairwoman Smith Hymes opened the public hearing and no comments were made. The manager of City Market #26, Jeff Gentilini, answered several questions posed by Board members. Board member Underwood moved to approve the Modification of Premises Application for Dillon Companies LLC d/b/a City Market #26. Board member Wolf seconded the motion and the motion passed unanimously by those present. Board member Fancher was absent.

5. APPROVAL OF THE MINUTES FROM AUGUST 27, 2019 MEETING

Board member Underwood moved to approve the minutes from the August 27, 2019 Liquor Licensing Authority Meeting. Vice Chairwoman Phillips seconded the motion and the motion passed on a vote of 6 to 0. Board member Fancher was absent.

6. WRITTEN REPORT

6.1. REPORT ON RECENT ADMINISTRATIVE APPROVALS (LIQUOR LICENSING AUTHORITY SECRETARY BRENDA TORRES)

7. ADJOURNMENT

There being no further business to come before the Board, Chairwoman Smith Hymes adjourned the Liquor Licensing Authority meeting. The time was 5:12 p.m.

AVON LIQUOR LICENSING AUTHORITY MEETING MINUTES

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RESPECTFULLY SUBMITTED:

A handwritten signature in black ink that reads "Brenda Torres". The signature is written in a cursive style and is positioned above a horizontal line.

Brenda Torres, Secretary

APPROVED:

Sarah Smith Hymes

A handwritten signature in black ink that reads "Sarah Smith Hymes". The signature is written in a cursive style and is positioned above a horizontal line.

Amy Phillips

Jake Wolf

Chico Thuon

Jennie Fancher

Scott Prince

Tamra Underwood