

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL
HELD AUGUST 25, 2009**

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 5:30 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 Eric Heil, Town Manager Larry Brooks, Director Administrative Services Patty McKenny, Town Engineer Justin Hildreth, Planning Manager Matt Gennett, Assistant Town Manager Finance Scott Wright, Police Chief Brian Kozak, and Public Works and Transportation Director Jenny Strehler as well as members of the public.

INQUIRE OF THE PUBLIC FOR COMMENT AND APPROVAL OF AGENDA

Mayor Wolfe noted that the council updates would be included during the regular meeting.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST

There were no conflicts of interest noted at this time.

COMMUNITY INPUT

Susie Kincaid, Eagle County Coordinator for the Hidden Gems Program, presented a packet of materials to the Council. She noted that she would like to address the council about the entire program that includes protecting Summit, Eagle, Pitken County lands with a mission to protect 200K acres of pristine lands.

Peter Runyon, Eagle County Commissioners, commented on the grant application submitted for the construction of the airport interchange. He requested support from the towns in Eagle County and asked if the town would submit a letter of support for their grant application.

Carole Warren, submitted and read a letter with comments made by her on the examination of the booting ordinance.

Danita Chirichillo, Special Events/Fitness Supervisor, presented a Special Events Update on IronKids, taking place on September 5 & 6, 2009. A slide presentation was made on the details of the event.

CONSENT AGENDA

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

- a. Minutes from August 11, 2009
- b. Nottingham Puder Ditch Improvements Bid Award to Ewing Trucking and Construction, LLC (Jeff Schneider, Project Engineer) Recommend bid award to Ewing Trucking and Construction, LLC

RECOMMENDATIONS OF PLANNING & ZONING COMMISSION

Public Hearing on Stonebridge Planned Unit Development Amendment (Tract B, Filing 3, Eaglebend Subdivision)

Matt Gennett, Planning Manager, presented the PUD Amendment request from Richard Landy, the applicant, proposing to amend the zoning of a portion of Tract B, Filing 3, Eaglebend Subdivision. The tract of land is commonly owned by the Stonebridge HOA and is currently

zoned for "open space, landscape, drainage, pedestrian trails, and utilities." The proposal is to carve out a new lot ("Lot 20") from Tract B, thereby reducing the net open space for Filing 3, and zoning the new lot for one single-family dwelling unit. Gennett noted that the Planning and Zoning Commission recommended denial of this proposal to amend the zoning of an Eaglebend Subdivision tract of land. Mr. Landy presented information related to their Association's request for this change in the PUD. There was some discussion about water rights for the property. Sipes doesn't see that the application meets the bare minimum of completeness. Mayor Wolfe opened the public hearing and the following people commented:

- ◆ Chris Ekrum, Avon resident on EagleBend Drive at Lot 15, commented on numerous items which did not support the PUD request. She noted the water diversion pipeline along that property. She noted that the property has been kept as open space that exists in a functional state.
- ◆ Whitney Goulden, as well speaking on behalf of Elsa Rosenberg, resident of 2770 Eaglebend Drive, made numerous comments opposing the PUD request as outlined in her letter dated July 26, 2009 (included in the application materials).
- ◆ Dana Stevens, Stonebridge Homeowner, commented on the value of the open space area and the fact that the homeowner's would like to do something with the area.

The public hearing was closed. Council comments were heard at this time and there was no support for the PUD request and a motion was made. Councilor Ferraro moved to deny the Stonebridge PUD application based on the findings as outlined in the staff memo; Councilor Dantas seconded the motion and it passed unanimously. Chris Ekrum asked council if the Stonebridge association could benefit somehow by deeding the open space to Avon and in return would get some type of contribution as a tax benefit.

OTHER BUSINESS

Scott Wright, Assistant Town Manager Finance, presented 2010 Revenues Review of 2010 assumptions for major town revenues including sales taxes, accommodation taxes, building fees and recreation fees. He reviewed the following revenue aspects:

- ✓ revenue budget reductions as amended in the spring
- ✓ year to date revenue actuals for 2009
- ✓ explanations of the variances as compared to the amended 2009 budget
- ✓ revenue assumptions used for the 2010 budget
- ✓ property taxes and the impacts of the TABOR amendment on reducing the town's property tax mill levy rate; it was noted that if the mill levy rate were reduced, prior voter approval would be required to increase the mill rate to the prior level

Town Manager Larry Brooks commented on the analysis being conducted as it relates to future years and projections and impacts on property taxes collections.

Justin Hildreth, Town Engineer, presented 2010 Capital Improvement Program 5 - Year Plan Harry A. Nottingham Park Performing Arts Pavilion discussion. Based on a council request, staff presented the discussion by identifying the proposed location, construction and timing of a pavilion in Harry A. Nottingham Park and related CIP budget impacts. It was suggested that further research be completed that outlines all the other music venues offered in the valley. Some comments were made as follows:

- ◆ Doesn't have to be expensive
- ◆ Doesn't have to be permanent
- ◆ Doesn't have to be just music venues, but include other activities
- ◆ Could serve as a multi functioning stage

◆ Staffing and back of house operations

There was general direction to possibly build something in 2010; at the very least direct staff to continue researching the prospects of the pavilion.

Mayor Wolfe raised the council update topic of "Council Meeting Processes" and several comments were made:

- ❖ Allow people to speak at the podium
- ❖ Be more aware of others and their comments
- ❖ Have community development advise the appropriateness of whether or not to have Joint meetings with planning & zoning and answer what is appropriate for a joint meeting
- ❖ Supports the dialogue between members
- ❖ Keep the process somewhat informal
- ❖ Requested less interruptions of each other
- ❖ Joint meetings should be more directed with specific questions from the applicant

TOWN MANAGER REPORT

Town Manager Larry Brooks commented on the letter needed for the taps at the temporary public works site in order for the charter school to move forward.

TOWN ATTORNEY REPORT


Town Attorney Eric Heil noted that Community Development received a signed certificate from the property owner in Wildridge. The property owner has 60 days to cure. Discussion from CML about URA legislation and the my be more cooperative effort.

MAYOR REPORT

Mayor Wolfe presented an update on the approval of the Mountain Star Conservation Easement.

There being no further business to come before the Council, the regular meeting adjourned at 8:45 PM

RESPECTFULLY SUBMITTED:



 Patty McKerny, Town Clerk

APPROVED:

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

