

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL  
HELD FEBRUARY 10, 2009**

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A regular meeting of the Town of Avon, Colorado was held at the Avon Municipal Building, One Lake Street, Avon, Colorado in the Council Chambers.

Mayor Ron Wolfe called the meeting to order at 5:50 PM. A roll call was taken and Council members present were Rich Carroll, Dave Dantas, Kristi Ferraro, Amy Phillips, Buz Reynolds, and Brian Sipes. Also present were Town Attorney Linda Michow, Town Manager Larry Brooks, Director Administrative Services Patty McKenny, Town Engineer Justin Hildreth, Assistant Town Manager Community Development Eric Heidemann, Police Chief Brian Kozak and Public Works and Transportation Director Jenny Strehler as well as members of the public.

**APPROVAL OF AGENDA AND DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST**

There were no potential conflicts of interest noted.

**CONSENT AGENDA**

Mayor Wolfe asked for a motion on the consent agenda. Councilor Ferraro moved to approve the consent; Councilor Phillips seconded the motion and it passed unanimously.

- a. Minutes from January 13 and 27, 2009

**NEW BUSINESS**

Jenny Strehler, Public Works and Transportation Director, presented the Intergovernmental Agreement with Eagle County for Support of ECO/Avon Joint Regional Transit Operations Facility. She noted that the IGA establishes the obligations of the Town and the County to work together to plan and design the ECO/ Avon Joint Regional transit Operations Facility. There was some discussion about the remedy to any disputed charges language in section 6: Invoicing. Councilor Ferraro moved to approve the Intergovernmental Agreement with Eagle County; Councilor Phillips seconded the motion and it passed unanimously.

**UNFINISHED BUSINESS**

Jenny Strehler, Public Works and Transportation Director, presented the Avon Public Works and Transportation Facility – Design Services Contract with a request to amend the professional services contract to CDM, Inc, to authorize work to proceed on design development phase for the Swift Gulch site. She noted that the work would result in a design development deliverable and supporting documentation which is critically needed at this time to support state and federal grant funding requirements and a necessary next step in the capital project. After some discussion Mayor Pro Tem Sipes moved to approve the Amendment to the Design Services Contract with CDM, Inc.; Councilor Ferraro seconded the motion and it passed unanimously.

**APPEALS FROM OR RECOMMENDATIONS OF PLANNING & ZONING COMMISSION**

**Mayor Wolfe noted that a Public Hearing** on Ordinance No. 09-02, Series of 2009, Second Reading, An Ordinance of the Town of Avon, Colorado, Repealing Chapter 17.14 and Enacting a New Chapter 17.14 of the Avon Municipal Code as an ordinance that proposes revisions to the Vested Rights in Chapter 17.14 of the Zoning Code of the Town of Avon and enacting a new chapter 17.14 to the Avon Municipal Code. The public hearing was opened.

- Mike Lindholm, Traer Creek Metro District, commented and disputed that the district was not in default of its agreement with the town
- Ruth Borne commented on three items as follows: the need for definitions for "development approval" and what constitutes a development approval under the code and the "forfeiture of vested rights" language.

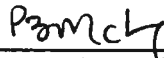
Specially Planned Area, Replat Number 2, Final Subdivision Plat of Wildridge. Councilor Dantas seconded the motion and it passed unanimously. It was noted that the issue would be resolved and the resolution would be scheduled for the next meeting.

**TOWN MANAGER REPORT**

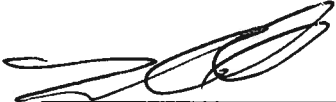



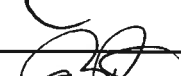

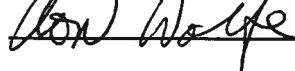
Town Manager Larry Brooks raised the topic of the land leased by Stone Creek Charter School. Discussion ensued about how to proceed with dialogue about the site in light of the approval of the rezoning for Swift Gulch and desire to move forward to obtain federal funding to assist with the Swift Gulch improvements to the public works and transit operations. There was consensus to have a discussion with the Stone Creek Board members. It was also noted by the Town Manager for the record that the town will need the land in order to move forward with improvements at the Swift Gulch location. Mayor Wolfe noted that he would have a conflict of interest on the topic because of his board role at the school and stepped down from further discussion. Councilor Dantas noted his support of the school and interest in having his children enroll there, asking if a conflict existed. None existed since he did not have an active role on the board. Further comments were made and everyone agreed that the discussion needed to be scheduled in the near future.

There being no further business to come before the Council, the regular meeting adjourned at 7:10 PM.

**RESPECTFULLY SUBMITTED:**

  
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Patty McKenny, Town Clerk

**APPROVED:**

Rich Carroll   
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Dave Dantas   
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Kristi Ferraro   
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Amy Phillips   
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Albert "Buz" Reynolds   
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Brian Sipes   
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Ron Wolfe   
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