

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL
HELD APRIL 8, 2008**

A regular meeting of the Town of Avon, Colorado was held at the Avon Municipal Building, 400 Benchmark Road, Avon, Colorado in the Council Chambers.

Mayor Ron Wolfe called the meeting to order at 5:30 pm. A roll call was taken and Council members present were Rich Carroll, Dave Dantas, Kristi Ferraro, Brian Sipes, Amy Phillips, and Tamra Nottingham Underwood. Also present were Town Attorney John Dunn, Town Manager Larry Brooks, Administrative Services Director Patty McKenny, Town Engineer Justin Hildreth, Asst. Town Manager Finance Scott Wright, Community Development Director Eric Heidemann, and Public Works/Transportation Director Jenny Strehler, and Becky Lawlor, Community Relations Officer as well as members of the public.

APPROVAL OF AGENDA & DISCLOSURE OF POTENTIAL OF CONFLICT OF INTEREST

When Town Attorney John Dunn asked if there were any ex parte conversations on Resolution No. 08-11 on the agenda, none were mentioned. John Dunn asked to amend the agenda to include an EXECUTIVE SESSION pursuant to 1) CRS 24-6-402 (4)(b) conference with Town Attorney for the purpose of receiving legal advice on specific legal questions regarding pending issues related to the Village at Avon. It was noted that the meeting was added because of recent conversation that need to be addressed by the Council.

ORDINANCES

Brian Kozak, Police Chief, presented Ordinance No. 08-05, Series of 2008, Second Reading, An Ordinance Amending Chapter 9.04 of the Municipal Code of the Town of Avon relating to Hindering Public Transportation. He read the content of the ordinance, in short the following: Ordinance addressing persons who recklessly or intentionally hinder the operation of public transportation to be charged with a misdemeanor. Mayor Wolfe opened the public hearing, no comments were made, and the hearing was closed. Councilor Dantas moved to approve Ordinance No. 08-05, Series of 2008, Second Reading, An Ordinance Amending Chapter 9.04 of the Municipal Code of the Town of Avon relating to Hindering Public Transportation. Mayor Pro Tem Sipes seconded the motion and it passed unanimously.

RESOLUTIONS

Shane Pegram, Engineer II, presented Resolution No. 08-11, Series of 2008, Resolution Approving the Final Plat, A Resubdivision of Lot 49, Block 2, Wildridge, Town of Avon, Eagle County, Colorado (2610 Beartrap Road). He noted that this final plat subdivides the existing Lot 49, block 2, Wildridge into two distinct lots, Lot 49A and 49B. Both sides were new units; the party wall includes an easement for the driveway. Councilor Phillips moved to approve Resolution No. 08-11, Series of 2008, Resolution Approving the Final Plat, A Resubdivision of Lot 49, Block 2, Wildridge. Mayor Pro Tem Sipes seconded the motion and it passed unanimously.

NEW BUSINESS

Jenny Strehler, Public Works and Transportation Director, presented the Avon Public Works and Transportation Facilities - Design Services Contract Award to CMD/Vag. She reviewed the proposal for the design services contract for facilities at Swift Gulch. Discussion ensued over the financial aspects of the project as well as other topics related as follows:

- breakdown by use of the facility by departments / between costs for public works and

transit

- breakdown of possible grant funding by participating agencies, ECO & BCMD
- the design portion of the project was approved in the CIP budget
- with the design details, they can then compete for grant funding and establish financing & formal partnerships
- Maintain timelines so that construction & funding are simultaneous
- what are the true benefits
- what does the \$ look like if we do not participate with the other agencies; are we better or worse?
- Where does Beaver Creek Metro District stand on this proposal
- May go thru the initial design & discover that the design won't work
- Sources of revenue include: Real estate transfer tax and other agencies
- Can public works piece be phased in
- Would like to see the CIP budget & projections in order to evaluate this proposal; is it considered discretionary & non discretionary
- do we need to revisit the needs analysis
- need to review the current debt schedule status
- can contract can be terminated without any problems

Councilor Underwood moved to award of the design contract for the PW/Transit Facility to CDM/Vag Design Team for the amount not to exceed \$613,610 for 2008 which includes the funding of the base project plus optional ad services. Councilor Phillips seconded the motion and it passed unanimously. There was some discussion about reducing the contract amount to \$500,000.

TOWN MANAGER REPORT

Town Manager Larry Brooks presented an update on the I-70 tolling bill which is being considered by the State Legislature.

MAYOR REPORT

Mayor Wolfe presented an update on the USFS parcels. Assistant Town Manager Eric Heidemann presented an update on the P&Z interview schedule and an update on the red house annexation request.

CONSENT AGENDA

Mayor Wolfe asked for a motion on the Consent Agenda. Councilor Underwood moved to adopt the consent agenda; Councilor Carroll seconded and the motion and it passed unanimously.

- a. Minutes from March 25, 2008
- b. Beaver Creek Pump House Fencing – Strategic Fence & Wall Company quote for construction (Justin Hildreth, Town Engineer) Quote from Strategic Fence and Wall Company for construction of the required protective fencing at the Avon Whitewater Park per the Tract O operating agreement
- c. Settlement Agreement between CSC Land, LLC and Town of Avon (John Dunn, Town Attorney) Agreement to resolve landscaping and Improvement Location Certificate issues with the developer

There being no further business to come before the Council, the meeting was adjourned at 7:35 PM.

RESPECTFULLY SUBMITTED:

Catherine Haynes
Catherine Haynes, Deputy Town Clerk

APPROVED:

Rich Carroll



Dave Dantas



Kristi Ferraro



Amy Phillips



Brian Sipes



Tamra Underwood



Ron Wolfe

