

**TOWN OF MORRISON BOARD OF TRUSTEES  
MORRISON TOWN HALL, 110 STONE STREET  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
TUESDAY, SEPTEMBER 5, 2023  
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, Trustees Katie Gill, Sean Forey, David Wirtz, Trustee Sutton, and Adam Way were present. Trustee John Leonard was absent. A quorum was established.

**Staff Present.** Austin Flanagan (Town Attorney), Kara Winters (Town Manager), Chief Vinelli (Chief of Police), Ariana Neverdahl (Town Clerk), and Courtney Christensen (Deputy Town Clerk)

**Amendments to the Agenda.** Town Manager Winters added Utility Truck Purchase and Blue Line Solutions Update under General Business.

Mayor Wolfe welcomed new Town Attorney Austin Flanagan.

**Presentations and Hearings.** None.

**General Business.**

**Appointment of Alternate Planning Commissioners.**

**A motion was made by Trustee Gill to appoint Shari Raymond and Ambria Shorb as alternate members to the Planning Commission. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.**

Trustee Gill asked why the Planning Commission appoints two alternate members. Town Attorney Flanagan stated that appointing alternate members to the Planning Commission allows for a full quorum of the Commission to be three members.

**Jefferson County Red Rocks Commercial Application-Referral Response.** Town Manager Winters stated the Property Owner of the Commercial Portion of Red Rocks Centre submitted an application to Jefferson County for an ODP Amendment to change the zoning to allow a sports complex. Town Manager Winters asked the Board if they had any edits to the referral response drafted by Town Planner McCool.

Trustee Wirtz asked if the subject property is a part of the Town of Morrison and if the Town would receive sales tax from a commercial development. Town Manager Winters stated the Town has a 1% Public Improvement Fee on the subject property. Town Manager Winters also stated the Town is on Jefferson County's referral list as an adjacent property owner.

Trustee Sutton stated the proposed athletic field would reduce the amount of revenue the Town would receive.

**A motion was made by Trustee Way to approve the written Referral Response to Jefferson County Planning and Zoning Department regarding the Preliminary Application Red Rocks Centre ODP Amendment and Potential Subdivision of Vacant Land Known as Block 15, Lot 1, and Tract cc of Red Rocks Filing No. 2 without changes. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.**

Trustee Gill thanked Town staff for their work on the referral response and stated the current application does not align with what the Town would like on the property. Town Manager Winters stated residents of the Town can attend the public hearings regarding the application to voice their concerns.

**Firefighter Appreciation Event-Dinosaur Ridge.** Town Manager Winters stated Dinosaur Ridge is hosting an Appreciation Event for the Firefighters who helped fight the Hogback Fire. Dinosaur Ridge asked if the Town would like to participate in the event.

The consensus of the Board was to donate \$1,000.00 to the event and request that the Morrison Natural History Museum be involved.

**Police Department Vehicle Purchase.** Town Manager Winters stated that the Police Department is requesting a new vehicle purchase for the 2024 Budget.. The Town received approximately \$80,000.00 in insurance money from the hail damage to police vehicles. A portion of the insurance money will be used for vehicle repairs. The Police department is requesting the remaining funds be spent towards a new vehicle totaling \$73,000.00.

Trustee Gill asked if the \$80,000.00 in insurance money was only for damaged vehicles. Town Manager Winters stated the \$80,000.00 is only the Police Department's portion for vehicle damage. Town Manager Winters further explained that the Town can spend the vehicle insurance money as they see fit. The insurance portion for the building damage is to spent on repair and the Town will receive the depreciation value if the work is completed.

Trustee Gill asked how many police vehicles were damaged due to the hail. Chief Vinelli stated at least seven police vehicles were damaged in the hail storm.

Trustee Way requested the Police Department park their vehicles inside the Town garages if another hail storm occurs. Chief Vinelli stated the vehicles that received significant damage were cars that were out on duty.

Trustee Wirtz asked how much the Town will need to pay for the new vehicle after the insurance amount. Chief Vinelli stated after the vehicle's repairs the Town will need to pay \$3,000.00 towards the new vehicle.

Trustee Sutton stated there was no "Staff Recommendation" on the Board Action Form and asked Town Manager Winters if she was neutral on the new vehicle purchase. Town Manager Winters stated that she was neutral on the new vehicle purchase.

Trustee Wirtz asked where the insurance funds would go if it is not spent on a new vehicle. Town Manager Winters stated the insurance funds would go into the Town's General Fund.

**A motion was made by Trustee Wirtz to authorize the Town to purchase a Chevrolet Tahoe Police vehicle for 2024 in the amount of \$73,000.00 completely upfitted. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.**

**Police Officer Academy Sponsorship.** Chief Vinelli stated that Part-Time Code Enforcement Officer Eddie Jones expressed interest in being a Police Officer with the Town of Morrison. Chief Vinelli is requesting that the Town sponsor Jones through the Jefferson County Sheriff's Office Academy in January 2024. The total cost for the academy is \$7,500.00. Chief Vinelli explained that if the Board were to sponsor Jones, he would sign an employment contract to work for the Town of Morrison for 36 months. If he were to leave before the contract agreement, he would pay back the Town the cost of the

academy.

Trustee Sutton asked if the Town sponsors him and provides him with a job does it violate equal employment opportunities. Chief Vinelli stated it would not because Jones is a current employee.

**A motion was made by Trustee Forey to authorize the Town of Morrison to approve paying the sum of \$7,500.00 to sponsor Eddie Jones through the Jefferson County Academy, in January of 2024. Tuition will be paid out of the 2024 budget if approved. The motion was seconded by Trustee Sutton. All members present voted aye. The motion carried.**

Trustee Sutton requested the Town name the sponsorship a “Fellowship Program.”

**Blue Line Solutions.** Chief Vinelli provided the Board with an update on Blue Line Solutions. The program would be a sixty/forty split with no upfront cost to the Town. Blue Line Solutions would conduct a five-day speed study at various locations and would process the CDOT permits. Blue Line Solutions recommended the Town begin with a speed trailer and start the program with a 30-day warning period.

Mayor Wolfe asked if Blue Line Solutions sends out the citations for the town. Chief Vinelli stated Blue Line Solutions issues the citations and collects the fees.

Chief Vinelli also stated that the Flock Cameras will tie into the speed cameras, and notify the police department if a driver has a warrant or if the vehicle is stolen.

Trustee Gill requested the Town provide CDOT with the data collected from the Town’s radar speed sign in addition to the speed study conducted by Blue Line Solutions. The data submitted to CDOT can be from any time within the last five years, submitting the additional data will illustrate the ongoing issues the Town has had with speeding.

Trustee Gill also requested the Radar Speed sign collect data from Highway 8. The community has expressed concern over speeding along Highway 8.

**A motion was made by Trustee Sutton to authorize the Town Manager to work with the Town Attorney on the contract with Blue Line Solutions for Board approval. The motion was seconded by Trustee Wirtz. All members present voted aye. The motion carried.**

Trustee Wirtz asked if all flock cameras have been installed. Chief Vinelli stated that CDOT approved the permit and the Town should receive the remaining Flock Cameras within the next week.

**2024 Draft Budget.** Town Manager Winters stated this is the first submittal of the 2024 Draft Budget, the Board will begin reviewing specific departments at the upcoming Board meetings.

Trustee Gill asked about the Police Department's Staffing Summary. Town Manager Winters stated she would review the Police Department’s Staffing Summary with Chief Vinelli and make any necessary corrections.

Trustee Wirtz asked about the Staffing Summary for the Administrative Assistant. Town Manager Winters stated Town Staff will review the Staffing Summary in the Budget.

**Utility Vehicle Purchase.** Town Manager Winters stated a Utility Department vehicle was recently totaled in an accident. The Utility Department needs an additional vehicle and the Public Works Director is requesting a purchase of a new vehicle for \$47,000.00 the cost of the vehicle will be covered by the

insurance.

**A motion was made by Trustee Gill to approve the purchase of a utility truck not to exceed the amount of \$53,000.00. the motion was seconded by Trustee Way. All members present voted aye. The motion carried.**

#### **Departmental Reports.**

**Parking.** No oral report.

**Public Works.** Trustee Gill stated she had been tracking the water usage from Red Rocks Amphitheatre and stated the usage has significantly increased from when the taps were originally sold to the Amphitheatre. Trustee Gill stated she would like the Board to keep this in mind when discussing the Budget for the Water Department. Trustee Gill asked if there is a way for the Town to require Red Rocks Amphitheatre to purchase more Taps due to the increase volume of use. Town Manager Winters stated the Town does have a provision in the contract to require the Amphitheatre to purchase an additional Taps if needed.

Mayor Wolfe stated that Daniel Lamont started as the new Streets, Grounds, and Building Director on September 1, 2023. Mayor Wolfe requested Lamont attend the meeting to discuss the Streets and Grounds budget and introduce himself to the Board.

Trustee Gill informed the Board that Streets, Grounds, and Building Director Lamont will be working with Jim Gill on quotes to repair the Spring Street Bridge.

**Museum.** Trustee Gill asked that the Museum staff come in to meet the Board of Trustees at an upcoming meeting.

Mayor Wolfe suggested adding in the Hogback that Town residents receive free admission to the Museum.

#### **Town Manager.**

- i. **Xcel EV Fleet Program.** Town Manager Winters asked the Board for direction on the EV Xcel Program. The Consensus of the Board was to move forward with the EV Program.
- ii. **Town Hall/Town Office/Town Shop 2 Hail Repair-Reroof and Paint Colors.** Town Manager Winters provided the Board with an update on the upcoming repairs to Town facilities due to significant hail damage.

Town Manager Winters informed the Board there will be a workshop on Board Policies and Procedures on September 19, 2023, from 5:00-6:00 PM. Trustee Gill requested that if the Board does not have a full quorum the workshop be moved to a later date.

**Town Attorney.** No oral report.

#### **Consent Agenda.**

**A motion was made by Trustee Gill to approve the Consent Agenda for September 5, 2023. The motion was seconded by Trustee Way. All members present voted aye. The motion carried.**

**Board Comments.** Trustee Gill voiced concern over the new EPA regulations for PFAS chemicals in

water. Trustee Gill stated that the state could require municipalities to use GAC filters. Trustee Gill stated her concern was the new water treatment would be built without the new required filters and the Town would then have to pay to update the water treatment plant. Trustee Gill suggested negotiating this in the restated Mt. Carbon IGA. Town Manager Winters stated the Town has already submitted a test for PFAS Chemicals. Town Engineer Berrett is currently reviewing the results. Depending on the results Town Staff will bring more information to the Board for discussion.

**Public to Address the Board. Jamee Chambers, 207 Bear Creek Lane.** Chambers asked the Board about their discussion regarding the Alternate Planning Commissioners. Town Manager Winters stated the Board reappointed two Alternate Planning Commissioners. The reason for appointing two alternate commissioners is to keep the Planning Commission quorum at three members.

**Executive Session.**

**Trustee Way moved to go into executive session for a conference under Town Charter Section 3.4 and C.R.S. § 24-6-402(4) (e) (I) with the Town Attorney, Town Manager, and appropriate staff to receive legal advice and to instruct negotiators regarding three different subjects: (1) the lease and use of Town owned property; (2) Xcel Lighting on C470; and (3) sales tax sharing agreement. The motion was seconded by Trustee Sutton; the motion was approved unanimously.**

Mayor Wolfe reconvened the open meeting at 8:21 p.m.

**Ordinance No. 537- LivWell Due Diligence Extension.**

Trustee Way stated that he along with other members of the Board may have underestimated the amount of time that was necessary to complete this agreement. Trustee Way stated that he felt LivWell was negotiating in good faith.

Trustee Gill stated that she would need to receive supporting documentation from LivWell within the next 30 days if the extension is granted.

Mayor Wolfe suggested reducing the extension from 120 days to 60 days.

Trustee Forey suggested reducing the extension to 60 days and having Town Staff start the contract negotiations.

Trustee Gill stated if the Board does decide to extend the due diligence period, she would like the communication from LivWell to be with the whole Board. Trustee Gill stated she felt the prior Town Attorney would relay contradicting information from members of the Board. Town Manager Winters stated that has been resolved Town Staff and the Board Members' negotiating with LivWell will meet as a group moving forward.

Trustee Gill stated that she would prefer a 45-day extension. Trustee Gill stated that she would like a commitment from LivWell on the terms of the lease.

Trustee Sutton stated that LivWell cannot commit to the lease until the due diligence period is over.

Trustee Sutton suggested that they present any uncertainties to the Town as they come across them to show good faith in negotiating.

Town Attorney Flanagan stated that neither the Town nor LivWell will sign the contract until the CDOT Permit is approved.

Trustee Gill stated if the Town grants a 60-day extension she would like to see their estimated numbers in the interim. Town Manager Winters stated that she has a note to ask them for their estimated revenues.

**A motion was made by Trustee Way to approve Ordinance No. 537- AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 525, WHICH APPROVED THE LEASE OF TOWN-OWNED REAL PROPERTY, TO EXTEND THE LEASE'S DUE DILIGENCE PERIOD TO JANUARY 2, 2024. The Motion was seconded by Trustee Forey. The motion was failed by a vote of two ayes and four nays. Mayor Wolfe and Trustees Gill, Sutton, and Wirtz voted nay.**

**A motion was made by Trustee Forey to approve Ordinance No. 537- AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 525, WHICH APPROVED THE LEASE OF TOWN-OWNED REAL PROPERTY, TO EXTEND THE LEASE'S DUE DILIGENCE PERIOD BY SIXTY DAYS. The Motion was seconded by Trustee Way. The motion was failed by a vote of three ayes and three nays. Mayor Wolfe and Trustees Gill, Sutton, and voted nay.**

Trustee Sutton stated he would have voted for the 120-day extension but feels that LivWell has not been forthcoming.

Trustee Forey stated that this is a business deal and it will take time to complete.

Town Attorney Flanagan stated that it is not uncommon for businesses to ask for an extension based on waiting for CDOT's approval.

**A motion was made by Trustee Sutton to approve Ordinance No. 537- AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 525, WHICH APPROVED THE LEASE OF TOWN-OWNED REAL PROPERTY, TO EXTEND THE LEASE'S DUE DILIGENCE PERIOD BY SIXTY DAYS. The Motion was seconded by Trustee Way. All members present voted aye. The motion carried.**


**Adjournment.** Mayor Wolfe adjourned the regular Town Board Meeting at 8:42 P.M.



TOWN OF MORRISON

  
Chris Wolfe, Mayor

ATTEST:

  
Arjana Neverdahl, Town Clerk