

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
SPECIAL MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 4, 2022
6:00 P.M**

Call to Order. Mayor Forey called the regular Town Board Meeting to order at 6:00 P.M.

Roll Call. Mayor Sean Forey, Mayor Pro Tem Debora Jerome and Trustees David Wirtz, Katie Gill, Paul Sutton, Matt Schweich and Ryan Burris were present. A quorum was established

Staff Present. Gerald Dahl (Town Attorney), Kara Winters (Town Manager), Bill Vinelli (Chief of Police), Carrie McCool (Town Planner), Glendon Berrett (Town Engineer), Ariana Neverdahl (Town Clerk), Jon Manna (Commander), Joshua Sweeney (Patrol Sergeant), Michael Gordon (Patrol Sergeant), Ariana Isom (Patrol Officer), Adam Hanna (Patrol Officer), Martin Amezquita (Patrol Officer) and Byron Cline (Patrol Officer)

Amendments to Agenda. Items Mt. Falcon Feasibility Engineering Grant Work Session was added to the agenda under General Business.

Public to address the Board. Kathy Dichter, 109 Spring St. Dichter thanked Mayor Forey and Trustee members David Wirtz, Paul Sutton and Deb Jerome for their service on the Board. Dichter asked about the ballot question regarding the increased tax on marijuana and about the purchase of land for the water treatment plant. Town Manager Winters asked Dichter to call her regarding her questions.

Presentations and Hearings.

Morrison Inn. Sidewalk Service. Lindsay Frierson, General Manager for Morrison Inn. Frierson addressed the Board about Morrison Inn's application for Temporary Modification of premises for sidewalk service. Frierson informed the Board the sidewalk service would be from March to October. Frierson stated this will be utilized on weekends to help with the overflow for their back patio and signs will be posted stating where alcohol is permitted.

Mayor Forey suggested the dates April 4, 2022 to October 4, 2022 to be attached to the application.

Attorney Dahl informed the Board this application is renewed annually and the Board needs to include the range of service in their motion.

A motion was made by Trustee Burris to approve the Permit Application and Report of Changes for Morrison Inn to add sidewalk service conditioned upon executed license agreement and proof of insurance for the area. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Justin Clark-Special Review 905 Bear Creek Avenue.

Mayor Forey called the Hearing to order at 6:11 PM.

Mayor Forey swears in everyone providing testament for the Special Review.

Staff Report. Town Planner McCool reviewed the JR Clark Enterprises Special Review application with the Town Board highlighting the seven areas of criteria required for a Special Review application. Town Planner McCool mentioned to the Board the applicant anticipates increasing the occupancy to 576. Town Planner McCool informed the Board that the parking requirements in the Overall Development Plan (ODP) is one space per three seats based on square footage. Town Staff recommends a maximum occupancy of 119 based the requirements in the ODP. Town Planner McCool mentioned to the Board the Town's criteria for parking lot surfacing requires areas used for parking and maneuvering of vehicles should have durable dustless surfaces and maintained adequately for all-weather use. Town Staff voiced concern over the current gravel parking surface being all weather and recommended a more permanent surface such as asphalt or concrete. Town Planner McCool mentioned that the applicant anticipates off-site parking for events and will direct event-goers to the Town's Parking Map. Town Staff is concerned over pedestrian safety and mentioned this could promote parking along Bear Creek Avenue, Red Rocks Parks Road and on Highway 74. Town Planner McCool mentioned to the Board the increased event programming and occupant loads could result in nuisance impacts like noise and trespassing on adjacent properties.

Applicant Report. Justin Clark, 905 Bear Creek Avenue. Clark addressed the Board regarding his Special Review Application. Clark mentioned he spoke with his architect and interpreted the code differently than Town Staff. Clark stated based on his interpretation of the code, it allows for an occupancy for 299. Clark informed the Board they will add a third exit for safety measures. Clark stated his intention is not to use the building for 500 people and will reduce the occupancy to 299. Clark said he intends on using both outdoor and indoor settings for events. Clark told the Board that he does not intend to have 300 events his first year but wants to build a slow sustainable growth in events. Clark mentioned the off street parking in the application was clerical error, and he will discourage event-goers from parking along the Highway 74. Clark informed the Board his gate is in compliance with the fire department. Clark also informed the Board the lighting will be updated and will be in line with the Town's requirements. Clark stated he feels differently from the Town on the gravel parking lot surface being all weather use. Clark suggested a phase plan to address the parking lot over time. Clark told the Board signage plans will be submitted at a later date.

Public Comment. Town Manager Winters entered into record an email from Town resident Micelle Gadd, 107 Bear Creek Lane.

Kathy Dichter, 109 Spring St. Dichter voiced her support for Justin Clark and bringing back the wedding chapel.

Lynette Kirkhan, 505 Bear Creek Ave. Kirkhan owner of Morrison Liquors voiced her support for the wedding chapel.

Mayor Forey closed the Public Hearing at 7:08 PM.

Board Discussion.

Trustee Sutton asked if the Board can legally approve the application based on the occupancy. Town Planner McCool told the Board the Building Official could not sign off on the code analysis based on safety issues.

Trustee Gill asked Clark about the uses on the application and asked that Clark define what he means by general get togethers and gaming events. Clark told the Board that gaming can include both casino nights and professional video game nights. Clark stated it is hard to say exactly what his business events will be.

Trustee Schweich asked Clark about traffic coming from Red Rocks Amphitheatre. Clark informed the Board he will have staff present to manage traffic flow in and out of the intersection.

Trustee Schweich mentioned there are dust preventing products that can be used to help minimize the dust from the gravel lot. Clark told the Board he will minimize the dust but adding asphalt will be a high cost and create a lot of heat on the surface.

Trustee Burris mentioned increasing the occupancy will create more dust but the applicant does not want to improve the parking lot and would like to find a compromise.

Trustee Gill agreed with people wanting the Wedding Chapel back but voiced concern over the other uses proposed in the application. The other uses may have an adverse impact on the character of the area. Trustee Gill stated that the event center would be great for people attending but could lower the quality of life for residents, near the event center. Trustee Gill voiced concern over pedestrian safety and does not want to encourage people to cross the highway. Trustee Gill States she was comfortable with an occupancy of 119.

Trustee Wirtz voiced concern over the noise of the events. If alcohol was served it could increase the noise level.

Trustee Gill asked how the other Board members feel about the additional uses listed in the application. Trustee Schweich stated he was more concerned with the noise level, occupancy and parking more than the particular event.

A motion was made by Trustee Sutton to continue review and continue the JR Clark Special Review Hearing to May 3, 2022 with further plans submitted on occupancy, parking and outside amplified noise. The motion was seconded by Trustee Schweich. All members present voted aye. The motion carried.

Bear Creek Development- Special Review 211 Bear Creek Avenue.

Mayor Forey called the Hearing to order at 7:28 PM.

Mayor Forey swears in everyone providing testament for the Special Review.

Staff Report. Town Planner McCool reviewed the Bear Creek Development Special Review application with the Town Board highlighting the seven areas of criteria that are required for a Special Review application. Town Planner McCool stated the Town needs further documentation from the applicant regarding cross connection with the Town's water supply and traffic circulation in the alley.

Applicant Report. Jeff Bradley addressed the Board and stated there is no cross connection to the Town's water supply. Bradley informed the Board that there will be a total of four traffic counts per day and parking is available behind 211 Bear Creek and across the street. Bradley stated there will be no full time employee. Bradley asked the Board to look at the application and decide on approval based on its merits.

Public Comment. Kathy Dichter, 109 Spring St. Dichter voiced concern over trucks coming in and out of the alley and the ventilation system of 211 Bear Creek Avenue. Mayor Forey closed the Public Hearing at 7:49 PM.

Board Discussion.

Trustee Wirtz asked if the water will be bottled offsite. Bradley informed the Board the water would be bottled onsite.

Mayor Forey asked how many trucks would be coming in and out of Town per day and how long the trucks would be in Town. Bradley informed the Board that he will limit the hours of the deliveries to the am hours before noon.

Trustee Sutton asked if there is any mix of water with the Town's water. Bradley informed the Board there is no cross connection.

Trustee Schweich stated it's difficult to see the plumbing map and suggested putting the plans together for review. Bradley told the Board he does not want the plans on the same drawing and will provide the Town with updated drawings.

Town Engineer Berrett informed the Board that Town Staff has requested plans that show what each system is doing and stated Town Staff can do a post-production inspection.

Trustee Schweich asked where the brine goes. Bradley stated the brine goes off site.

Trustee Wirtz asked if a leak were to happen, does the water fall into the Town's waste water. Bradley informed the Board the plumbing system is not hooked up to the Town's waste water.

Trustee Sutton asked when the water gets tested by an agency. Bradley informed the Board that he is not sure the frequency of the testing but he does have an FDA license.

Trustee Schewich stated he likes the new business idea but does not have enough information to approve the application.

Trustee Gill asked for more information regarding the process of the brine and evaporation as well on how big the delivery trucks will be.

Trustee Gill made a motion to continue the Special Review hearing to May 17, 2022. The motion was seconded by Trustee Wirtz, All members present voted aye. The motion carried.

Mayor Forey left the meeting at 7:55 pm.

General Business.

BRIC Grant. Town Manager Winters reviewed the BIRC Grant with the Town Board.

Trustee Gill asked about the scope of the project and if the Town should write material eligible for further grants for infrastructure. Town Manager Winters informed the Board all items in a mitigation plan are prioritized to get funding.

A motion was made by Trustee Schweich

Policy Implementation of Ordinance NO. 510. Town Attorney Dahl reviewed the Implementation Policy for Ordinance NO. 510 with the Town Board and suggested two additions. One, accept applications on May 17, 2022. Two, one application for each parcel of land.

Trustee Sutton suggested all applications turned in on May 17th be entered into the lottery. Trustee Schweich suggested setting hours for when applications can be turned in for the lottery.

Town Manager Winters suggested 10:00am to 4:00pm.

Town Manager Winters informed the Board that the fees are based on what the State will allow the Town to charge. Town Staff will bring back the fee schedule for the Board to approve at the next Board meeting.

A motion was made by Trustee Sutton to approve the written policy for implementation of Ordinance NO. 510 Retail Marijuana Store Licenses and the Marijuana Licensing Fees at a rate of \$2,500.00 Application Fee and \$2,000.00 License Fee based on the State of Colorado's Local Fee schedule, with the suggested corrections by the Town Board. Trustee Gill seconded the motion. All members present voted aye. The motion carried.

Taser Purchase. Town Manager Winters informed the Board that the current tasers for the Police Department are no longer working and Chief Vinelli got a quote to pay for new tasers over the next five years. The Police Department can pay this year's amount in the existing budget.

A motion was made by Trustee Schweich to authorize Town Manager to sign the agreement with Azon for the purchase of ten tasers in the amount of \$33,120.02 paid for over the next five years. The motion was seconded by Trustee Jerome. All members present voted aye. The motion carried.

Special Detail Agreement for Police Officers- Town of Lakeside. Town Manager Winters explained this is an agreement with the Morrison Police Department and the Town of Lakeside's Police Department to assist with Red Rocks and Bandimere events.

A motion was made by Trustee Schweich to approve the special detail assignment agreement for Police Officers with the Town of Lakeside. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Special Detail Agreement for Police Officers- Red Rocks Community College. Town Manager Winters explained this is an agreement with the Morrison Police Department and Red Rocks Community College Police Department to assist with Red Rocks and Bandimere events.

A motion was made by Trustee Schweich to approve the special detail assignment agreement for Police Officers with the Red Rocks Community College. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Special Detail Agreement for Police Officers- Town of Mountain View. Town Manager Winters explained this is an agreement with the Morrison Police Department and the Town Mountain View's Police Department to assist with Red Rocks and Bandimere events.

A motion was made by Trustee Burris to approve the special detail assignment agreement for Police Officers with the Town of Mountain View. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Morrison Police Department Start Date May 1, 2022. Chief Vinelli informed the Board that the Police Department will be starting again May 1, 2022. The Police Department will work from 6:00am to 2:00am and Jefferson County will work from 2:00am to 6:00am.

A motion was made by Trustee Schweich to authorize the Town Manager and the Police Chief to notify Jefferson County Sheriff's Office (JCSO) that Morrison Police will begin servicing the Town starting May 1, 2022 from 6:00am to 2:00am daily and revise the intergovernmental Agreement for JCSO to service the graveyard shift from 2:00am to 6:00am. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Resolution 2022-03- Appreciation to Aggregate Industries. Chief Vinelli informed the Board

that he reached out to Aggregate Industries to help out the Morrison Police Department. Aggregate Industries graciously donated five vests to the Morrison Police Department.

A motion was made by Trustee Sutton to adopt Resolution 2022-03 A Resolution of the Town of Morrison, Colorado Expressing Appreciation to Aggregate Industries. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.

Personnel Policy Revisions. Town Manager Winters informed the Board that based on new laws that have been passed, the Town updated the Personnel Policy Handbook.

A motion was made by Trustee Gill to approve the Town of Morrison Personnel Policies dated April 2022. The motion was seconded by Trustee Burris. All members voted aye. The motion carried.

Clean up Days. Town Manager Winters told the Board she talked with Public Works Director Fouts to schedule clean up days for Town residents.

The consensus of the Board was to schedule clean up days for Town residents on April 30th and May 1st.

Mt. Falcon Feasibility Work Session. Town Manager asked the Board to set a date for a work session to discuss the Mt. Falcon Feasibility Engineering Grant.

The consensus of the Board was to schedule the work session for Monday, April 18th at 6:00pm.

Departmental Reports.

Parking. No oral report.

Police Department. Chief Vinelli introduces the new officers for Morrison to the Town Board. Chief Vinelli thanks the Town Board for the purchase of the new tasers.

Trustee Burris asks Chief Vinelli if the Police Department will offer public trainings such as first aid. Chief Vinelli told the Board he plans to be active in the community once the department is up and running.

Trustee Jerome voiced her gratitude for Chief Vinelli and the new officers.

Public Works. No oral report.

Town Manager. Town Manager Winters gave the Board an update on on the Traffic Control Agreement with Denver.

Town Attorney. No oral report.

Consent Agenda.

A motion was made by Trustee Sutton to approve the Consent Agenda for April 4, 2022. The motion was seconded by Trustee Schweich. All members present voted aye. The motion carried.

Board Comments.

- Trustee Wirtz asked Chief Vinelli if the Morrison Police Department can keep an eye on the reservoir. Chief Vinelli informed the Board they have added the reservoir as a round to each officer's shift.
- Trustee Sutton voiced his gratitude for the Morrison Police Department.
- Trustee Sutton congratulated Town Manager Winters on the Red Rocks Traffic Control Agreement.
- Trustee Schweich mentioned not wanting half completed special review applications to be presented to the Board and asked that Town Staff help applicants understand the application process. Town Manager Winters informed the Board that this is the first time applicants have requested a hearing with an incomplete application.
- Trustee Gill provided an update on the Bear Creek Feasibility Study. Trustee Gill mentioned bringing a resolution to the Town Board to formally express public opposition to the park expansion.
- Trustee Jerome thanked the Town Board and Town Staff for being amazing to work with during her time as a board member.

Executive Session.

Trustee Gill moved to go into executive session for a conference under Charter Section 3.4 and Section 24-6-402(4)(b) and (f), C.R.S. with the Town Attorney, Town Manager, special counsel to the Town and appropriate staff to receive legal advice and instruct negotiators regarding water treatment plant site purchase contract. The motion was seconded by Trustee Schweich; motion approved unanimously.

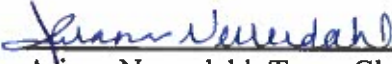
Adjournment. Mayor Pro Tem Jerome adjourned the regular Town Board Meeting at 9:05 pm.



TOWN OF MORRISON


Sean Forey, Mayor

ATTEST:


Ariana Neverdahl, Town Clerk