

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL
HELD AUGUST 26, 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 6:45 PM. A roll call was taken and Council members present were Rich Carroll, Dave Dantas, Kristi Ferraro, Amy Phillips, Brian Sipes, and Tamra Underwood. Also present were Town Attorney John Dunn, Town Manager Larry Brooks, Director Administrative Service Patty McKenny, Town Engineer Justin Hildreth, Assistant Town Manager Finance Scott Wright, Assistant Town Manager Community Development Eric Heidemann as well as members of the public.

APPROVAL OF AGENDA & DISCLOSURE OF POTENTIAL OF CONFLICT OF INTEREST

Mayor Wolfe added the Capital Improvement Project 5 year plan budget discussion under "New Business."

COMMUNITY INPUT

Sara Will, Access Services, commented on the mission of her group & spoke about the main street streetscape project reminding everyone of the need to provide for access to those who are physically challenged.

WHITEWATER PARK "BIG AIR" CONTEST AWARD PRESENTATION

Danita Chirichillo, Special Events & Joe Blair, Untraditional Marketing, presented awards for the Big Air competition. There was a brief description about the creation of the whitewater park, how this event evolved, and a marketing overview. Blair then recognized the winners & gave the awards for "Avon's Big Air Competition". He presented the online video competition of the winners; this was an event that was created to hopefully help the water park gain exposure and get people excited about kayaking there. Comments were heard from Sarah Will related to the inability to access the river because it has been obstructed by rocks (she noted that the location was the Westin side of the river).

CONSENT AGENDA

Mayor Wolfe introduced Eric Heil as the new town attorney who would begin October 1, 2008. Councilor Dantas moved to approve the consent; Councilor Carroll seconded the motion and it passed unanimously.

- a. Resolution No. 08-33, Series of 2008, Resolution Appointing Eric James Heil as the Town Attorney and Approving the Agreement for Legal Services with Widner, Michow & Cox, LLP
- b. Intergovernmental Agreement with Eagle County Clerk & Recorder for November 4, 2008 Coordinated Election (Patty McKenny, Director Administrative Services) Agreement that outlines election responsibilities
- c. Change Order 002 for 2007 Streetscape Lighting Conversion project (Shane Pegram, Engineer II) Change Order to the 2007 contract with Tri-Phase Electric to include the 2008 lighting project into the 2007 contract
- d. Change Order 005 for 2007 Street Improvements (Shane Pegram, Engineer II) Change Order to adjust final quantities on West Beaver Creek Blvd. and Sun Rd
- e. Award contract to Wiss, Janey, Estner Associates, Inc. (WJE) (Shane Pegram, Engineer II) Services for investigation of the Avon Recreation Center's deteriorating exterior masonry façade
- f. Minutes from July 8 and 22, 2008

NEW BUSINESS

Contract & Proposal for Avon Municipal Code Update

Eric Heidemann, Assistant Town Manager Community Development presented the contract and proposal from Clarion and Associates for providing services related to updating the Avon Municipal Code. Specifically this would include changes in titles 2, (Administration & Personnel) 16, (Subdivisions) 17 (Zoning). It was noted that the consultants would be in attendance at the next meeting to begin work on the project; council could decide to approve the contract at that time or that evening. Councilor Underwood moved to approve the contract with Clarion and Associates for services related to amending Avon's Municipal Code. Councilor Carroll seconded the motion and it passed unanimously.

Intergovernmental Agreement ("IGA") for Law Enforcement Services within Eagle County

Brian Kozak, Police Chief, reviewed an IGA which would allow police officers to have full authority within the unincorporated areas of Eagle County and locations that border the Town of Avon. It was noted that state statutes permits a municipal officer to act when a felony or misdemeanor is committed in his or her present regardless of jurisdiction. However, the statute does not specify the authority to act in regards to traffic violations. He noted the reasons for such arrangement as related to the traffic enforcement activity on highway 6 and issues in court that relate to writing citations that are out of the town limits; it was explained that the IGA would resolve those issues for the police department. Mayor Pro Tem Sipes moved to approve the Intergovernmental Agreement for Law Enforcement Services within Eagle County. Councilor Underwood seconded the motion and it passed unanimously.

REVIEW OF CAPITAL IMPROVEMENT PROJECTS (CIP) LONG RANGE PLAN

Scott Wright, Assistant Town Manager Finance, presented the CIP 5 Year plan noting the plan includes non discretionary projects (maintenance, safety & already approved projects), discretionary projects (planning, facilities), and grant funded projects (the heat recovery project). He reviewed the assumptions used to project real estate transfer tax revenues, projects completed in 2008, and projects in process to be completed in 2009. Comments related to the discussion included the following:

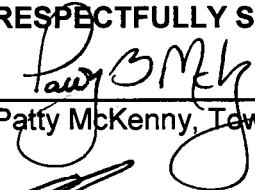
- The lighting study conversion implementation needs to have a public relations effort started & completed
- How are the bridges maintained – general fund item
- How to move forward with the Puder ditch restoration; review by town manager and proposed to completed in 2009.
- Expand scope of work for Metcalf gulch & road bicycle climbing lane to at least the wildwood turnoff and delay only one year not two years
- Complete research related to water acquisitions
- Would URA funding support parks improvements
- What would appropriate transit split look sharing with eagle county
- Discussion about roles & financial obligations of URA and CIP funds
- Requested program operations budget for records management

ORDINANCES

Matt Gennett, Planning Manager, presented Ordinance No. 08-09, Series of 2008, First Reading, Ordinance amending Chapter 15.12, *Electrical Code*, Title 15, Building and Construction, Avon Municipal Code (AMC), in order to adopt by reference the *2008 Edition of the National Electrical Code*; and setting forth details in regard thereto. It was noted that the ordinance would amend Title 15 to adopt by reference the 2008 Edition of the National Electric Code; currently the town was operating under the 2002 National Electric Code. Mayor Pro Tem Sipes moved to approve Ordinance No. 08-09; Councilor Ferraro seconded the motion and it passed unanimously.


There being no further business to come before the Council, the meeting was adjourned at 10 PM.


RESPECTFULLY SUBMITTED:

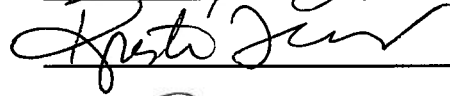



Patty McKenny, Town Clerk

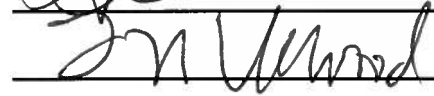
APPROVED:


Rich Carroll 

Dave Dantas 

Kristi Ferraro 

Amy Phillips 

Brian Sipes 

Tamra Underwood 

Ron Wolfe _____