

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, , 2010

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Dave Koop, Council Members David Anderson, Darrick Wade, Vince Lanuza, David Preaus, Bruce Butler and Ann-Marie Sandquist. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Chief Mark Hanschmidt, Recreation Director Joanne Breigenzer, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Planning Manager Michael Johnson, Assistant to the Town Manager Ryan Hyland and Town Clerk Michele Miller.

STAFF COMMENTS:

Breigenzer updated Council on the events at the Recreation Center.

COUNCIL COMMENTS:

Butler will be attending the NWCCOG meeting in Kremmling tomorrow.

CONSENT CALENDAR:

Wade requested Consent Calendar item B. Resolution Authorizing Application for a GOCO Grant for the Blue River Trail Segment Five be moved to citizens comments due to the attendance of landowners.

SANDQUIST MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM THE AUGUST 11, 2010 MEETING AND MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

CITIZEN COMMENTS:

RESOLUTION 2010-18 A RESOLUTION AUTHORIZING APPLICATION FOR A GOCO GRANT FOR THE BLUE RIVER TRAIL SEGEMENT FIVE.

Charles Crowley, 911 Mesa Drive, read a prepared a statement from land owners opposing the construction of the trail through their properties. They asked the trail to be relocated to another location. He requested notification of the neighbors on all discussions regarding Blue River Trail Segment Five.

Laura Liddy, 1051 Mesa Drive, informed Council that their properties extend into the river and a pathway would block them from their property.

Bill Hardy, 215 Tennis Court, Town owns property between his property and the river. He had numerous conversations with Tammy Jamieson regarding the location of the trail. Once he looked at the Town's website, he was surprised to see the location of the proposed trail on his property. There has been a lack of communication from Town staff on the progress of this project. This trail is an inappropriate use of the land. He recommended the trail be located on the other side of the river. He is dismayed with the process.

Council comments:

Bulter asked when the GOCO Grant deadline is.

Linfield stated Friday is the grant deadline.

Bulter asked if the trail alignment is specified.

Linfield stated the grant does not specify the alignment.

Butler asked if approving the Resolution tonight would still allow Council to have time to address some of the landowner's concerns.

Preaus asked how long the grant would be good for.

Linfield stated the grant would be good for a couple of years. There will be a design RFP put out this fall and construct next year. He has only met with five property owners regarding the need for additional easements in that area on the east side. The Town attorney has informed him that the Town's easements will allow for the construction of the trail. The existing social trail goes outside the Town's easements. He reviewed the three different trail options being considered by staff. Once the design process is started then meetings would be scheduled with the neighborhood and address concerns. This grant application does not specify design.

Mrs. Crowley asked if the grant specifies the location of the trail.

Linfield stated the location designated is all on the east side where the Town holds easements. Crowley stated the trail design was done in 2004. He described the proposed trail loop in the 2004 plan. He has suggested other alternatives to the proposed trail being located on his property. Easements could be obtained on the west side of the river or leave the trail on Rainbow Drive.. He does not understand the proposed use.

With the grant proposal

Koop stated this project has been in the works for fifteen years. He requested consideration on the Resolution authorizing the GOCO grant application.

Anderson stated there is a deadline for the application and the resolution is all that is before Council tonight. He supports the resolution.

Butler stated he is sympathetic but the planning for this trails has been going on for years. He will approve the resolution tonight. He would like to see notification of the design meetings for the neighbors.

Linfield stated that is how all projects are handled.

Hardy stated you have built a bunch of pieces of something and then ignore dealing with the tough design of the last 1/15 of the trail. Then you say we have been planning this for twenty years and we are going to build the trail without any communication. That

Koop stated there has been a lot communication regarding the trail over the years.

Sandquist this is an opportunity to apply for a grant to give us money to the trail section. The trail is something the community has discussed in surveys and community forums for a very long time. We are not un-sympathetic to the issues that have been brought forward tonight and will continue to be discussed. She stated we need to go forward with trying to obtain funding for the completion of the trail.

Hardy requested the wording on the grant application be a design grant not a construction grant.

SANDQUIST MOVED TO APPROVE RESOLUTION AUTHORIZING APPLICATION FOR A GOCO GRANT FOR THE BLUE RIVER TRAIL SEGMENT FIVE. MOTION SECONDED. MOTION PASSED UNANIMOUS BY COUNCIL PRESENT.

PUBLIC PRESENTATIONS:

None

LIQUOR BOARD:

A. Bold Petroleum, Inc. dba Acorn Food Store – Renewal of 3.2% Retail Liquor License (off premise)

B. Pizza Hut of SE KS dba Pizza Hut – Renewal of 3.2% Beer Retail License (on premise)

BUTLER MOVED TO APPROVE BOLD PETROLEUM, INC. DBA ACORN FOOD STORE AND PIZZA HUT OF SE KS DBA PIZZA HUT'S RENEWAL OF THEIR 3.2% RETAIL LIQUOR LICENSES. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

Major PUD Amendment – South Maryland Creek Ranch

Planning Manager Michael Johnson presented the applicant's request for a Planned Unit Development Amendment to allow an observatory land use in the South Maryland Creek Ranch PUD. He reviewed his staff memo dated 8-18-10 and requested approval. He requested approval with the Planning Commission recommended conditions.

Joanna Hopkins, South Maryland Creek Ranch representative, reviewed the location of the Observatory on the property and the use for the remotely operated observatory.

Lanuza asked if it will be only private use only.

Hopkins stated it is for use of the family

Butler asked if the conditions are acceptable to the applicant.

Hopkins stated yes.

Public hearing opened, no comment, public hearing closed.

LANUZA MOVED TO APPROVE THE SOUTH MARYLAND CREEK RANCH MAJOR PUD AMENDMENT WITH THE PLANNING COMMISSION RECOMMENDED CONDITIONS:

1. APPLICANT SHALL ADD AN OBSERVATORY DEFINITION IN ARTICLE I OF THE PUD GUIDE MEETING STAFF'S CONCERNS.

2. APPLICANT SHALL ADD OBSERVATORY BUILDING SETBACK STANDARDS TO FIGURE 2.2. OF THE PUD GUIDE.

3. APPLICANT SHALL ADD AN OBSERVATORY BUILDING HEIGHT MAXIMUM OF 25 FEET TO FIGURE 2.2 OF THE PUD GUIDE.

MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

BOARD OF ADJUSTMENT:

None

ACTION ITEMS:

None

DISCUSSION ITEMS:

Julie Chandler, NRO, presented Council with the brochure noting Silverthorne's participation.

LANUZA MOVED AT 6:58 TO GO INTO EXECUTIVE SESSION FOR A CONFERENCE WITH THE TOWN ATTORNEY AND APPROPRIATE STAFF, UNDER CHARTER SECTION 4.13(c) AND SECTION 24-6-402(4)(b) and (e), C.R.S., SPECIFICALLY TO TAKE LEGAL ADVICE AND INSTRUCT NEGOTIATORS CONCERNING GROUND LEASE TERMS FOR THE TOWN CENTER PROPERTY, AND UNDER CHARTER SECTION 4.13(c) AND CHARTER SECTION 24-6-402(4)(f) FOR THE ANNUAL TOWN MANAGER REVIEW.

HE FURTHER MOVED TO RECONVENE THE COUNCIL MEETING AFTER THE CONCLUSION OF THE EXECUTIVE SESSION, FOR THE PURPOSE OF TAKING ANY ACTIONS DEEMED NECESSARY. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

EXECUTIVE SESSION:

- A. Legal Advice and Instructing Negotiators under CRS 24-6-402(4)(b) and (e), and Charter 4.13, Concerning the Ground Lease Terms for the Town Center Property
- B. Town Manager's Review

INFORMATIONAL:

BULTER MOVED TO CONCLUDE THE EXECUTIVE SESSION, RETURN TO THE OPEN MEETING AND ADJOURN MOTION SECONDED. MEETING ADJOURNED AT 10:10 P.M P.M.

DAVE KOOP, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the videotape of the meeting, maintained in the office of the Town Clerk.