

**TOWN OF MORRISON BOARD OF TRUSTEES
MORRISON TOWN HALL, 110 STONE STREET
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, JULY 5, 2022
6:00 P.M**

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

Roll Call. Mayor Chris Wolfe, Mayor Pro Tem Katie Gill, Trustees David Wirtz and Adam Way, Matt Schweich, Paul Sutton and Sean Forey were present. A quorum was established.

Staff Present. Kara Winters (Town Manager) Gerald Dahl (Town Attorney), Bill Vinelli (Police Chief) and Ariana Neverdahl (Town Clerk)

Amendments to the Agenda. Agenda Item 5.a Board of Appeal Hearing was moved to Agenda Item 6.d under General Business.

Public to Address the Board. None.

General Business.

Recreational Cannabis. Town Manager Winters reviewed correspondence the Town has received regarding the property MU-CO zoning in the Town approved for a retail marijuana establishment. Town Manager Winters informed the Board various companies have stated landowners will not do business with cannabis companies.

Trustee Sutton asked if the Town owns land that could be leased for a retail marijuana establishment. Town Manager Winters informed the Board the Town owns property that could be leased.

Mayor Wolfe mentioned the property is right by the Red Rocks Ranch development.

Trustee Way mentioned if it's a possibility to lease the property the Town should look into it.

Trustee Way asked if the only way to access the lot is through the Red Rocks Rand Development. Town Manager Winters said it was.

Trustee Forey suggested that the Board members drive by the lot of land to see exactly where it is in connection the Red Rocks Ranch development.

Trustee Gill mentioned that she would be reluctant to allow the retail marijuana establishment on the land because of the close proximity to the Red Rocks Ranch Development.

Trustee Sutton mentioned that is it in the best interest of the Town to consider leasing the land.

Town Manager Winters mentioned to the Board that there is land located off C470 that could be purchased and annexed into the Town. Trustee Gill asked if anyone was interested in the property. Town Manager Winters mentioned to the Board that the cost of purchasing the land and building the infrastructure is high.

Trustee Forey mentioned to the Board a retail marijuana establishment would bring in a lot of revenue to the Town and suggested the Board go and look at the property before making a final decision.

Trustee Gill asked if the property can be accessed off of McIntyre. Town Manager Winters informed the

Board that you can access the property from McIntyre.

The consensus of the Board was to have Town Staff send out a map of the area and for the Town Board to visit the property.

First Amendment to Intergovernmental Agreement for Law Enforcement Services-JCSO. Town Manager Winters reviewed the first amendment and stated Jefferson County Sheriff's office will cover the Town from 2:00am to 6:00am.

Trustee Gill asked about Section 2.7 of the agreement regarding the designated representative of the Board of Trustees. Town Manager Winters informed the Board the Chief Vinelli is the representative for the Town.

Trustee Sutton asked if Town Manager Winters can also be notified if the Morrison Police Department fails to respond to a call during their hours of coverage. Town Manager Winters stated she will ask to be copied on email sent to Chief Vinelli about calls the Morrison Police Department does not respond to.

Chief Vinelli informed the Board that the Police Department has never missed a call during their hours of coverage.

Trustee Way made a motion to approve the First Amendment to Intergovernmental Agreement between Jefferson County Sheriff's Office and the Town of Morrison, and direct the Mayor and Town Clerk to sign the Amendment. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Second Amendment to Agreement for Purchase and Sale of Real Property- Esphahanian. Town Attorney Dahl reviewed the Second Amendment of the Agreement for purchase and sale of real property with the Town Board.

A motion was made by Trustee Gill to approve the Second Amendment to the Agreement of Sale of Real Property between Cyrus Esphahanian and Jeanne Reneau and the Town of Morrison, and to direct the Mayor and Town Clerk to sign the Amendment. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.

Trustee Schweich entered the meeting at 6:28PM

Presentations and Hearings.

Board of Appeal- Bradley Engineering & Construction Company, 300 Bear Creek Avenue.

The Board convened as the Board of Appeals at 6:28 PM.

Town Attorney informed the Board that there will be no further testimony during the hearing.

Town Attorney Dahl asked Trustee Forey if he was present at the prior hearing and if he had reviewed the prior hearing material and listened to the recording. Trustee Forey stated he had not reviewed or listened to the prior hearing material and recused himself from the hearing.

Town Attorney Dahl asked Trustee Gill if she was present at the prior hearing and if she had reviewed the prior hearing material and listened to the recording. Trustee Gill stated she was not present at the last hearing but has reviewed and listened to all the prior hearing material. Town

Attorney Dahl stated Trustee Gill is fully informed to participate and make a fair decision.

Town Attorney Dahl asked Trustee Sutton and Trustee Schweich whom attended the last meeting by phone if they both reviewed the materials Bradley submitted at the prior hearing. Trustee Sutton and Trustee Schweich stated yes they attended by phone and reviewed the documents submitted by Bradley. Town Attorney Dahl stated Trustee Sutton and Trustee Schweich are fully informed to participate and make a fair decision.

Trustee Gill stated that our permits do not state a deadline and asked why Bradley did not provide the Town with the documentation showing work was being done on the permit. Trustee Gill stated the Town sent Bradley notices that the permit was expired and he had several opportunities to provide the Town prior to the Hearing with documentation that work was being done.

Trustee Schweich stated the code does not say an inspection is needed after 180 days. Trustee Schweich also stated that Bradley did have multiple opportunities to submit documentation that work was being done.

Trustee Gill mentioned the 2021 Permit would have to follow the guidelines of the Old Town Historic Overlay and stated she agreed with what the applicant had submitted on the application. Trustee Gill stated that it would not set a good precedent to uphold the 2018 building permit and suggested approving the 2021 permit with direction to Town Staff on approving the Old Town Overlay District application.

Trustee Wirtz stated the code does not say that an inspection is required and suggested the Town add it to the code.

Trustee Sutton mentioned that the Town sent four letters saying that the permit was expired.

Trustee Way stated that the code does not say an inspection is required every 180 days but a permit should not be active for four years.

Trustee Gill stated that the amount of work the timesheets said was completed would normally require an inspection.

Mayor Wolfe stated that Town Planner McCool said the amount of work Bradley said was completed on the permit should have generated an inspection.

Mayor Wolfe stated the Board needs to make a decision based on the evidence that was presented to the Board.

Trustee Sutton stated upholding the 2018 permit was setting a bad precedent and suggested Bradley apply for a new permit.

A motion was made by Trustee Sutton to uphold Town Manager Winters decision to affirm the Town Planner decision that building permit 2018MORR-00006 was expired because there was no inspection made in 180 days. The motion was seconded by Trustee Gill. Trustees Gill and Sutton voted aye. Trustees Schweich, Wirtz and Way voted nay. Mayor Wolfe did not vote. The motion failed by a vote of two ayes and four nays.

A motion was made by Trustee Schweich to reverse Town Manager Winters decision to affirm the Town Planner's decision that building permit 2018MORR-00006 was expired

because no inspection was made in 180 days for the reason that the code does not presently require an inspection every 180 days. The motion was seconded by Trustee Way. Mayor Wolfe and Trustees Schweich, Way and Wirtz voted aye. Trustees Gill and Sutton voted nay. The motion carried by a vote of five ayes and two nays.

Mayor Wolfe adjourned the hearing at 6:53 PM.

Departmental Reports.

Public Works. Trustee Way mentioned he had smelled the waste coming from Red Rocks Amphitheatre. Town Manager Winters stated the Town will look at changing the charcoal filters.

Trustee Way voiced his gratitude to the new Streets and Grounds employees.

Town Manager. Town Manager Winters told the Board that she will work Town Attorney Dahl on updating the building code to require inspections every 180 days.

Town Manager Winters informed the Board that the budget process calendar will be included in the next Board Meeting Packet.

Town Manager Winters informed the Board that the hearings on 101 South Park have been set and will be on the August 2nd Agenda.

Mayor Wolfe asked Town Manager Winters how the CML conference went. Town Manager Winters told he Board the training went well and recommended the Board attend the conference in the future.

Mayor Wolfe suggested having the Board retreat at the same time of the CML conference next year.

Town Attorney. No oral report.

Consent Agenda.

Trustee Gill asked about the amount of money being spent on the survey for the new water plant and stated that the current surveyor may not be the best fit for the Town. Town Attorney Dahl informed the Board that a portion of the amount is due to the fact that Jefferson County has provided the Town with comments which has led the Town to resubmitting plans to the County more than once. Town Manager Winters stated that the Town has done at least four resubmittals to the County.

Trustee Gill asked about the BRIK Scoping Grant, if it is the same as the Safer Main Street Grant. Town Manager Winters informed the Board the payment is for drafting RFQ for the Scoping Grant.

A motion was made by Trustee Schweich to approve the Consent Agenda for July 7, 2022. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.

Board Comments.

Trustee Wirtz mentioned the no fishing sign by the reservoir is gone. Town Manager Winters informed the Board that the Town will replace the sign.

Executive Session.

Trustee Way 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, and appropriate staff to receive legal advice and instruct negotiators concerning the Intergovernmental Agreement with Denver for water treatment plant and under Charter Section 3.4 and Section 24-6-402(4)(f), C.R.S. with the Town Attorney to conduct the annual review of the Town Manager. The motion was seconded by Trustee Sutton; motion approved unanimously.

The executive session was concluded at 9:10pm and the Board returned to the open meeting.

Trustee Forey made a motion to approve 10% increase in the Town Manager's salary. Effective at the next Town employee pay period. The salary not to include COLA or other automatic adjustments. The motion was seconded by Trustee Schweich. All members present voted ae. The motion carried.

Adjournment. Mayor Wolfe adjourned the regular Town Board Meeting at 9:11 P.M.



ATTEST:

Ariana Neverdahl
Ariana Neverdahl, Town Clerk

TOWN OF MORRISON

Chris Wolfe
Chris Wolfe, Mayor