

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, December 8, 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, Administrative Services Director Donna Braun, 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, Town Engineer Dan Gietzen and Town Clerk Michele Miller.

STAFF COMMENTS:

Batchelder announced that Great Outdoors Colorado (GOCO) awarded the Town of Silverthorne a \$500,000 Special Opportunity Grant for the construction of Segment 5 of the Blue River Trail. He recognized the Sport Committee, Bill Linfield, Joanne Breigenzer, Dan Gietzen, Mark Leidal, Diane Salamon, Ryan Hyland, Liz Hodson and Nathan Mosley for all their work on the grant application.

Breigenzer reviewed the events at the Pavilion. The Winter Pastimes has been distributed. Hanschmidt invited Council to the Adopt and Angel Program, December 16, 10-4 at the Silverthorne Pavilion.

COUNCIL COMMENTS:

Anderson thanked all involved in the GOCO Grant application and the award.

Butler updated Council on to the CML Policy Committee meeting he attended. He will be attending NNWCOG meeting. He thanked the Sport Committee for all their work on the GOCO Grant request.

Council thanked everyone involved with the GOCO \$500,000 Grant award.

CONSENT CALENDAR:

BUTLER MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE NOVEMBER 10, 2010 MEETING MINUTES. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

CITIZEN COMMENTS:

Jim Buckler, Owner of Cutthroat Anglers Guide Service and Pro Shop, introduced himself to Council.

PUBLIC PRESENTATIONS:

None

LIQUOR BOARD:

- A. Rock Bottom Restaurant dba Old Chicago Silverthorne – H & R Liquor License Renewal**
- B. Dancorp, Inc. dba Porkey's Liquor – Retail Liquor Store License Renewal**
- C. Escalante Three Peaks, LP dba The Raven Golf Club at Three Peaks Renewal**
- D. Bamboo Garden - H & R Liquor License Renewal**

BUTLER MOVED TO APPROVE ESCALANTE THREE PEAKS LP DBA THE RAVEN GOLF CLUB AT THREE PEAKS, BAMBOO GARDEN AND ROCK BOTTOM RESTAURANT, INC. DBA OLD CHICAGO SILVERTHORNE – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSES, AND DANCORP, INC. DBA PORKEY’S LIQUOR – RENEWAL OF RETAIL LIQUOR STORE LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

**E. Christ Lutheran Church – Special Events Permit 12-10-10 Silverthorne Outlets
LANUZA MOVED TO APPROVE THE CHRIST LUTHERAN CHURCH’S SPECIAL EVENTS PERMIT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**F. Silverthorne Discount Liquors, LLC – Name Change to Plain Jane Liquors
SANDQUIST MOVE TO APPROVE THE NAME CHANGE FOR SILVERTHORNE DISCOUNT LIQUORS, LLC DBA PLAIN JANE LIQUORS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

G. All Seasons Catering – New Tavern Liquor License

Public Hearing opened

Dahl questioned the applicants Rich and Cara Miller, All Seasons Catering.

Dahl asked the applicants to state their names and business address.

Rich and Cara Miller stated their names and gave their business address at 130 Main Street, Dillon, Co 80435.

Dahl asked them have you ever owned a retail license?

Miller replied that they have not.

Dahl asked do you have any experience in the Liquor business.

Miller stated they have hosted over 200 weddings and provided staff for events where liquor is served.

Dahl asked if in their opinion there a need for a liquor license at this premise.

Miller replied there has been a liquor license at this location since it opened due to the type of events hosted.

Dahls asked are you familiar with the Colorado Liquor Code.

Miller replied yes they have read it and they are signed up for a TIPS class on December 16, 2010.

Miller thanked everyone for their assistance in obtaining the Pavilion Concessionaire.

Koop stressed the education aspect of holding a license.

Preaus appreciate the product and services that All Seasons provides.

Public hearing closed.

Butler thanked the applicant and looks forward to the future success.

PREAUS MOVE TO APPROVE ALL SEASONS CATERING – NEW APPLICATION FOR A TAVERN LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

H. Nepal Restaurant – Transfer of H & R Liquor License

SANDQUIST MOVE TO APPROVE NETRA RAI DBA NEPAL RESTAURANT – TRANSFER OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

A. Ordinance 2010-07, An Ordinance Rezoning Real Property (Our Lady of Peace Church) from A-1 Agricultural Zone District to Planned Unit Development – Approximately 1400 Highway 9 - Second Reading

Michael Johnson, Planning Manager, explained the Applicant is seeking approval of this Ordinance in order to rezone the Our Lady of Peace Church property to Planned Unit Development (PUD). This Ordinance would change the zoning of an un-subdivided parcel from A-1 Agricultural Zone District to PUD. This change would allow church and church related uses on the property. He reviewed the history of the project and the changes since preliminary review in August. He recommended approval.

Public Hearing Open, no comment, public hearing closed:

SANDQUIST MOVED TO APPROVE ORDINANCE 2010-7, AN ORDINANCE REZONING THE OUR LADY OF PEACE CHURCH PROPERTY FROM AGRICULTURAL A-1 ZONE DISTRICT TO PUD ON SECOND READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

B. Ordinance 2010 – 09, 2010 Appropriations Ordinance - Second Reading

Finance Director Donna Braun presented the Appropriations Ordinance amending the 2010 Budget to allow for the adjustment to revenues and expenditures as related to operations, debt and capital projects. Braun reviewed her staff memo and explained the adjustments to the General Fund Revenues and expenditures, additional sales tax CIP fund revenues and expenditures, and the Joint Sewer Fund expenses.

Public hearing opened, no comments, public hearing closed.

Council Comments:

Council noted staff's efforts on the 2011 budget.

BUTLER MOVED TO ADOPT ORDINANCE NO. 2010-09 ON SECOND READING, AN ORDINANCE AMENDING THE 2010 BUDGET AS PRESENTED. MOTION SECONDED BY BUTLER. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

C. Ordinance 2010 – 08, An Ordinance Amending Silverthorne Town Code, Chapter 4, Article VII, Environment Guidelines Concerning Solid Fuel Burning Devices – Second Reading

Planner II, Lina Lesmes presented Ordinance 2010-08 for Council's consideration. Lesmes explained Ordinance 2010-08 would allow the installation of certified Wood Burning Stoves that exceed the requirements of the EPA New Source Performance Standards and Colorado's Air Quality Control Commission Regulation No. 4. Lesmes briefed Council on the background and information on installation of Wood Burning Stoves. She handed out the revised Ordinance with Council's comments from the previous night's work session. Lesmes reviewed her staff report and recommended approval.

Dahl requested today's meeting date be inserted in the ordinance as the effective date.

Lanuza noted the limited number of wood burning stoves allowed per dwelling and the waiver of permitting fees to replace existing devices with approved solid fuel burning devices.

Butler stated his is an opportunity to replace old stoves with more efficient models. The goal is to have cleaner air. The rest of the County has already passed similar ordinances.

BUTLER MOVED TO APPROVE ORDINANCE NO. 2010-08, AN ORDINANCE AMENDING CHAPTER 4, ARTICLE VIII, DIVISION 1, SECTION 4-8-2, CONCERNING SOLID FUEL BURNING DEVICES, ON SECOND READING AS AMENDED WITH TODAY'S DATE AS THE EFFECTIVE DATE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

BOARD OF ADJUSTMENT:

None

ACTION ITEMS:

A. Blue River Trail Segment Five Design Recommendation for Design Services

Bill Linfield, Director of Public Works, stated staff is getting ready for the 2011 construction season by requesting proposals for Segment 5 Blue River Trail.

Dan Gietzen, Town Engineer, reviewed the proposal process and the interview process. The content of the proposals as well as the price were looked at. DHM Design was selected to complete the work in the amount of \$30,745. He recommended approval as presented.

Wade asked where the office of DHM is located.

Gietzen stated Denver.

John Taylor, 1720 Redhawk Drive, has been on the SPORT Committee for many years. The Blue River Trail Segment 5 is a key to completing this trail along the length of the river. The ability for people to walk the trail and get across the river safely was key to the SPORTS Committee over the year. This trail connects the community and its neighborhoods to the library, the Recreation Center, the Town Hall, the elementary school and the North Pond Park.

Council Comments:

Council commented on all the good work the SPORT Committee does.

Wade feels we need to try hard to hire locally in this economy.

BULTER MOVED TO APPROVE THE CONTRACT FOR THE DESIGN OF THE BLUE RIVER TRAIL, SEGMENT 5 PROJECT, TO DHM DESIGN IN THE AMOUNT OF \$30,745. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

Wade left at this time 7:00 p.m.

B. Resolution 2010-24, Wildernest Road and State Highway 9 Roadway System Improvements, Recommendation for Design Services

Bill Linfield, Public Works Director, reviewed the Request for Proposal process. There is some flexibility inherent to the RFP process, weighing and comparing the scope and merits of each proposal is a bit subjective. Staff removed construction management related proposal costs because it is expected that Town Staff will be performing most of the inspection for the project.

Lanuzza asked about the timeline for the project.

Staff reviewed the timeframe.

Lanuzza asked if the future CDOT improvements would be impacted by these changes.

Linfield stated CDOT has reviewed the proposed changes and granted access permits.

Council Questions:

Butler supports continuous efforts in improving the roads in Silverthorne.

Preaus appreciates future planning for our infrastructure.

Sandquist stated it has been the philosophy to wait until areas develop before we invest in that area's infrastructure.

SANDQUIST MOVED TO APPROVE RESOLUTION NO 2010-24, A RESOLUTION AUTHORIZING AWARDDING A DESIGN CONTRACT FOR THE DESIGN OF THE WILDERNEST/STEPHENS INTERESESECTION, WILDERNEST ROAD RECONSTRUCITON, AND STATE HIGHWAY 9 TURN LANE MODIFICATION TO TETRA TECH INC IN THE AMOUNT OF \$80,572. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (WADE ABSENT)

- C. **Waiver Request From Town Code Section 4-6-2 For Remediation of Sav-O-Mat Property, 299 Blue River Parkway, Lots 4-7 , Block A, Silverthorne Colorado Subdivision – PULLED**

DISCUSSION ITEMS:

A. Discussion of the draft Summit County Energy Action Plan

Lina Lesmes, Planner II, introduced Lynn Westerfield and requested Council's comments on the draft plan.

Lynn Westerfield, High Country Conservation Center (HC3) reviewed the early action Items of the Energy Advisory Group. She reviewed the goals, objective and key action items of the organization. She requested input from Council.

Council discussed the impacts of the Summit County Energy Action Plan and indicated mandates might be tough to achieve or costly for local businesses.

Council thanked the group for their efforts.

SANDQUIST MOVED AT 7:50 P.M. 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 TO INSTRUCT NEGOTIATORS CONCERNING THE LEASE TO CUTTHROAT ANGLERS WITHIN THE TOWN CENTER.

SHE 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:

Under Charter Section 4.13(c) and CRS 24-6-402(b) and (e) for Legal Advice and to Instruct Negotiators Concerning the Lease to Cutthroat Anglers within the Town Center

INFORMATIONAL:

- A. EDAC Meeting Minutes – November 16, 2010
- B. SPORT Committee Meeting Minutes – November 18, 2010
- C. September 2010 Sales Tax Report

BUTLER MOVED TO CONCLUDE THE EXECUTIVE SESSION, RETURN TO THE OPEN MEETING AND ADJOURN. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. MEETING ADJOURNED AT 9:55 P.M.

DAVE KOOP, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

Town of Silverthorne Town Council Meeting Minutes

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.